



Committee and date

Cabinet

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REPORT OF THE TASK AND FINISH GROUP ON PLANNING 2016/17

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1.0 Summary

- 1.1 This paper presents the report and recommendations of the 'Task and Finish Group on Planning' which have been endorsed by the Enterprise and Growth Scrutiny Committee at its meeting of 23rd March 2017.
- 1.2 A Task and Finish group has been convened on two previous occasions, first in 2013 to look at the process of delivering planning committees in Shropshire in the face of significant financial pressure and again in 2015 which again focussed primarily on the application of procedures. The Task & Finish Group previously reviewed the planning committee process in Herefordshire and Chester & Cheshire West Council with Members meeting representatives and visiting those Local Planning Authorities.
- 1.3 A broader focus was adopted as part of the 2016/17 in the context of a thorough review of the planning (Development Management) service undertaken between February and March 2016. The outline scope, purpose and methodology for the review was presented to Environment and Growth Scrutiny Committee on 17 March 2016.
- 1.4 Elements of the review touched on the operation of planning committees and the respective role of Members and officers who make planning decisions on behalf of the Council. Although these issues have been considered previously, the second review concluded with a recommendation to look again at planning committee options 6 months following the adoption of the SAMDev plan (December 2015). This was in recognition that prior to the adoption of the SAMDev plan there had been a significant number of speculative and controversial planning applications that had a direct impact on the planning process and in particular the number of applications where committee referral was sought.
- 1.5 The Enterprise & Growth Scrutiny committee considered that it would be useful to review these elements through the creation of a Task and Finish Group. The planning review also identified changes to the service required to ensure that it is equipped and responsive to delivering sustainable economic growth.

1.6 The Task and Finish group was established following a call form members and met first on 17th October 2017 with the following objectives:-

1. **To consider the findings of the planning review with respect the operation of the current Planning Committee system and to review the areas for improvement suggested in the report with particular regard to a reduction in the number of planning committees from 3 to 2.**
2. **To review other findings emerging from the planning review identified in Table 1 and make recommendations having regard also to the findings and recommendations of the review reported to Enterprise & Growth Scrutiny in June 2015.**
3. **To explore how the Development Management role can be optimised to support economic growth and identify the most efficient mechanism for delivery.**

2.0 Main Findings

The Task and Finish Group focussed on two broad issues these being the business processes relevant to the delivery of the regulatory process as covered by the planning service review and secondly it considered how the Planning Service could demonstrate a contribution to economic growth. Although it was one of the terms of reference there was no significant discussion about whether to change the committee structure at this time and members considered this would be better reviewed when the new Council was in place following elections in May 2017.

In terms of the regulatory processes and planning performance Members found that:-

- The Planning Service has continued to operate under significant pressure arising from a rapidly changing planning policy context;
- The review of the planning service included a business process review and this will lead to changes with key stakeholders to improve efficiency and effectiveness. Briefing notes have been issued to stakeholder groups in respect of planning enforcement and communication with parish councils to date and further briefing notes will be issued to stakeholders in due course.
- Enhanced professional relationships with other key stakeholders such as planning agents and developers have been developed as the service operates with a renewed focus around sustainable economic growth. This includes more regular agents forums and working with particular stakeholder groups to understand where the barriers to delivering sustainable development on the ground lie;
- The planning service is being re-designed to provided enhanced processes and dedicated resource to deal with planning enforcement and compliance. Members sought more regular updates on planning enforcement reporting;
- The task and finish group recognised specifically that the performance of the planning service is dependent also on the adequacy of resource in other teams and consultees i.e. Highways Development Control, drainage, legal, and public protection;

- The effort to drive delegation up to 96% established by the previous Task & Finish Group has now been achieved;
- 87% of planning applications are determined in accordance with the parish/town council view and that That planning permission currently exists for over 11,000 homes in Shropshire;
- Members supported proposals to give parish councils more time to comment on planning applications increasing the standard consultation period from 21 to 31 days;
- That the service was continuing to prioritise electronic communication with applicants and stakeholders to reduce cost and increase efficiency;
- That the arrangements to involve members in pre-application discussion, should they wish to take part, be strengthened
- Members reviewed issues raised previously by Task & Finish groups reviewing planning committee processes and there was a specific request to Group Leaders in selecting planning committee members that they confirm their ability and availability to attend site inspections for applications being considered by committee;
- Members asked for better location maps to accompany planning applications
- Where paragraph 187 of the National Planning policy Framework was quoted by officers in their reports it should be quoted in full i.e. *“187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”*
- It was confirmed that officers who sign off decisions for delegated reports are not the case officer
- It was confirmed that decision takers on planning applications had to consider late representations.
- There remains a risk with three area committees that policy/process is not applied consistently across the county. The potential risk applies both to members and officers supporting the delivery of planning committee processes. It was agreed to look again at the number of planning committees following the election in May as there would then be new members involved.

Under the third objective members considered three documents explaining planning issues in the context of economic growth. In June 2014 the Royal Town Planning Institute (RTPI) published a document under the title *Fostering Growth: Understanding and Strengthening the Economic Benefits of Planning*. The document is set in a context where some consider planning to be too restrictive and costly despite a very high rate of planning approvals (95% in Shropshire).

The document seeks to highlight the value a strong planning system has in achieving long-term growth. Businesses are attracted to people with the right skill sets and people are attracted to well-connected communities, attractive environments with a strong sense of place.

Fostering Economic Growth highlights 10 recommendations which the RTPI believes will help to create economically successful places. These recommendations are

reproduced below with comments added to set the aspiration in a Shropshire Context. These issues will be reviewed in discussion with the RTPI Chief Executive Trudi Elliott who has agreed at officers request to visit Shropshire later this year to understand further how planning in a large rural Authority is contributing to the delivery of economic growth.

