

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Portfolio Holder

17<sup>th</sup> November 2015.

**LEAD OFFICER:** Director of Planning and New Communities.

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### **AMENDMENTS TO THE CURRENT SCHEME OF DELEGATED POWERS AND FUNCTIONS FOR PLANNING DECISIONS**

#### **Purpose**

1. To consider responses received to the consultation on recent proposed changes and make recommendation to Council on amendments to the scheme of delegation, which forms part of the Council's Constitution.

#### **Recommendations**

2. The Portfolio Holder recommends to full Council that the scheme of delegation of planning decisions is replaced to allow them all to be delegated, other than those listed in Appendix B, based on the Alternative Option below, whereby a parish council requests of the Chairman that an application be considered by Planning Committee.

#### **Reasons for Recommendations**

3. To provide greater clarity over the role of district councillors and parish councillors and provide a simple process that is robust from challenge. Reducing the number of applications referred to Planning Committee will allow it to focus on the most significant and/or contentious planning applications.

#### **Background**

4. All Councils are encouraged to keep their policies and procedures under review. It is sometime since this Council has done this for its planning delegations, save for changes in November 2014 which were of a technical change in response to government additions to the planning system and did not materially affect the level of delegation.
5. At present approximately 90% of the Council's planning decisions are delegated to officers. Even so the Planning Committee still has lengthy agendas, regularly including matters of a minor nature. A major factor is the arrangement for decisions to be referred to Committee if the planning officer recommends approval but the Parish Council has recommended refusal.
6. To address this, the Portfolio Holder at his meeting on 8<sup>th</sup> September agreed to review the current scheme of delegation, and consult on a revised scheme. The full background and changes proposed are included in the Appendix A to this report.

#### **Considerations and Options**

7. There are two key changes proposed to the scheme of delegation.
8. The first related to how the scheme is set out. At present it lists all the matters to be delegated. The consequence of this is that it can soon become outdated by changes

in national regulation and policy, for example the introduction of new application types such as notification of prior approvals.

9. To avoid the need repeatedly bring back reports to update the scheme of delegation, the proposal scheme allows for all decisions to be delegated other than those set out in Appendix B to this report.
10. The second change relates to the automatic referral of both minor and major applications where an officer is recommending approval and this would conflict with the representations of a Parish Council where that representation would not substantially be satisfied through the use of planning conditions.
11. This current approach is an anomaly in that parish councils have an automatic referral, whereas local members, who form part of the Council, can only refer through designated officers and The Chairman of The Planning Committee.
12. One consequence of the referral arrangement is that Planning Committee agendas become lengthy and burdensome on both Member and officer time. As a result Planning Committee currently considers a wide range of applications rather than focussing on those which are most complex and/or controversial. For example the October SCDC main Planning Committee considered 13 applications ranging from a significant housing proposal for 144 homes to a number of applications for single dwellings and one for a security fence.
13. The proposed scheme therefore sought to remove this automatic referral, but to ensure an appropriate balance between implementing national and local planning policy and the need to take proper account of local views.
14. The original consultation proposal removed the automatic referral from parish councils and replaced it with all District Council members calling in at the end of the consultation period any application to the Planning Committee, subject to the Chairman's agreement upon the planning reasons. This would have enabled local district and parish council members to work more closely together in representing local community views and but still allow a referral to committee if a scheme was felt to be particularly controversial locally.

### **Consultations**

15. The consultation period ran for a month until 28<sup>th</sup> October 2015.
16. All Parish Councils have been consulted on the proposed changes.
17. Workshops were held for SCDC Members and Parish Councils on 14<sup>th</sup> October 2015, which resulted in an alternative option of requests to the Chairman from Parish Councils, as below, and the changes were discussed with Planning Agents at the Agents Forum on 5<sup>th</sup> October 2015. One written response was received from a tree works agent.

### **Alternative Option**

18. An alternative proposal emerged from the Member Workshop and was also discussed at the Parish Forum. The alternative suggestion would replace the 'automatic referral' to Planning Committee (where a parish council recommends refusal which is at variance with the officer recommendation), with a request by Parish Councils. When Parish Councils are consulted on a planning application it

would be asked at that stage not only to comment on the merits of the proposal, but to also consider whether this was an application that it felt should be referred to Planning Committee and the planning reasons for doing this, for example, because of strong visual impact, or loss of amenity. The request would be considered by the Chairman of Planning Committee, as advised by designated officers, who would either accept the request, or explain reasons why it cannot be accepted. A draft of the consultation letter to parishes is attached at Appendix C for comment.

19. Members, in coming up with the proposal, were keen that the Chairman should be able to manage the agenda of Planning Committee and respond to all requests with reasons either way. Attached in Appendix D is the responses received from parishes. This shows that parishes sent in a mix of responses from those that did not want any change to those that were supportive of the alternative proposal.
20. The Cambridge Fringes JDCC was informed of these proposed changes when it considered the proposals for City Deal schemes. It was broadly supportive of the proposed approach.
21. Planning Committee considered the delegation revisions at its 4 November 2015 meeting and was supportive of the alternative option, subject to it being sent to all Parish Councils ahead of this meeting.

