



REPORT OF: THE DIRECTOR OF REGENERATION

TO: PLANNING AND HIGHWAYS COMMITTEE

ON: 19th FEBRUARY 2015

**ORIGINATING SECTION: PLANNING SERVICE
(IMPLEMENTATION GROUP)**

WARDS AFFECTED: ALL

COUNCILLORS: ALL

TITLE OF REPORT:

**Streamlining The Planning Process -
Scheme of Delegation to Officers**

1. PURPOSE OF THE REPORT

1.1 To seek agreement to change the scheme of delegation to officers in respect of planning applications

2. BACKGROUND & RATIONALE

2.1 In November 2014, the Council approved the proposed remodelling of the Planning Service. The proposed new service creates a "One Planning Team", which was explained at the last meeting in November. This new approach increases flexibility within the service to allocate resources in line with priorities.

2.2 The Council has been preparing its Local Plan, a key component of which is a suite of sites allocated for housing development. Ensuring the delivery of these sites in line with the Local Plan, and hence maintaining a five-year supply of land for housing development, is a key priority for the Council, and is reflected in the Corporate Plan.

2.3 In view of these two factors it is essential to continue to seek ways in which maximum use can be made of the Council's resources in relation to its priorities. At its January meeting the Cross Party Working Member Group (CPWMG) discussed the potential of changes to the Council's Scheme of Delegation to assist with this by reducing the number of planning applications that were considered by the Planning and Highways Committee.

2.4 Currently under the Council's Constitution, the Planning & Highways Committee has the power to deal with the following planning applications:

- 2.5
- 1) Where a decision would override an objection from an individual.
 - 2) Where the decisions would be contrary to the development plan or prejudicial to Council policy.
 - 3) Where the application was a large scale major one within the definition for the time being prescribed by central government.
 - 4) Where the application fulfils the requirements of the current Ward Member Referral Scheme.
 - 5) Where the application is by or on behalf of a Member of the Council.
 - 6) Where the application is by or on behalf of the Council's senior management team, a service unit head, a member of the Planning Service, or a member of staff with direct input to, and therefore influence on the application.

2.6 As part of this review of the Service, it was considered that the decision making process had to be more streamlined to align with the new way of working, in order to ensure that the service remains efficient. As a means of maximising the quality of service for all customers efficiency measures are being introduced, which were explained at the meeting in November i.e. shorter delegated reports, greater push for more electronic applications, submission requirements for applications, etc. This allows officers more "focussed work time". However, the workload for case officers is not diminishing and there are signs now that following the recent economic decline which saw the number of major developments significantly reduced, that the economic market is slowly picking up. The number of applications being submitted is healthy with on average 1,000 being submitted on an annual basis.

2.7 Some recent benchmarking has taken place with other Local Planning Authorities in Lancashire as part of the DCOG Group. The table below indicates from the figures supplied for the number of planning applications registered in 2013/14, that Blackburn with Darwen has one of the highest number of cases per officer in Lancashire.

| Authority | Applications Registered 2013/ 14 | No of Case Officers | Average Cases/Officer |
|------------------|---|----------------------------|------------------------------|
| Blackpool | 607 | 4.67 FTE | 130 |
| Blackburn | 984 | 5 FTE | 197 |
| Chorley | 1268 | 9.5 FTE | 133 |
| Lancaster | 1032 | 8 FTE | 129 |
| Preston | 883 | 7.8 FTE | 113 |
| Ribble Valley | 756 | 8.5 FTE | 89 |
| South Ribble | 649 | | |
| West Lancs | 1269 | 10 FTE | 127 |
| Wyre | 904 | 5.6 FTE | 161 |

2.8 Given the above, as well as the fact that the service is about to streamline its processes as part of the "One Planning Team" approach, it is considered an appropriate time to propose changes to the scheme officer delegation. At the moment planning applications are referred to the Planning & Highways Committee if

one or more objection is received. This is an arbitrary figure and does not necessarily reflect the complexity or importance of a planning application in land-use planning terms.

2.9 As reported at the CPWMG January meeting, a recent benchmarking of Lancashire Planning Authorities relating to their scheme of delegations indicate that Blackburn with Darwen are the only authority who have the “one objection” trigger. Many local planning authorities e.g. Wyre Borough Council, Preston City Council, and Lancaster do not have any “objection” triggers. Hyndburn Borough Council in February 2012, changed their scheme of delegation from a “3 objection” trigger to only applications which constitute a departure from the local plan, Council’s own application, Member of the Council, an application that is subject to a S106 Agreement, and one which is referred to the Council by the Member under the adopted referral scheme.