Re-emphasise strategic approach to planning and the economy

1 Enable planning and growth at functional economic level – Local authorities and regions should be encouraged to plan within functional economic areas (FEAs) to fully realise growth potential and make the most of limited resources.

Officer Comment: Contribution to regional initiatives, Midlands Engine, LEP – cross border working with neighbouring authorities, duty to co-operate, strategic sites and development opportunities i.e. i54, Buildwas Power Station, Tern Hill Barracks, North West Relief Road HS2 – identify areas of economic influence both geographically and by sector. This is articulated further in the Council's Economic Growth Strategy.

2 Map policies on central map and develop sustainable growth strategies – Spatial implications of government policies and programmes should be placed on a central map to promote synergies and minimise conflicts.

Officer Comment: Whether on a plan or otherwise this will be captured through the Local Plan review in 2017

3 Encourage champions to lead vision for growth – local authorities should be encouraged to identify a 'Sustainable Growth Champion' to ensure sustainable growth policies taking into account the three dimensions of sustainability are encouraged across teams and implemented in practice.

Officer Comment: member lead opportunity, could be portfolio holder or other member with a remit to work across departments and portfolios to highlight deliver economic growth

Strengthen relationships between developers, planners, politicians and community

4 Demonstrate commitment and benefits to community – Applicants should be encouraged to explicitly demonstrate how a proposed development meets the three dimensions of sustainability and to identify trade-offs in preferred options and alternatives.

Officer Comment: A good idea, highlights the role applicants play in justifying their proposals. Can be reinforced as a message in the pre-application advice applicants are given the opportunity to involve the local member.

5 Promote better cooperation between public and private sectors – More should be done to encourage a sense of duty for public and private sectors to cooperate more closely, where the local authority would be asked to demonstrate how they actively work with private entities to realise approved local plans

Officer Comment: Already developing existing links with planning agents, commercial surveyors and developers. This is in part about understanding the market and customer requirements.

6 Involve community and planners early – Applicants should involve the community and local authority planners early in the process to avoid surprises and delays down the line in addition to provide confidence to investors and increase the speed and efficiency of decision making.

Officer Comment: Positively encouraged through pre-application process task and Finish Group has already highlighted the value of involving the local member at a pre-application stage, particularly where a proposal has wider economic growth aspects.

Acknowledge importance of ‘place’ and support for those responsible

7 Investigate possible benefits of devolution to local authorities – Further investigation is needed to determine the benefits of devolving more power to local authorities such as the ability to retain local business rates and invest in local growth priorities such as housing, transportation infrastructure or skills.

Officer Comment: The Council is a non-constituent member of the West Midlands Combined Authority and working with them to establish how the County can both support and benefit from the targets in their Strategic Economic Plan and initiatives such as the Land Commission and Growth Company. The issues around the retention of Business Rates have been taken through Cabinet by the Head of Finance, Governance and Assurance.

8 Achieve better outcomes with additional financial support – Planning fees to local authorities should be directed to planning services to bolster resources and strengthen the overall team and be supplemented by other resources reflecting the added value planning provides.

Officer Comment: Would clearly support this and suggest that a recommendation of the Task & Finish group is as planning is a paid for service, that planning fees first and foremost are directed to the functions that are involved in the planning process, be it Development Management, Planning Policy, Highways Development Control, Natural & Historic Environment, Ecology, Public Protection, Drainage, or Legal.

9 Enhance economic literacy amongst professionals – There must be a better understanding of the interrelationship between planning and the economy going beyond an understanding of viability amongst all those responsible for creating successful places including professionals and locally elected members.

Officer Comment: In this it is important to understand the performance measures that add value. A smooth and effective planning process is one of these, delivering sustainable communities that provide for local housing and employment opportunities is another. With this comes the importance of delivering infrastructure to serve the housing and employment growth and adding value through design quality in its widest

sense. As part of this process Shropshire Council is launching an annual design award scheme to raise the profile, understanding and quality of built design.

Implement 'customer friendly' approaches

10 Align consenting process and reduce unnecessary paperwork – Local authorities should be incentivised to combine separate consenting processes involving a variety of departments such as transport, building control, environmental services and planning.

Both local authorities and applicants should reduce unnecessary paperwork.

Officer Comment: Agree in principle with this, it is important that consultees to the planning process (internal and external) are aligned, understand and work effectively together to deliver effective and timely outcomes.

3.0 Recommendations

3.1 The Cabinet is asked to endorse the following recommendations:

- 1. That following the election in May there will be a new Council and this would then be an appropriate time to revisit the planning committee options.**
- 2. That the business process review recommendations outlined above are implemented**
- 3. That the recommendations and responses to the RTPI "Fostering Economic Growth be embedded into the culture and operation of the Planning Service.**
- 4. That the Council recognises that the performance of the planning process is dependent not only on the planning team, but also on the resource and capacity of internal and external consultees to the process.**

4.0 Risk Assessment and Opportunities Appraisal

The following risks have been identified:

Breakdown in Member-Officer relationships	A more rigorous approach to consideration of items by Committee may require local members to accept that their request cannot be accommodated.
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Deterioration in reputation of the Council with Parish and Town Councils	Currently Parish and Town Councils in some areas feel that the Council does not listen to them. Refusals to have matters considered by Committee may reinforce this view but evidence
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demonstrates 87% alignment.

That a focus around economic growth could be seen as detrimental to the built and natural environment of Shropshire

The focus will be around “sustainable” economic growth and by its nature that will be development that improves the economic, social and environmental conditions of the area in accordance with paragraph 187 of the National Planning Policy Framework

5.0 Financial Implications

5.1 There are no immediate financial implications as a result of the above recommendations.