### **Conclusions**

22. The proposed changes are being aimed at increasing communication between officers and parishes, to help provide greater clarity over the role of district councillors and parish councils and provide a simple and robust process. It will allow Planning Committee to focus on the more significant and/or contentious cases. For these reasons it is recommended that the proposed revised scheme of delegation is supported.

### **Implications**

23. **Financial**  
There are no direct financial implications arising from the proposals
24. **Staffing**  
There will be benefits arising from the proposals, in terms of reducing the amount of time that officers spend on preparation of Committee reports, but replaced by more time spent on considering and responding to parish council requests for referral.
25. **Equality and Diversity.**  
It is not considered that an Equality Impact Assessment is required in relation to the proposals in this report as it relates to amendments to existing procedures. The amended Scheme of Delegation still allows for individual planning applications that would normally be delegated to officers for a decision, but that may raise sensitive issues/ have equal opportunities implications, to be referred to Committee by Members or at the discretion of officers.
26. **Environmental Implications**  
There are no environmental implications arising from the proposals.

### **Appendices**

1. Appendix A - Report to SCDC Planning Portfolio Holder Dated 8<sup>th</sup> September 2015 and its appendix.
2. Appendix B – Revised Scheme of Delegation
3. Appendix C – Draft revised consultation letter to Parish Councils on planning applications
4. Appendix D – Responses from Parish Councils in Alphabetical Order

**Report Author:** Tony Pierce – Interim Development Management Manager  
Jane Green – Head of New Communities  
Telephone: (01954) 713164.

**Report To:** Planning Portfolio Holder  
**Lead Officer:** Director - New Communities & Planning

8 September 2015

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## **Consultation on Draft Amendments to the Delegated Powers and Functions for Planning Decisions**

### **Purpose**

1. To consider draft amendments to the current scheme of delegation, which forms part of the Council's Constitution, so that officers have the powers to determine a range of applications and Planning Committee reaches robust decisions on schemes of an appropriate scale and nature.
2. This is not a key decision because it is presenting proposals for consultation, the results of which will inform a review of the existing scheme of delegation, which forms part of the Council's Constitution.

### **Recommendation**

3. It is recommended that the Portfolio Holder considers the report and approves Appendix A as the basis for consultation with parish councils, local members, the Planning Committee and members of the public.

### **Reasons for Recommendation**

4. This is to enable full consultation on proposed improvements to the scheme of delegation and management of the Planning Committee agenda. It is timely to review such delegation arrangements.

### **Background**

5. The vast majority, approximately 90%, of all planning decisions under the current scheme are delegated to officers. Even so, Planning Committee still has lengthy agendas, often including some matters of a minor nature. Raising the level of delegated cases to 95% would increase efficiency and allow Planning Committee to focus on the most significant cases.
6. Any changes, however, should be in the context of achieving the appropriate balance between implementing national and local planning policy and the need to take proper account of local views.
7. Current arrangements set out particular planning matters to be delegated. This means the scheme is readily outdated by changes in national regulation and policy. For example, on 5 November 2014, minor amendments to the scheme were approved to enable new planning application types, such as notifications of prior approval, to be delegated to officers. This was a technical change in response to

government additions to the planning system, and did not materially affect the level of delegation.

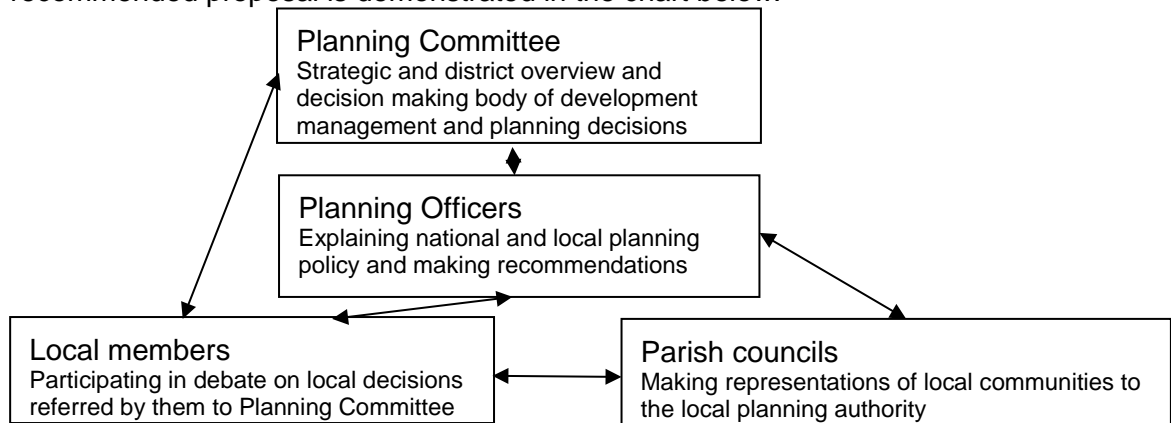
8. To avoid this repeatedly occurring, a scheme is proposed that delegates all planning decisions to officers, with a list of exceptions reserved to Planning Committee.
9. The current procedure for referral of a case to Planning Committee includes:
  - (a) *For Major or Minor Developments a recommendation of approval would conflict with written representations on material planning ground received from a Parish Council within the specified consultation period where such representations would not substantially be satisfied through the imposition of conditions and*
  - (b) *An elected member of the District Council has, within 21 days of the date of registration of an application, requested in writing and the Planning and New Communities Director, Head of New Communities or Development Control Manager has agreed that Committee determine the application...in consultation with the Chairman of Planning Committee...*
10. Operation of these referral mechanisms has in practice not been clear. There is an anomaly in that parish councils have an automatic referral, whereas local members may refer only through designated officers and the Chairman. The roles of local members and parish councils would benefit from review, and this should bring greater clarity.
11. At the 10 August 2015 Portfolio Holder meeting, the need to review planning decision delegations was noted. This report is brought forward to address the following issues:
  - (a) To clarify the role of local members and parish councils
  - (b) Retain a simple process that is robust from challenge and
  - (c) Increase efficiency and working with local communities and partners.

