

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: TUESDAY, 24 MAY 2012
title: REVISIONS TO DEVELOPMENT MANAGEMENT PROTOCOL
submitted by: DIRECTOR OF COMMERCIAL SERVICES
principal author: JOHN MACHOLC

1 PURPOSE

1.1 To inform Committee on the revised changes to the Development Management Protocol (formally Development Control Protocol) which has been altered to take into account of the Council's restructuring as well as changes to the service and procedural issues.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions –
- Community Objectives –
- Corporate Priorities – To be a well run and efficient Council.
- Other Considerations – None.

2 BACKGROUND

2.1 The production of the document was one of the key actions in a service plan relating to the department and was adopted in November 2005 with minor modifications introduced in May 2006. It was initially subject to extensive consultation, which only generated 4 responses.

2.2 One of the purposes of the DMP is to give the service users an indication of the type of service offered and guidance on how some of the main functions of the service are delivered. This would include advice on a range of different aspects of the DMS from pre-application advice, consultation procedure and committee matters.

3 ISSUES

3.1 Following restructuring and the need to respond efficiently to the changing and competing demands it has been necessary to reflect the changes in a revised document. The most obvious example is that the Department now operates a system of charging for pre application advice and as a consequence the section in the old document needs to reflect the current situation.

3.2 Other than additional guidance inserted in the document the main changes relate to:

- the Council will send out the decision notices only and return any accompanying documents or plans with the decision notice;

- requirements for all planning applications, with the exception of Householder and Prior notification applications to include a CD containing all plans and associated documents with a subsequent reduction in the number of hard copies to 2 complete sets;
- when Planning Appeals are received insert the appellants statement and the Councils statement on the relevant web page;
- to no longer automatically send out plans to Parish and Town Councils as part of the consultation process;
- enforcement section removed;
- returning plans.

3.3 Following meetings and discussions with other districts it has become apparent that Ribble Valley is probably the only local district that continues to return plans with the decision notices. It is clear that this is both a time consuming process and in many instances the cost of postage is quite considerable. I consider that as the Council now refer to plan references on the decision notices the returning of approved plans is no longer essential. Furthermore, the plans are now on the website so it is possible for both the applicant and other interested parties to view the relevant approved documents. I do not consider that this reduction in service is significant yet it will allow staff resources to be prioritised to other key duties.

Requirements for CD containing plans and all associated documents

- 3.4 As part of the validation process of planning applications the local planning authority has the opportunity to request certain information. I have reviewed the requirement in relation to the number of plans and documents currently required and consider that given that most consultation is now carried out electronically it would be possible to reduce the number of hard copies to 2 and that an additional request for a CD containing all the documents should form part of the validation criteria.
- 3.5 I envisage that there would be considerable benefits to both the applicant and the Council with a reduction in the number of hard copies and the introduction of a CD would enable a more efficient and less costly consultation process. In the long term it could lead to a more efficient way of copying documents on to the website to the benefit of all users.
- 3.6 In order to formally amend the criteria it would be necessary to carry out formal consultation so that the Local information requirement validation list could be adopted. It would be necessary to carry out this procedure in due course and as a consequence until any new validation list has been altered to include such a requirement it would not be possible to make applications invalid on that basis. It is my intention to write to local agents and advertise the intention and request that they submit a CD as it would help speed up the consultation process and benefit.

Additional information on appeals

- 3.7 Members will be aware that the Council have had two recent appeals which have been the subject of Public Inquiries and n much public interest. It was clear that many people wanted to see the appellants and Councils statement of case and this involved them having to visit the Council offices. As a result and to increase public access it has been decided to insert the statements on the relevant web page of the planning application which will easier access for the members of the public.

Parish Consultation process

- 3.8 In order to speed up the consultation process and reduce the cost of the service it has been that plans will no longer be sent out as normal practice to Parish and Town Councils and that like other statutory consultees it would take the form of e consultation if it is possible. It is recognised that this may be perceived as a lesser service and so the Council may send out plans upon request.
- 3.9 If the Council considers that the application is of such significance that the sending out of plans would significantly benefit the decision making process and service, plans or a CD will also been sent out, an example of this might be major housing proposals which may generate significant public interest.
- 3.10 It is the intention to take a report explaining the changes to a forthcoming Parish Council Liaison Committee.

Public participation at Committee

- 3.11 The section has been altered to advise participants that it would assist the smooth running of the meeting if they forward any documents they wish to circulate in advance of the meeting.

Committee overturns

- 3.12 Committee will be aware that occasionally, after carefully weighing up the merits of a particular proposal they come to a different conclusion from the officer recommendation. It is important to ensure that in the case of any recommendation to refuse that a robust decision is given. In order to ensure that this is the case there may be instances when it is necessary to defer a decision.
- 3.13 The revised protocol has been amended to take into account this situation.

Enforcement section

- 3.14 The enforcement section of the protocol has been deleted with the exception of guidance on retrospective planning applications. This will be subject to a separate protocol.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:

- Resources – No additional resource implications arising out of this report and in some cases will free up time to focus on other key service delivery issues.
- Technical, Environmental and Legal – None arising out of this report.
- Political – None arising out of this report.
- Reputation – The document will increase the clarity and transparency of the system and possibly improve its efficiency. This would therefore improve the reputation of the Council.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Note the changes which will come into effect from 4 June 2012 and be aware of a forthcoming consultation document regarding Local Information requirements on validation of planning applications.

DIRECTOR OF DEVELOPMENT SERVICES

BACKGROUND PAPERS

- 1 Ribble Valley Districtwide Local Plan.
2. Capita process improvement plan for the Ribble Valley Development Control Service.
3. Corporate Plan.
4. Best Value Report Audit Commission January 2005.
5. Development Control Charter Guide DoE National Planning Forum 1993.
6. Enforcement Concordat Good Practice Guide, England & Wales.
7. Best Practice Guidance on Validation of Planning Applications 2005. ODPM.

For further information please ask for John Macholc, extension 4502.