



Agenda item:

Summary

Report for:	Strategic Planning and Environment Overview and Scrutiny Committee
Date of meeting:	12 April 2016
Part:	1
If Part II, reason:	

Title of report:	Development Management update
Contact:	Cllr Graham Sutton, Portfolio Holder for Planning and Regeneration James Doe, Assistant Director – Planning, Development and Regeneration
Purpose of report:	To report on development management service update
Recommendations	That the report be noted
Corporate objectives:	The report focuses on the service plan for the area and key performance indicators. All corporate objectives are therefore relevant.
Implications:	<u>Financial</u> None arising directly from this report.
‘Value for money’ implications	<u>Value for money</u> None arising directly from this report
Risk implications	Risk Assessment completed as part of the service plan.

Community Impact Assessment	None arising from this report.
Health and safety Implications	None arising from this report.
Consultees:	<p>Cllr Graham Sutton, Portfolio Holder for Planning and Regeneration.</p> <p>Mark Gaynor, Corporate Director for Housing and Regeneration</p> <p>Sara Whelan, Group Manager for Development Management and Planning</p> <p>Chris Taylor, Group Manager for Strategic Planning and Regeneration</p>
Background papers:	<p>Planning and Regeneration Service Plan 2013-2015</p> <p>Performance information held on the CorVu system.</p>

Background

This is an update paper setting out the position of the Development Management service and discussing the options for its future.

Context

Central Government is currently putting in motion many fundamental changes to the planning system, ranging from technical changes to the National Planning Policy Framework and strategic changes in the Housing and Planning Bill.

The National Planning Policy Framework underpins sustainable development and planning in England. The consultation launched by the Department for Communities and Local Government (DCLG) in December 2015 proposes the first changes since its publication in March 2012. The Housing and Planning Bill introduces many fundamental changes within the planning and housing functions of local authorities.

The resulting uncertainty created by the fundamental policy changes presents challenges both to assessing the cumulative impact on wider planning policy and to coordinate the resourcing of the planning service and review the way we work.

Housing and Planning Bill

The Bill allows a change to planning policy that will mean that current section 106 requirements for affordable housing will be replaced with a requirement to build a proportion of homes in a development as 'Starter Homes' (to be sold at 80% of market rent to first time buyers under 40, and to be capped at £250,000 outside

London and £400,000 within London). These homes will themselves not be subject to section 106 or Community Infrastructure Levy (CIL) requirements.

The Bill gives the Secretary of State further powers to intervene if Local Plans are not delivered effectively by local authorities and extends the DCLG monitoring to small applications as well as major.

The Bill creates a duty for local authorities to maintain a local register of brownfield land. The Bill also requires all areas on the brownfield register, or land identified in local or neighbourhood plans, to be granted with 'permission in principle'. This is to facilitate sales of land for development.

The Bill requires reports to local authority planning committees to include detail on the estimated financial benefits to a community that will accrue from the proposed development. Government considers that the amount of CIL monies as well as section 106 contributions should be made clear in an Officer's recommendation as this may have an impact on how a community views a scheme.

However, Government is also suggesting that Council tax revenue and Business rate revenue are also calculated as these would be collected if a housing scheme is built. It will be an additional burden on case officers to estimate what the council tax and business rates amounts will be and may be confusing for the community and Councillors to receive this information as part of a planning recommendation as it is not a material planning consideration.

Permission in Principle and the Brownfield Register

The Government is committed to introducing a statutory brownfield register, and wants to ensure that 90% of suitable brownfield sites have planning permission for housing by 2020. This could include full planning permission, outline consent (followed by reserved matters) or a new suggested form of application called permission in principle (to be followed by a technical consent decision).

The brownfield land register is likely to require a call for sites. This will be led by the Strategic Planning and Regeneration service but will need a level of input from DM to ensure that the sites are acceptable for housing and an indication of an appropriate amount. This is a new burden on the DM service and it is not yet known how this register will be formed, there is a requirement to review this at least annually.