### **Considerations**

12. The consequence of the current referral arrangement is that Planning Committee agendas can be lengthy and burdensome on members' and officers' time. Furthermore, there is a risk, in incorporating parish councils into the planning decision making process, of challenge to the integrity of decision making of the local planning authority.
13. The principle of the revised delegation scheme should be that all planning decisions are delegated by members to officers **except** for a range of applications of scale and nature more appropriate for members to determine. A draft for consultation is set out in Appendix A. It is based on schemes adopted by other rural local planning authorities that are regarded as best practice, but adapted to include matters in the Council's current scheme.
14. All District Council members would retain the ability to call in at the end of the consultation period any application to the Planning Committee, subject to the Chairman's agreement upon the planning reason for doing so. This should enable local district and parish council members to work more closely together in representing local community views.
15. Changes to the Joint Development Committees are under consideration, principally that planning decisions for City Deal transport schemes are delegated to the Cambridge Fringes JDCC from the County Council and also considering the Northstowe JDCC. These matters are not considered in this report.

## Options

16. The preferred option is that parish councils, local members and planning officers continue to work together to ensure that local views are properly expressed to the Council, and balanced against national and local planning policies. The recommended proposal is demonstrated in the chart below:



17. Alternative options could be:
- Extend the current referral arrangement of parish councils to one of full delegation for decision upon certain types of application. This option has been explored in the past by a few councils, notably Cornwall and Chelmsford, but has been rejected, in order for the district council to retain its integrity and responsibility as the Local Planning Authority. The desire to make planning decisions at the more local level has resulted in area planning committees in various authorities. These are, however, expensive to run and can be complex in operation or
  - Enable parish councils and local members to both refer cases in an exactly similar way, but through discussion with designated officers and the Chairman of Planning Committee.
18. For information, Huntingdonshire District Council is currently reviewing corporately its scheme of officer delegations and Cambridge City Council has adopted full delegation to its Director of Environment, with a list of exceptions.

## Consultation Questions

19. In a future scheme of delegation of planning decisions:
- Should there be a stronger role for local members?
  - Should the Chairman of the Planning Committee have more control over which cases are considered by Committee?
  - Are there more efficient ways that planning decisions can be delegated?

## Programme of Consultation

20. Having set out the issues and options and what other authorities follow, it is proposed to consult with parish councils and partner authorities.

Meeting	Date	Decision
Planning Portfolio Holder	8 September	Approve draft for consultations

Joint Committees & parishes	Sept/October	Make comment
Planning Committee	4 November	Make comment
Planning Portfolio Holder	10 November	Recommend to Council
Council	26 November	Approve

### **Background Papers**

Report to 9 July 2015 portfolio holder meeting - 'South Cambridgeshire Local Plan – Response to Inspector's Letter'

**Report Author:** Tony Pierce – Development Control Manager (interim)  
Telephone: (01954) 713165



## Appendix B

### Proposed delegation of planning decisions in South Cambridgeshire

All applications will be dealt with under delegated powers unless:

- A Local Member or Parish Council writes, or emails a request for a particular application to be considered by Planning Committee and sound planning reasons have been provided setting out why committee consideration is necessary and the request is accepted by the Chairman of Planning Committee in consultation with designated officers. The request by Parish Councils should be made within 21 days of the date of registration and by Local Members by 28 days of the date of registration of the application, or within 14 days of receipt of any subsequent significant amendment to a current proposal.
- An application is made by an elected Member or an officer of the Council, or household member of either of such persons, and representations objecting to the application have been received (delegation is still permitted if the application is refused);
- If approved, the matter would represent a significant departure from the approved policies of the Council (officer delegation is still permitted if the departure from policy would not conflict substantially with the aims and objectives of the policy or the application is to be refused). For these purposes significant departures are defined as a development which requires referral to the Secretary of State;
- Any 'Major' or 'Minor' application relating to the Council's own land or development where representations have been received against the proposal;
- The application is for the demolition of a listed building or a Building of Local Interest or
- The application is one that in the opinion of officers, in consultation with the Chairman and Vice-Chairman, should be determined by Committee because of special planning policy considerations, the complexity of the application, the application is significant and/or strategic importance to an area beyond both specific site and parish.

