1 Purpose of Report

1.1 To request a variation in the previously discussed planning thresholds that dictate when a planning application is determined by the Regulatory Committee.

2 Background

2.1 Proposals for amending the planning delegation thresholds were discussed and agreed at the Regulatory Committee on 31\textsuperscript{st} January 2007, with the intention of then recommending these to both the Resources Committee and Full Council. However, it has since been highlighted that the proposed extension of the consultation period to 28 days will cause issues regarding the time in which some applications are determined when delegated to officers. This change was to increase the time for ward councillors and synchronising of the time allowed for Parish Councils to respond to consultations.

2.2 The following thresholds remain the same as agreed at the previous meeting:

- All Major applications to go to committee unless:
  - under 30 dwellings (was 20)
  - under 10,000 square meters for warehousing/light industrial (was 5,000)
  - residential development under 1 hectare (was 0.5 hectare)

- Applications receiving any of the following level of valid objections to be referred to the Committee:
  - petition signed by more than 20 local residents (was 10)
  - written objections from four or more local households (was three)
3 Discussion

3.1 If the consultation period for councillors to request that an application goes to Regulatory Committee is formally increased to 28 days from 21 days then this will mean that processing of planning applications that have been delegated cannot be completed until after 28 day from the issue of the weekly list. Therefore, those application that have been delegated and can be completed immediately after the current 21 day consultation period could be delayed by up to 14 days. 7 days to allow for the application to appear on the weekly list and the extra 7 days is the formal consultation period for councillors was increased to 28 days.

3.2 Following discussion with the Chair and Vice-chair of Regulatory Committee at the agenda meeting on 12th February the revised proposal is :-

Synchronise the consultation period for ward and parish councillors, so all councillors now have **21 calendar days** from the **date on the planning application consultation letter**.

This was previously 21 days for ward members from the date of receipt of the weekly list and up to determination of the application for parish councillors.

To facilitate the 21 days from the date on the consultation letter, ward councillors will be sent a consultation letter for planning applications within their ward as well as the weekly list.

3.3 The consultation notes provided on the back of the consultation letter will be amended to highlight the need to contact either the parish or ward councillor where a resident has major concerns regarding a submitted application and that this needs to be raised early in the 21 day period.

4 Legal Powers

4.1 Town & Country Planning Act 1990 – defines the time limit for local authorities to determine planning applications.

5 Financial Implications

5.1 Non-achievement of BVPI targets has resulted in a significant reduction in the amount of PDG awarded to the Council and thus the funding available for improvement and resources. In 2006/7 PDG of over £300,000 was awarded however this is estimated to be approximately £60,000 for 2007/8.
6 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of Risk</th>
<th>Consequences if Realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>The thresholds remain</td>
<td>Reduction in the amount of PDG awarded to the Council. Our bid for Beacon Council status could be affected. Our CPA rating will be lower than our previous rating. The Council could be subject to government intervention as it will be viewed as a standard planning authority.</td>
<td>High</td>
<td>Raise the planning delegation thresholds.</td>
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<td>as they are now.</td>
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7 Recommendation

The committee is invited to RECOMMEND the proposed amendment to the planning delegation thresholds detailed in section 3.2 and report their recommendations back to the Resource Committee.

8 Author and Contact Officer
Nadine Trotman
Performance and Development Manager – Sustainable Development

9 Consultees
Executive Director – Sustainable Communities
Corporate Manager – Sustainable Development
Head of Financial Services

10 Background Papers
Regulatory Committee Report 31\(^{st}\) January 2007 : Constitution – Planning Thresholds
Resource Committee Report 17\(^{th}\) October 2006 : Updating the Constitution – Planning Thresholds
Full Council Report 31\(^{st}\) October 2006 : Minutes of the Resource Committee 17\(^{th}\) October 2006
Draft Minutes of the Full Council Meeting 31\(^{st}\) October 2006.