2.10 An analysis of the volumes and types of planning applications presented to the Committee over the past 12 months has been undertaken, which were presented to the meeting last month. In summary:

- Total applications determined 1014
- Committee decisions 115 (11%)
- Delegated decisions 899 (89%)
- Committee decisions 90 apps received objections; others Council owned development; Significant Major; Member Referral

2.11 Planning Advisory Service (PAS) Benchmarking that was carried out in 2010, as part of the local fee setting showed that following a month of analysis on officer time dealing with applications, the average hours taken to deal with a planning application:

Delegated – 1.5 hours per application
Committee – 13.5 hours per application

2.12 These figures are only indicative and partly reflect the nature of the specific applications that were being dealt with when the benchmarking was done. However, it does demonstrate that applications which go to Committee require a significantly greater resource input than those which do not.

2.13 From the 115 committee decisions over the past 12 months:

Applications with 1 objection = 63
Applications with 2 objections = 11
Applications with 3 objections = 6
Applications with 5+ objections = 10

2.14 SCENARIOS BASED ON LAST 12 MONTHS

Remove apps with 1 objection from Committee – 63 less apps to Committee (55% reduction) – officer time 850.5 hours

Allow apps with 2+ objections to Committee – 74 less apps to Committee (64% reduction) - officer time 999 hours

Allow apps with 3+ objections to Committee – 80 less apps to Committee (69% reduction) - officer time 1080 hours
Allow apps with 5+ objections to Committee – 90 less apps to Committee (78% reduction) – officer time 1215 hours

- 2.15 Those applications with 1 objection
18 apps = non-planning issues
45 apps = planning issues.

- 2.16 Therefore, if the applications which have non planning issues objections are removed, this would reduce the number of applications to Committee from 115 to 97 (16% reduction) – 9% of applications determined.

243 average officer hours time on applications with non-planning issues.

Commercial applications (Major & Significant Major) – 2 applications determined within the last 12 months. By removing these applications where their location is compliant with the local plan designate will assist business growth, and determining applications within the statutory timescales. –

3.0 PROPOSAL

- 3.1 A change to the scheme of officer delegation will help to enable a focus on delivery in accordance with corporate priorities, and the provision of a quality service to the customer:
- 3.2 Option 1: The one objection trigger is removed altogether and replaced with 3 or more objections to Committee. This would significantly reduce the number of planning applications presented to Committee and allow the Committee to focus more on major applications. The right for local councillors to refer any planning application to the Committee under the adopted Referral Scheme would remain under this option.
- 3.3 Option 2: If it is still desired to maintain a one-objection trigger, then the Scheme to be amended to allow the application to be determined by officers under delegated powers where the only objections that have been received are not planning related. Summaries of what are and are not planning considerations are listed on the “what’s material” and “what’s non-material” paper published with each agenda.
- 3.4 Option 3 (can be taken forward in conjunction with either of Options 1 or 2): All commercial applications proposed on development sites that are designated as industrial/business development land in the adopted Local Plan, and where the proposal is not overriding an objection, to be able to be determined by officers under delegated powers.

- 3.5 Following discussion at the CPWVG meeting in January, Members recommended that the preferred option is as follows:

Preferred Option:

The one or more objection trigger is removed altogether from the Scheme of Delegation, so as to be determined by the Director of Regeneration, where the objections raised are solely not planning related considerations as listed in the “what’s material” & “what’s non-material” paper published with each Committee agenda.

All commercial applications proposed on development sites that are designated as industrial/business development land in the adopted Local Plan, and where the proposal is not overriding an objection, to be determined by the Director of Regeneration.

5. POLICY IMPLICATIONS

- 5.1 None

6. FINANCIAL IMPLICATIONS

- 6.1 None.

7. LEGAL IMPLICATIONS

- 7.1 Changes to the Officer Scheme of Delegation and powers of the Planning & Highways Committee will require amendments to the Constitution and subject to approval from Council.

8. RESOURCE IMPLICATIONS

- 8.1 Based on the volumes of applications determined by the Committee within the last 12 months, it would mean on average a 16% reduction of applications as recommended in paragraph 11(i) below, will be presented to Committee, which equates to an average of 243 annual hours officer time.

9. EQUALITY IMPLICATIONS

- 9.1 None.

10. CONSULTATIONS

10. These new changes have been presented to the Cross Party Member’s Planning Working Group at their meetings on the 16th December 2014, and 20th January 2015.

11. RECOMMENDATION

- 11.1 (i) That the Committee note the issues described in the report and approve the preferred option:

The one or more objection trigger is removed altogether from the Scheme of Delegation, so as to be determined by the Director of Regeneration, where the objections raised are solely not planning related considerations as listed in the “what’s material” & “what’s non-material” paper published with each Committee agenda.

All commercial applications proposed on development sites that are designated as industrial/business development land in the adopted Local Plan, and where the proposal will not override a material objection, to be determined by the Head of Regeneration (Planning & Transport).

- (ii) To recommend that the preferred option is presented to the next available Council Forum on the 23rd April 2015, to allow for the Council’s Constitution to be amended relating to the Scheme of Delegation and the powers of the Planning & Highways Committee.

Contact Officer: Gavin Prescott, Planning Manager
Date: 28th January 2015
Background Papers: None