**APPENDIX C**

**DRAFT STANDARD CONSULTATION LETTER TO PARISH COUNCILS ON PLANNING APPLICATIONS**

<Name, Address>

*This letter (with no plans attached) has been emailed to the Parish Council prior to sending out in the post, and for information to Ward Members. Details, plans and documents relating to the application below can be viewed by the following link <planningwebpage address>. Please use, whenever possible, the online form for your Council's response.*

Date: <current date>

Dear Sir/Madam,

**Proposal:**  
**Application Ref:**  
**Location:**  
**Applicant:**

Attached is a copy of the above application for your consideration.

We welcome any comments your Parish Council wishes to make, but ask that they are made using the online web form available, or on the form below and returned to the above address **no later than 21 days from the date of this letter**. After the expiry of this period, the District Council may determine the application without receipt of your comments.

Should you wish to request that the application be considered by the District Council's Planning Committee, please state the material considerations and planning reasons. Examples can be found on the District Council's web pages at <link>. The Chairman of the District Council Planning Committee has undertaken to respond to all reasonable requests.

**The Parish Council:- (Please delete appropriately)**

<b>Supports</b>	<b>Objects</b>	<b>Has No Objections</b>
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The Parish Council *does/does not*\* request that the application be referred to the District Council Planning Committee \*(please delete)

**Comments and planning reasons:**

Signed.....Date.....  
Clerk to the Parish Council or Chairman of the Parish Meeting

# Barrington Parish Council

29 October 2015

11:13

<b>Subject</b>	<b>Planning decisions</b>
<b>From</b>	<a href="mailto:tfletc@aol.com">tfletc@aol.com</a>
<b>To</b>	Pierce Tony
<b>Sent</b>	24 October 2015 13:37

Tony, I have two comments on the current system 1. The method of voting should be changed to be less cowardly--a show of hands 2. There should be a way of checking statements made by members of the committee--currently not able to be challenged Generally provided Parish Councils can ask for matters that are very important to their village to be put to the committee then I am content with the modified proposals.

Regards, Tony Fletcher Chair Barrington P C

# Barton Parish Council

29 October 2015

11:15

Subject	Response to Scheme of delegation consultation Barton PC
From	<a href="#">Patrick De Backer</a>
To	Pierce Tony
Sent	23 October 2015 17:41
Attachments	

1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?

**WE DON'T WORK TOGETHER AT ALL AT PRESENT.  
THERE IS AN ADVERSARIAL APPROACH AT TIMES.  
ANY IMPROVEMENT ON THIS WOULD BE  
WELCOMED.** .....

2. Do you foresee any practical problems with the proposed changes?

**NO.  
A SENSIBLE  
COMPROMISE.** .....

3. Should the Chairman of Planning Committee have the ' final say' over which cases are considered by Committee?

**NO.  
OBJECTIVE CRITERIA SHOULD  
APPLY.** .....

4. Are there more efficient ways that planning decisions can be delegated?

**SOME CONTACT BETWEEN PLANNING OFFICERS AND PARISH COUNCILS ON  
THE CASES THAT WOULD OTHERWISE GO TO COMMITTEE WOULD BE  
BENEFICIAL.  
WE WELCOME THE FACT THAT MORE TRAINING WILL BE PROVIDED TO  
PARISH COUNCILS, ASSISTING US IN BETTER UNDERSTANDING MATERIAL  
CONSIDERATIONS IN  
PARTICULAR.** .....

5. Any other comments?

**WE HAVEN'T FELT IN THE PAST THAT PLANNING OFFICERS ARE ALWAYS  
ACCESSIBLE TO US.  
OUR LOCAL KNOWLEDGE IS SOMETIMES IGNORED.  
THE ABILITY TO HOLD DISCUSSIONS ON AN OCCASIONAL, CONTENTIOUS  
APPLICATION WOULD BE  
APPRECIATED.** .....

**Barton Parish Council** compiled by Bev Edwards Chair & Patrick De Backer Clerk

# Cottenham Parish Council

29 October 2015

10:31

Subject	<b>Consultation on Planning Delegation</b>
From	<a href="#">Clr.Morris</a>
To	Pierce Tony
Cc	Jo Brook
Sent	29 October 2015 10:04

Dear Tony

Apologies for a slightly belated reply to the consultation. Cottenham's observations are not out of line with the sentiments expressed at the recent Planning Forum. Our recommendations are listed below:

