

Joint Development Control Committee- Cambridge Fringe Sites

REPORT OF: Head of Planning Services

TO: Fringes Joint Development Control Committee 21/10/2015

WARDS: All

CONSULTATION ON REVIEW OF SOUTH CAMBRIDGESHIRE PLANNING COMMITTEE SCHEME OF DELEGATION.

1 INTRODUCTION

- 1.1 South Cambridgeshire District Council is reviewing the delegated powers and functions for planning decisions made within its District by its main Planning Committee. It is currently consulting on proposed changes to its scheme of delegation and as such is consulting with both its main Planning Committee, Joint Planning Committees as well as other interested parties.
- 1.2. The final agreed version will be formally approved through its Council, once consultation has been completed. The timetable for this is set out in Section 4 of the report.
- 1.3 If approved, the changes would relate only to decisions made by SCDC main Planning Committee

2. RECOMMENDATIONS

- 2.1 To support the proposed changes subject to consultation with SCDC Planning Committee, Parish Councils and interested parties.

3. BACKGROUND

- 3.1. All Councils are encouraged to keep their policies and procedures under review. It is some time since South Cambridgeshire District Council (SCDC) has done this, save for changes in November 2014 which were of a technical change in response to government additions to the planning system and did not materially affect the level of delegation.

- 3.2. At present approximately 90% of SCDC planning decisions are delegated to officers. Even so its Planning Committee still has lengthy agendas, often including matters of a minor nature.
- 3.3 To address this, SCDC is reviewing its current scheme of delegation with the aim of increasing efficiency and allowing its Planning Committee to focus on the most significant or controversial cases.
- 3.4 The full background and changes proposed by SCDC for its Planning Committee are included in the appendix to this report.

4. CONSULTATIONS

- 4.1. Consultation is currently underway on the proposed changes. Workshops are being held for SCDC Members and Parish Councils on 14th October 2015; the changes were discussed with Planning Agents at the Agents Forum on 5th October 2015. The proposals will be considered by SCDC Planning Committee on 4th November 2015. Responses received will be considered at SCDC Planning Portfolio Holder Meeting on 17th November before a recommendation is made to SCDC Full Council on 26th November 2015.

5. CONSIDERATIONS AND OPTIONS

- 5.1. There are two key changes proposed to the scheme of delegation.
- 5.2. The first relates to how the scheme is set out. At present it lists all the matters to be delegated. The consequence of this is that it can soon become outdated by changes in national regulation and policy, for example the introduction of new application types such as notification of prior approvals.
- 5.3 To avoid the need repeatedly bring back reports to update the scheme of delegation, the proposal scheme allows for all decisions to be delegated other than those set out in appendix A of the background report. This is a sensible solution and an approach that this Committee introduced when it last reviewed its own scheme of delegation in 2013.
- 5.4 The second key change relates to the automatic referral of both minor and major applications where an officer is recommending approval and this would conflict with the representations of a Parish Council where that representation would not substantially be satisfied through the use of planning conditions.

- 5.5 This current approach is an anomaly in that parish councils have an automatic referral, whereas local members, who form part of the Council, can only refer through designated officers and The Chairman of The Planning Committee.
- 5.6 One consequence of the referral arrangement is that Planning Committee agendas become lengthy and burdensome on both Member and officer time. As a result SCDC main Planning Committee currently considers a wide range of applications rather than focussing on those which are most complex and/or controversial. For example the October SCDC main Planning Committee considered 13 applications ranging from a significant housing proposal for 144 homes to a number of applications for single dwellings and one for a security fence. This compares for example to 7 applications on Cambridge City Planning Committee. Furthermore there is also a risk, in incorporating parish councils into the planning decision making process, of challenge to the integrity of decision making of the local planning authority.
- 5.7. The proposed scheme therefore seeks to remove this automatic referral. In doing so, it important to ensure an appropriate balance is maintain between implementing national and local planning policy and the need to take proper account of local views.
- 5.8 All District Council members would retain the ability to call in at the end of the consultation period any application to the Planning Committee, subject to the Chairman's agreement upon the planning reason for doing so. The period for doing this proposed to be being extended from 21 days to 28 days to allow the district councillor to talk with and take account of the parish council formal responses. This should enable local district and parish council members to work more closely together in representing local community views and would still allow a referral to committee if a particular scheme was felt to be particularly controversial locally.
- 5.9 The background report included in the appendix sets out other options that have been considered by SCDC.

6. CONCLUSIONS

- 6.1. The proposed changes are being aimed at increasing efficiency, to help provide greater clarity over the role of district councillors and parish councils and provide a simple process that is robust from challenge. It will allow that Planning Committee to focus on the more

significant and/or contentious cases. For these reasons it is recommended that no objections be raised to the changes proposed by SCDC to its scheme of delegation for its main Planning Committee.

7. IMPLICATIONS

a) Financial Implications

There are no direct financial implications arising from the proposals

b) Staffing Implications

There will be benefits arising from the proposals, in terms of reducing the amount of time that officers spend on preparation of Committee reports.

c) Equality and Poverty Implications

It is not considered that an Equality Impact Assessment is required in relation to the proposals in this report as it relates to amendments to existing procedures. The amended Scheme of Delegation still allows for individual planning applications that would normally be delegated to officers for a decision, but that may raise sensitive issues/ have equal opportunities implications, to be referred to Committee by Members or at the discretion of officers.

d) Environmental Implications

There are no environmental implications arising from the proposals.

e) Community Safety

There are no direct community safety implications arising from these proposed changes.

LIST OF APPENDICES

1. Report to SCDC Planning Portfolio Holder Dated 8th September 2015.
2. Consultation Document on Proposed Changes to Scheme of Delegation.

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

None

The author and contact officer for queries on the report is Jane Green on 01954 713164