The Housing and Planning Bill introduces this new 'permission in principle' route for obtaining planning permission. This is designed to separate decision making on 'in principle' issues (such as land use, location and amount of development) from matters of technical detail (such as what the buildings will look like). The Bill provides for permission in principle to be granted on sites in plans and registers, and for minor sites on application to the local planning authority.

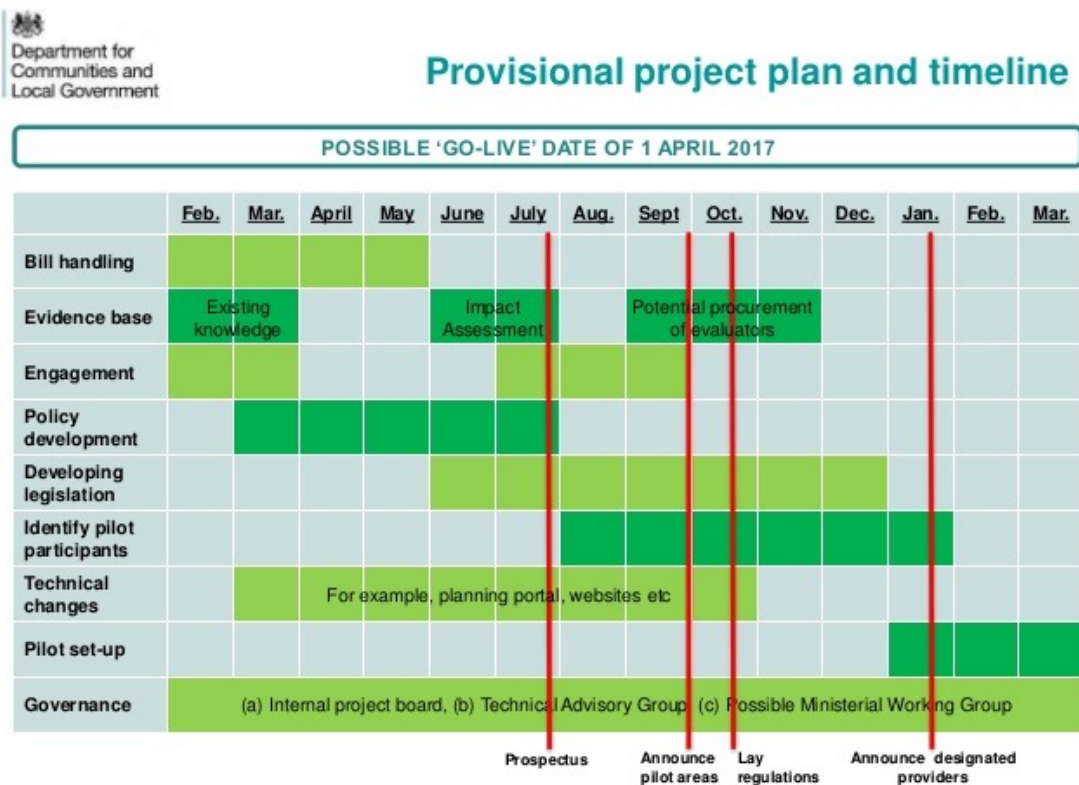
This will be a new type of planning application and therefore application forms, fees and back office management systems will need to be set up. However, more importantly, the Permission in Principle applications will need to be understood by the community and Development Control Committee. The technical details such as flooding, historic constraints and land contamination cannot be assessed at

the initial principle stages when allowing housing. It may be challenging to know how much housing is appropriate without a layout, especially in a conservation area or other constrained areas. The idea is that the principle of development is only established once, and that less upfront costs would be required in submitting details of a planning application. It is hoped that this route will increase the likelihood for suitable sites to be developed.

Approved Providers

A late amendment to the bill suggests that applicants can choose whether to submit their planning application to a Local Planning Authority or an ‘approved provider’. It is unclear how this would work in practice; however it is likely that neighbouring occupiers, town/parish councils and the wider community would be consulted via the approved provider, the Local Planning Authority would be required to provide a planning history of the property. The approved provider would make a recommendation and the Local Planning Authority would then be responsible for the final decision.