1. **How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?** More training of PCs to raise their understanding of both planning conditions and the planning process, including areas of current and proposed delegated authority and decision review. It would be useful if longer notice were given of provisional scheduling of items at Committee and that formal receipts of PC responses were provided.
2. **Do you foresee any practical problems with the proposed changes?** Yes, we disagree with any dilution of Parish Council input to the planning process, especially the introduction of District Councillors as gatekeepers. We do approve of the suggested changes to the response form allowing the PC to indicate clearly a wish for a potential approval to be referred to Planning Committee and the likelihood that the PC will send a representative to the Committee meeting. We note also that the Clerk can represent the Council at such meetings.
3. **Should the Chairman of Planning Committee have the "final say" over which cases are considered by Committee?** While we understand the need for a "final say", we feel it would be better if these disputed cases were referred to Planning Committee.
4. **Are there more efficient ways that planning decisions can be delegated?** We have serious concerns about further delegation, especially at times when many Planning Officers lack experience in local sensitivities. We need to be reassured that proper decision review processes are in place and there is more transparency over the delegation and decision review processes.
5. **Are there other comments?** We believe it is vital that PCs continue to have the means of making their opinion visible to Planning Officers and the Planning Committee. That opinion must not only be heard but should also be "seen to have been taken into account" even when over-ruled..

Best wishes

Frank

Frank Morris

Chair

Cottenham Parish Council

# Eltisley Parish Council

29 October 2015

11:10

Subject	<b>Re: Maintenance to and Upgrading the Council's Planning System and Parish Council Workshop about Proposed Changes to Planning Process including The Scheme of Delegation. [Date for your Diary 14th October 6-8pm]</b>
From	<a href="#">Jane Bowd</a>
To	Pierce Tony
Sent	26 October 2015 15:18

Dear Mr Pierce,

Ref consultation on the scheme of delegation.

Eltisley Parish Council have considered your proposals and have asked that I respond to state that they wish the process to remain as it is.

Regards

Jane

*Jane Bowd  
Parish Clerk  
Eltisley Parish Council*

# Foxton Parish Council

29 October 2015  
11:00

Subject	Changes to Planning Scheme of Delegation survey
From	<a href="#">Foxton Parish Clerk</a>
To	Pierce Tony
Cc	Peter Sutton; Liam Elliott; Malcolm Bore; Barbara Black; Christine Eckers; Jane Treva nion; Simon Buggey; Ron McCreery; Colin Grindley
Sent	27 October 2015 10:23
Attachment s	

**1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?**

.....The current problems with the planning system appear to stem from understaffing by SCDC. The only way all parties will work better together is by having more communication and this will only happen if adequate qualified planning officers are employed. There is also potential for conflict, albeit minimal, between PCs and DCs where political considerations are involved.....

.....  
.....  
.....  
.....

**2. Do you foresee any practical problems with the proposed changes?**

...Yes. The PC will be disenfranchised where there is disagreement with the District Councillor regarding referral to planning committee. Also potential issues if the DC is ill or on holiday and misses the 7 day referral period.

.....  
.....  
.....  
.....

**3. Should the Chairman of Planning Committee have the ' final say' over which cases are considered by Committee?**

.....Definitely not. The planning system at local level, relies on a committee process to provide a balanced view and removes the opportunity for personal opinion or personal interest to outweigh the democratic process....

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.....

**4. Are there more efficient ways that planning decisions can be delegated?**

...No comment

.....  
.....  
.....  
.....

**5. Any other comments?**

...PCs should have the right to directly request planning proposals be put to the Planning Committee. This would cover disagreement with or unavailability of DCs.

.....

# Fulbourn Parish Council

28 October 2015

15:07

<b>Subject</b>	<b>Delegation of planning applications</b>
<b>From</b>	<a href="#">Mary and Richard Drage</a>
<b>To</b>	Pierce Tony
<b>Cc</b>	Clr Turner; Green Jane
<b>Sent</b>	28 October 2015 11:05

Unfortunately Fulbourn Parish Council were unable to attend the Parish Planning Forum on 14 October as we had our monthly PC meeting that evening. Council has debated the issue however and having read the notes from the meeting which answered questions that had been posed by attendees and which we had debated, I write to confirm that Fulbourn PC is happy to work with SCDC to agree delegation changes that suit all parties.

Mary Drage  
Chair, Fulbourn Parish Council



# Gamlingay Parish Council

29 October 2015

11:16

Subject	<b>Re: Changes to delegation of Planning decisions</b>
From	<a href="#">jackie mcgeady</a>
To	Sarah Groom
Cc	clerk@gamlingay-pc.gov.uk; Pierce Tony; Bridget Smith BZ; Clr Kindersley Sebastian; Peter Dolling; gerryburne@waitrose.com; sarahgroom@rescue.co.uk
Sent	23 October 2015 17:36

1) Working together

DC's Planning Committees need to understand local priorities and issues and views specifically in relation to contentious 'one off' planning applications. Removing the right of Parish Councils to refer these types of applications for a wider debate will be of detriment to the current relationship between Planning Officers, Committee members and Parish Councils and should be resisted. One example of this is Application S/2639/13/FL- a prime example where local resident contributions added to the understanding of why this property was not appropriate in this particular circumstance. Had the debate at SCDC Planning Committee not taken place, the resultant evidence of this process was made as part of the appeal did significantly add to the case for refusal of this particular application. I have no doubt that the process undertaken by SCDC held it in high regard with the appeals Inspector. If the proposed changes to delegation are made, the opportunity for this debate will be removed. The application would likely have been approved through officer delegation. We strongly object to the removal of these rights from Parish Councils on this basis.

