



Shropshire Council Development Management Service Briefing Note on Changes to the Service

Development Management is changing. We are looking at ways of delivering our service more efficiently in light of the significant financial pressures affecting Public Sector finances and yet maintaining a commitment to local decision taking.

On 24th February Council approved changes to the scheme of delegations to officers and to the planning committee structure. These changes will be implemented from 1st April 2011.

In addition to this there are other changes to the service design to improve access for customers and key stakeholders such as Parish & Town Councils.

Wherever possible we will develop self service options for customers and provide access to guidance and information free of charge. In addition to this from April we are also introduce an enhanced pre-application advice service which will be subject to a fee.

Further details on all these changes are set out below.

Proposed Changes to the Scheme of Delegation

Shropshire Council planning decisions are delegated for officer approval unless these raise issues that are contentious or significant and there are a series of triggers for committee referral set out in Part 8 of the Councils Constitution. These triggers have been refined to support the service to deliver locally with 20% reduced expenditure costs.

The revised triggers provide an additional filter requiring the referral request to be agreed by a planning officer in consultation with the chairman or vice chairman of the planning committee. This would apply in all cases and so will include referrals from:-

The Service Manager
The Local Member
The Parish or Town Council

The purpose is not to prevent important applications from being considered by committee but it is to ensure that those that are uncontentious are delegated to officers. In the case of Parish Council referrals the planning officer will also consult with the local member before the decision to refer to committee is taken.

A further change to the scheme of delegation is that the trigger for public representations has now been deleted. Prior to 24th February this included:-

- * Applications where 6 or more individual representations (separate premises) expressing a contrary view to the officer recommendation have been received relating to material planning considerations

A petition expressing a contrary view on planning grounds signed by a minimum of 30 persons.

In practice this has proved to be an indiscriminate trigger as in many cases there are fewer than 6 properties affected by a proposal. Whilst this trigger could be reduced there is still the opportunity for local residents to persuade their Local Member or Parish Council to trigger a referral to committee where these are based on material planning considerations. These proposals as set out above also provide for the service manager in consultation with the committee chairman/vice chairman in complex, major or controversial applications to refer these to committee in any event.

A key consideration is that over 90% of applications are delegated which means that in over 90% of cases the officer view and the parish/town council view coincides. Of the remainder the committee report sets out in each case with reasons where a view expressed by a parish/town council is not subsequently supported by the planning officer.

The context now is one of delivering the service with 20% fewer resources and this is achieved by raising the performance and flexibility of planning teams as well as developing self service options, electronic communication and a thorough process review. Enhancing delegation rates would further support this and delegation rates of 95%+ are not unusual for a comparable unitary planning authority. The Planning Delegations to Officers from April are set out below.

Planning Delegations to officers from April 1st

Decisions in respect of the following applications will not be delegated to officers:

- Applications made, by or on behalf of, or relating to the property of Members or officers of the Council who hold politically restricted posts or who either directly or indirectly report to the Group Manager Environment.
- Applications made by the Council or in relation to land owned by the Council which are not in-line with statutory functions (this would mean that classroom extensions etc were delegated to officers but speculative proposals on council owned land would not be)
- Applications accompanied by a Schedule 1 Environmental Statement
- Complex or major applications which in the view of the Group Manager Environment or the Service Manager responsible for Development Management consultation with the Committee Chairman or Vice Chairman should be determined by the relevant Planning Committee
- Applications requested to be referred, by the Local Member, to the relevant Planning Committee within 21 days of electronic notification of the application and agreed by the Service Manager with responsibility for Development Management in consultation with the Committee Chairman or Vice Chairman to be based on material planning reasons. A Practice Note is available in relation to "material planning considerations".
- Applications where the Parish Council submit a view contrary to officers (approval or refusal) based on material planning reasons the following tests need to be met:-
(i) these contrary views cannot reasonably be overcome by negotiation or the imposition of planning conditions; and

(ii) the Area Planning Manager or Principal Planning Officer in consultation with the Committee Chairman or Vice Chairman and local Member agrees that the Parish/Town Council has raised material planning issues and that the application should be determined by committee

Proposed Changes to Planning Committees from 12th May

The arrangements for the structure and operation of the Strategic, North, Central and South Area Planning Committees were established at the formation of Shropshire Council, no longer presented the most efficient or effective way for the Council to discharge its duties, having regard in particular to the parallel process of service redesign required to reduce the cost of delivering the planning service.

From the next Annual Council on 12th May the roles and functions of the three Area Planning Committees will be extended to include the existing functions of the Strategic Planning Committee, which shall be abolished. This will ensure that planning decisions continue to be taken in the localities as well as delivering a more cost effective service.

In addition to this from May each Area Planning Committee shall meet monthly thereafter with the revised procedures being reviewed twelve months after implementation. The present arrangements provide for two meetings each month for the northern and southern area planning committee with a single meeting for the central area.

Pre Application Charging

From the 1st April the Council will be charging for pre-application discussions with prospective developers. It is critical that pre-application discussions for major / significant proposals also involve appropriate member and community involvement as this is a key element of the Localism Bill. Officers will therefore offer customers an opportunity for a co-ordinated meeting with the local member and a representative from the Town / Parish Council. This will not be mandatory for customers given that some schemes will be subject to confidentiality agreements. It will also be up to individual members and/or Town / Parish Councils representatives if they wish to be involved in such discussions.

Officers will also provide customers with advice on best-practice on the requirements for community consultations. Details are emerging from the Localism Bill and advice will be updated accordingly once known.

Revisions to the online Planning Register, Public Access

Our online register allows you to: -

- View and monitor the progress of planning applications on-line.
- Submit representations about planning applications made to the council.
- See whether an appeal has been lodged and the result.
- View weekly and monthly lists of applications and decisions.
- Set up search profiles and be automatically notified by e-mail.
- View registers of formal enforcement action taken by the council.

You do not need to register to use the site if you wish to browse application information or submit comments, however, you will need to register if you wish to track applications, create and save search profiles and other criteria.

Before you can access the system, you must read and agree to the terms and conditions.

Limitations

Planning applications

The system provides details of planning applications received by Shropshire Council from 1 April 2009 and by the former district, borough and county planning authorities up to 31 March 2009.

All documents accompanying planning applications determined by Shropshire Council since 1 April 2009 are available to view online, however, some documents accompanying older applications processed by the former district and borough councils may not be available.

If the information you wish to view is not available or you are experiencing difficulties in viewing any of the records, please contact the relevant area office for assistance.

Appeals

At present, all documents associated with ongoing appeals can be found in the appeals module in Public Access.

Documents relating to decided appeals will only be viewable via the planning case reference to which they relate.

Enforcement registers

The enforcement register contains details dating back to the formation of Shropshire Council on 1 April 2009. For records of cases investigated prior to 31 March 2009 please contact the relevant area of office for more information.

Please follow the link below for an online user guide to Public Access.

[http://www.shropshire.gov.uk/planning.nsf/viewAttachments/SDRY-8EZCYW/\\$file/public_access_user_guide.pdf](http://www.shropshire.gov.uk/planning.nsf/viewAttachments/SDRY-8EZCYW/$file/public_access_user_guide.pdf)

Training

Development management officers will continue to deliver training to parish and town councils. In addition we have put together a training programme for Shropshire Council Members and I would like extend these events to parish & Town Council representatives where possible. All events are offered free of charge and held at the Shirehall. Space is limited and places allocated on a first come first served basis so please let me know in advance if you are interested in a particular event. A copy of the training programme has been sent to Parish and Town Councils. I will share details of new events as these arise.

Ian Kilby
Head of Development Management