It is unclear how the fee would be divided between both parties and who would qualify to be an approved provider. However, many critics are commenting that this is the start of privatising planning. We need to prepare for this direct competition from approved providers as a loss of applications could result in a loss of fees and staff resources. A trial is due to take place with a roll out ready for April 2017; please see a provisional project plan from the DCLG below;



Performance and planning fees

This committee receives quarterly performance data. The DM service for the past few quarters has been meeting our performance targets nationally and our internally set targets. This is good news but we will need to keep an eye on these as the National performance measures are set to get tougher.

Nationally, non-major applications are set to be monitored as well as major applications. Many of these minor applications are referred to committee or are subject to a section 106 Legal Agreement which can delay the process. In addition the quality measure is set to be made tougher so that no more than 10% of applications for major development overturned at appeal, otherwise the authority will be designated.

Government is proposing that national fees are increased by a proportionate amount as they have not increased since 2012. However, they are clear that any changes in fees should go hand in hand with provision of an effective service. Consequently Government is currently suggesting that an increase in fees would not apply to a underperforming authority. Dacorum needs to be clear that we have efficient working processes and staff resources to qualify for the higher level of fees. It is very important that performance management and financial management are linked and considered comprehensively.

The planning service has recently increased its pre-application fees to recover our costs. These came into force from 1 April 2016 and have generally been met with positive feedback. Agents are happy to pay for advice on the provision that a high quality service is provided. We have recently signed our first Planning Performance Agreement which has been entered into with the applicants, Dacorum Borough Council and St Albans District Council. This agreement sets out a project management approach to pre-application advice for a cross-boundary site and secures an appropriate fee for this enhanced level of service.

Efficient processes

The number of planning applications submitted continue to rise and there is more pressure to decide cases in a timely fashion. We are also under financial pressure to make cashable savings to go towards the medium term financial strategy. We are currently reviewing the way we work across all aspects of a planning application to ensure that we are working in the most efficient way possible.

This will maximise the staff resources we have and if there is something we are currently doing which does not add value to the processing of a planning application we should consider stopping doing it. Reviewing our processes is not a quick process and requires working with internal and external statutory consultees, however, it is necessary and a key priority to ensure that we can continue to provide an excellent level of service.

Electronic working and IT

Currently the DM service are working well with a paperless caseload. We have recently rolled out the electronic-post service which removes much of the paper coming into the planning department. However, we are still printing hard copies of planning applications for town and parish councils, letters for neighbours and site notices. There are definitely ways we can reduce the amount of paper we print. This is important as paper is not conducive to working in the Forum and slows the

processing on applications down. However, we will need to work with key stakeholders on any changes we make to our way of working. We need to be sure that the way we process an application is as efficient as possible so we can compete with approved providers and recover our costs appropriately from planning fees.

We have been working closely with IT to ensure our planning webpages are refreshed as part of the launch of the Councils new website. These webpages will continue to be reviewed and reduced where possible. We are also working on a public access system, which will allow customers to register as a user to search and track planning applications through the lifecycle of the planning process. It will also make it easier for users to submit their comments on planning applications on line.

Our back office system is called Acolaid, although it works well there are other systems on the market which would allow us to automate some of our current processes. We are working with the Procurement and IT teams to investigating replacing Acolaid with an improved back office system.

Development Control Committee

The Development Control Committee meet every three weeks to hear officer recommendations and the community's views before making a final decision on planning applications. The committee has a programme of training and support sessions which include keeping up to date with the whole planning system and liaising with key stakeholders such as Hertfordshire Highways. The parish and town councils have been involved in these sessions and it may be useful in the future to liaise closely so they feel fully engaged in the planning process.

The committee reviews the appeal decisions made by the Planning Inspectorate, especially where it has been a decision made by the committee to overturn an officer recommendation. Councillors have often been involved in defending the committee's decision and countering applications for costs made by an appellant. Although in some cases the council has had to pay costs where the Inspector has ruled that a decision has not been defended fully.

When a large scale major application is to be decided at Committee members are invited to attend a pre-briefing which allows Councillors more time to understand the details of a proposal. It is likely that members will also be involved in large scale pre-applications, with support from the Council legal department to ensure that Councillors would not be pre-determined.