2) Practical problems with proposed changes

GPC understand that there are time pressures on committee schedules. GPC only makes on average one request per year of referral to Planning Committee, only in exceptional circumstances. The Council strongly recommends that Parish Councils retain the right to refer to Committee in exceptional circumstances where there is a pressing local need for the application to be debated more widely. To remove this right would potentially harm relationships between Officers, Committees and Parish Councils and could result in poorer decisions for local communities. This is a retrograde step for local democracy.

3) Final say by Chair of Planning Committee

The current system is fit for purpose, if sufficiently resourced. Other Parishes may not have as good a relationship with their District Councillors, therefore the proposed changes would significantly restrict their ability to reach Planning Committee with applications important to them. Parish Councils should not be refused access to Planning Committee in exceptional circumstances, without District Councillor support.

4) More efficient ways planning decisions to be delegated-

We understand that there are manpower issues which temporarily may cause workload issues for officers. However this should not be allowed to significantly alter current relationships between officers, councillors, committees and the Parish Council.

5) Any other comments

We have a good working relationship with our District Councillors, and hope that this continues long term. It is essential that Parishes have access to SCDC Planning Committee in exceptional circumstances and the current regime allows for this to happen. The proposed changes will significantly restrict Parish Councils access to Planning Committee in future which will be detrimental to local democracy and will result in poorer decision making and inferior planning development decisions. The end result will potentially degrade our local area characteristics and result in poorer built environments as evidenced in the example above.

I hope you will be able to use these comments as part of your consultation reporting on this matter.

Regards

Kirstin Rayner  
Parish Clerk

# Grantchester Parish Council

29 October 2015

10:32

Subject	<b>proposed scheme of delegation of planning decisions</b>
From	<a href="#">Maggie Challis</a>
To	Pierce Tony
Sent	28 October 2015 15:43
Attachments	

1. **How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?**

**Clearer communication between officers and parish councils, especially to discuss any differences between the PC's recommendations and those of the officers. The silent hole into which our recommendations goes makes it difficult to know if our local knowledge of the environment, the wishes of our parishioners and the history of the planning application are in any way influential in decision making.**

2. **Do you foresee any practical problems with the proposed changes?**

**The changes are more PC friendly since the removal of the requirement to make recommendations via the District Councillor. This could never have worked within the time and other limits of the proposed scheme. It was unclear from the planning liaison meeting on 14 October how the right to attend the planning committee would work in practice, and what the process for speaking would be. Further guidance on this would be appreciated. It would also be helpful if, in cases where the PC has indicated an intention to attend, the agenda item could remain on that agenda and not be moved to a later meeting. Parish Councillors, unlike officers, are volunteers, and fit their council duties into busy lives. Respect for this would be greatly appreciated.**

3. **Should the Chairman of Planning Committee have the 'final say' over which cases are considered by Committee?**

**A clear and transparent set of criteria setting out which cases go to committee would make this question unnecessary. Officers, together with PCs should be able to make a decision that does not require a 'final say'.**

4. **Are there more efficient ways that planning decisions can be delegated?**

**An named link officer for each PC could help streamline the process and ensure officers understand more about the local issues affecting planning decisions. This could aid communication and understanding and should smooth the process.**

5. **Any other comments?**

**It would be helpful to know of any material planning considerations relating to the application before it is sent to PCs for review. If, for example, there is a tree preservation order, or a building lies in a conservation area, or an access road would intrude into green belt, it would be helpful to know this before we start considering the felling of trees for a new development or the changing of a front-facing aspect, or consideration of threats to green spaces. A brief preliminary search of this type by officers prior to publication of the application would make the whole process more of a team effort and aid understanding on both sides of the constraints and limitations which might apply.**

# Great Wilbraham Parish Council

29 October 2015

10:38

Subject	<b>Fwd: Scheme of Delegation - response from Great Wilbraham Parish Council</b>
From	<a href="#">Sally Ramus</a>
To	tony.pierce@
Sent	27 October 2015 22:08

Dear Tony,

Having considered the information regarding the proposed changes to the scheme of delegation for planning matters and also attended the planning forum on 14th October (although 2 of us were missed off the list of attendees, despite having signed in), we wish to make a response to your consultation.

Great Wilbraham Parish Council support the proposed changes.

We look forward to the wording on the forms being updated to allow for flexibility in making our comments and recommendations and for the procedures to become more efficient and timely for all. We also are pleased to hear that the liaison between the case officers and parishes is to be improved.

