

Report to Planning Services Scrutiny Standing Panel

Date of meeting: 11 February 2010

**Subject: Action Points from 26/02/09 and 15/10/09
meetings of Development Control Chairmen &
Vice Chairmen**

**Officer contact for further information: Nigel Richardson, Assistant Director of
Planning & Economic Development (01992 56 4110)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Recommendations/Decisions Required:

That the action points from the last two meetings of the Development Control Chairmen and Vice Chairmen be considered.

Report:

1. Discussion of Plans Prior to Meetings – Pilot a pre-application briefings where a fee is required

Action so far:

2009 was a quiet year for pre-application discussion on major proposals, where a fee was required. There has not been an opportunity to yet pilot a scheme, but Officers have just had a preliminary meeting for potential development at land at Epping Forest College, Loughton. This may be an opportunity for not only for Planning Performance Agreement, but also meetings on the basis of Area South Plans Chair, Vice-Chair and nominated group representative being briefed by officers, after officers have met with applicant and their agent. At 15 October 2009 meeting, the DCC & VC group requested officers to look at the process of how this could work and report in Members Bulletin and to Area Plans Sub-Committee.

2. Planning Services to consider link to the online plans on Area Plans agenda

Action so far:

Matter being looked at by Business Manager, who was appointed in November 2009.

3. Planning Directorate consider planning website/pinpoint member training before or after Area Plans meetings

Action so far:

Difficult to arrange for Area Plans South at Roding Valley School, where there is no link to the website using Council equipment. Previous organised officer

planning seminars are poorly attended by District members. Suggestion would be to move Area South for one meeting to the Civic Officers, where the other two Area Plans Committees meet and run the training over 3 meetings. Officers to discuss and arrange.

4. Improving Local Performance Indicator's – Increase delegation, frequency of meetings etc.

Action so far:

- (1) Officers have revised validation process. More careful checking taking place and website updated with national and local validation checklist requirement before registering planning applications.
- (2) Performance on dealing with major planning applications could be improved by getting applicants and the council to enter planning performance agreements (PPA's). This cannot be forced on the applicant and only be entered at a very early stage, prior to submission of the application. PPAs could be used for any proposal that sits with the 'major' application category. Having said this, care needs to be taken when screening and scoping whether a PPA is appropriate and it is only required for the most complex, significant and/or largest of schemes, which are not common in this council boundary . So far, officers have either not had prior warning of major applications submissions in 2009 or there is a reluctance to enter PPA's because it generally is seen as making the time on dealing with a major application longer and is of no benefit to the applicant.
- (3) A discussion report has not been put to Local Council's Liaison because Constitution and Member Services Standing Scrutiny Panel considered a proposal from a member of the Council for a change to the operation of the Director of Planning's delegation to determine planning applications. The proposal was to make the interpretation of the views of Local Councils more flexible, resulting in more cases being referred made it Area Plans Sub Committees to make the decision. The Panel did not support the change, preferring to rely on improved advice from planning officers to local Councillors as to how they should make their views clear. The Panel recommended accordingly to the Overview and Scrutiny Committee. The latter decided for refer this issue to the Planning Services Scrutiny Panel, which came to the same conclusion.

5. Defending refusals at Appeals

Action so Far:

- (1) Report template altered to show representations in middle section of the report as opposed to previous position at the end of the report, thereby focussing officers attention on comments raised by third parties in the main text and consideration of the report. More balance reflected in officer reports to show in relevant cases that despite recommendation to grant, there may be a case to refuse should members vote this way.
- (2) Officers view the website of the Committee meeting where their recommendation is overturned by members and incorporate these views into their statement. All appeals received appear on the weekly list of applications, which is available to view on the website, and in the Members Bulletin. Dates

for hearings and inquiries are also published in the Members Bulletin closer to the appeal date. Parish and Town Council's are also notified of appeals. There is ample opportunity therefore for Members to get more involved in the appeal process, and it is encouraging to see that some are attending appeal hearings and inquiries.

6. Decision making at Meetings – Webcasting

Action so Far:

- (1) Chairman obtains clear reasons for refusal before vote taken is taking place.
- (2) Members are putting their reasons for refusing forward more clearly.
- (3) Still odd occasion that the Webcasting gives the impression that Members coming to meeting and reading from pre-prepared statements.
- (4) With the help of the Democratic Services Officer present, Chairmen are summarising the decision made and result of voting.

7. Highway Objections to Planning Applications

Action so Far

Officers still require explanation in some cases why highway engineers make certain recommendations. There has been a recent re-organisation of County Council Highway Service and ECC highway engineers are to address District Development Control Committee on 2/02/10 and this will be one of the issues for discussion. There has been the occasional attendance of Highway Engineers at Area Plans Committees.

8. Planning Services and Building Control - working from the same set of agreed plans

Action so Far

Trial began of drawing up building commencement list and providing approved planning permission plans for Planning Directorate building inspectors to check when visiting sites.