Many thanks,

Kind regards,

Sally Ramus  
Parish Councillor  
on behalf of Great Wilbraham Parish Council

# Harlton Parish Council

30 October 2015

09:28

<b>Subject</b>	<b>Re: Maintenance to and Upgrading the Council's Planning System and Parish Council Workshop about Proposed Changes to Planning Process including The Scheme of Delegation. [Date for your Diary 14th October 6-8pm]</b>
<b>From</b>	<a href="mailto:clerk@harltonparishcouncil.org.uk">clerk@harltonparishcouncil.org.uk</a>
<b>To</b>	Green Jane
<b>Cc</b>	Pierce Tony; Bell Gareth; MillsJo; benpbanks@yahoo.co.uk
<b>Sent</b>	30 October 2015 08:58
<b>Attachments</b>	

## Proposed Changes to the Scheme of Delegation

Harlton Parish Council wishes to strongly oppose the proposed changes to the rules concerning Planning Applications for the following reasons:

Only the elected Parish Council has the full local knowledge of the benefits and drawbacks of a planning application made in their parish.

It seems clear that the proposed change would increase both the possibility of actual improper dealings and the likelihood of the appearance of improper dealings regarding planning matters. Parish Councils are well placed to reflect local opinion on planning matters, and are arguably less likely to be questioned as to their motives for making, or not making, a referral to the Planning Committee than are individual District Councillors.

The argument put forward, that PC's are not supporting their referrals with "strong cases", should surely be dealt with by improved training for PC's, rather than removing their responsibility and placing it in the hands of the District Councillor.

# Harston Parish Council

29 October 2015

11:21

<b>Subject</b>	<b>Changes to Delegation of Planning Decision - Consultation Questions.</b>
<b>From</b>	<a href="#">Niall O'Byrne</a>
<b>To</b>	Pierce Tony
<b>Cc</b>	Harston Parish Clerk; Amelie Grappe
<b>Sent</b>	20 October 2015 19:24

Question 1: Yes.

Question 2: No view.

Question 3: If the application's plans and the covering letter are signed by a SCDC official on a specific date, the letter containing them should arrive to the parish clerk by first class mail the following day. Sometimes they arrive days later, reducing the 21 days allocated to the parish council to action the application. Secondly, if a parish council asks for an extension beyond 21 days to fit in with a parish council meeting, this should always be granted. Parish councils can only action an application after it has been discussed at a meeting with the public present.

Question 4: Nil.

Niall O'Byrne,  
Chair Harston Parish Council

# Haslingfield Parish Council

29 October 2015

10:34

Subject	<b>Changes to Planning Scheme of Delegation Haslingfield</b>
From	<a href="#">Frances LaVile</a>
To	Pierce Tony
Cc	John MILLER; Kirstie Walker; R E Branch; Tony Adcock; Ron van der Hoorn; Sue Watson; Jenny Jullien; Trina Backhurst; Lucian Hatfield; Christine Kipping; Julie Coxall
Sent	28 October 2015 09:48
Attachments	

**1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?**

.....  
.....

...The Parish Council should be an important part of the process and have the right to refer to Planning Committee directly. They know the area they are referring to and the subsequent effect of planning applications on the area and represent the views of the local people. The DC should serve the PC and not have the power to over-rule them.

.....  
.....  
.....

**2. Do you foresee any practical problems with the proposed changes?**

...Yes. The DC's political views could have a major impact on the results of applications and some DCs may not be able to attend every PC meeting where decisions need to be made quickly...

.....  
.....  
.....

**3. Should the Chairman of Planning Committee have the ' final say' over which cases are considered by Committee?**

.....Definitely not. The planning system at local level, relies on a committee process to provide a balanced view and removes the opportunity for personal opinion or personal interest to outweigh the democratic process....

.....There should be an ombudsman who can be referred to if the decision is considered unsatisfactory.

.....  
.....  
.....

**4. Are there more efficient ways that planning decisions can be delegated?**

...No comment

# Hatley Parish Council

29 October 2015

11:08

Subject	<b>Consultation on Delegated Powers</b>
From	<a href="#">Kim Wilde</a>
To	Pierce Tony
Sent	26 October 2015 20:06
Attachments	

I am writing on behalf of Hatley Parish Council in response to the consultation on delegated powers for planning applications. Whilst recognising that there is a need to create efficiencies within the Planning Department, to ensure that the Planning Committee is not unnecessarily overburdened with case referrals, Hatley Parish Council objects to the changes that have been proposed.

The Parish Council does not support the proposal to empower the Local Member to make all case referrals to the planning committee on behalf of the parishes within their district. The local knowledge, awareness of local issues, the history of a planning site and the strength of feeling by the community should be communicated directly by the Parish Council, as the local expert. The proposed increase of power for the Local Member and the subsequent reduction of power for the Parish Council will inevitably create a loss of local democracy.

Whilst we do not doubt that the Local Member would strive to represent their District on planning matters with complete professionalism, it remains the preferred and recommended solution for direct communication from the Parish Council, with support from the Local Member as required. It is important to note that the proposed arrangements may not be workable for some parishes as Local Members may not always agree with the decisions and recommendations of the Parish Councils which they represent.

Yours sincerely,

*Kim Wilde*

Kim Wilde  
Clerk to Hatley Parish Council



# Histon & Impington Parish Council

30 October 2015

09:32

Subject	<b>Delegation of Planning Responses - Histon &amp; Impington Representation</b>
From	<a href="#">Che Isea Presland</a>
To	Pierce Tony
Sent	30 October 2015 09:11
Attachments	

1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?

This is not a topic that can be simply covered in writing. This should be a matter for a meeting of all interested parties. (NB Whilst the recent meeting on the subject of delegation was appreciated, it was at

very short notice and therefore not all key players could be involved).

A few specific points:

- In larger communities (eg Histon & Impington) District Councillors are rarely involved in reviewing local planning applications unless they are raised via the Parish Council planning process
- Elsewhere in the UK there are examples of some types of planning applications being delegated to Parish Councils - if this could be effected it would further offload officers
- Consideration could be given to a scheme akin to the Local Council Award Scheme (previously the Quality Council Scheme) to develop and rank Parish Council's ability regarding planning - and thereafter the weight given to comments from qualified Councils
- Officer / Parish Council communications needs to be improved. They need to be available on the phone to Clerks; and they should consider face to face meetings so that they get to know the people involved
- Particularly, working together is a two way process - how many times do officers talk (ie start the conversation) to relevant Clerks / Planning Chairs?
- It would greatly assist the overall process if officer views (if not final recommendations) on each application were to be shared with Parish Councils as soon as possible.

2. Do you foresee any practical problems with the proposed changes?

Yes.

No consideration has been given to the working practices of Parish Councils with respect to consideration of planning applications, and therefore the (im)practicalities of 28 days notice. Most Councils will meet just monthly to look at applications!

And the whole process is independent (because of those timescales) of whether or not there is a difference of opinion between Parish Council and officers regarding the application (see final point above).

3. Should the Chairman of Planning Committee have the 'final say' over which cases are considered by Committee?

In consultation with Local Members and officers, yes; but with Local Members having the right to request applications are considered. If the request of Local Members is refused, then clear and detailed

explanations must be given, and copied to all those who have made representations.

4. Are there more efficient ways that planning decisions can be delegated?

Histon & Impington Parish Council Planning Committee has notionally classified applications into a number of categories, being:

- Those where the committee sees no problem with the application
- Those where the committee is not happy with the application, and will recommend refusal
- Those where the committee recommendation is refusal, and that the matter is seen as sufficiently

important to seek representation at planning committee, involve Local Members etc. In the first two cases there is no issue on the matter being handled under delegated powers. However, in the latter case we would wish to do everything possible to ensure that the local views are considered and given due weight.

Would, in order to save SCDC Planning Committee time, it be worth considering discussions between officers and the parish as a first option if there is a difference of opinion? It may be that discussions can bring out points from the parish view that haven't been adequately expressed in the written response.

5. Any other comments?

We recognise that officers are under a great deal of pressure and there has been (and is likely to continue to be) significant turnover in officers.

As such, Parish Council Planning Committees represent an undervalued resource. They:

- know their community
- will have spent time listening to objectors
- will have spent time looking at each individual application
- make specific recommendations on each application
- have a good (and in some cases, very good) understanding of planning matters

And yet those recommendations are often not given due weight by planning officers. It may be salutary

to review just how many (few!) comments/suggestions made by parishes have been accepted.

Histon &

Impington Planning Committee will undertake such a review, and will forward the results separately.

As an example of parish comments not accepted take S/1474/15/FL. Review of the application, the Parish Council's comments and the eventual committee decision will show that the Parish Council's recommendations were not initially agreed by officers, but were after planning committee. The one remaining concern of the Parish Council (render colour) could have been accepted by officers - it is not a

significant planning matter, but felt important by the Parish Council. Why not?

We also recognise that mistakes will be made, and that the community has to live with mistakes by officers - and that borderline applications should therefore be given more consideration. As an example,

taken under delegated powers (some time ago), this property in New Road, Impington. It is one of seven

pairs of semi-detached properties - with just this one now out of kilter with a flat roofed extension: Elsewhere (eg St Andrews Way, Impington - four pairs of semi-detached homes) officers have rightly ensured that a consistency of roof treatments have been retained (eg as here, photo from Google streetview) and rejected inappropriate flat roofed extensions.

If we had known that officers had planned to approve the application in New Road, the Parish Council

could have sought to have it taken to planning committee for review.

Chelsea Presland

Admin to Histon & Impington Parish Council

The Parish Office

New Road

Impington

CB24 9LU

Tel 01223 235906

# Ickleton Parish Council

29 October 2015

10:41

Subject	<b>Consultation on proposed changes to scheme of delegation</b>
From	<a href="#">TerrySadler</a>
To	Pierce Tony
Sent	27 October 2015 18:08

Comments on behalf of Ickleton Parish Council (Answers to questions as numbered in the ConDoc)

1. It seems reasonable to ask Parish Councils to be prepared to attend Planning Committee Meetings to state their case in return for letting them keep a right of referral – or if attendance is difficult to submit a written statement. This should help keep referrals to the applications that really matter.

2. Time scales are a problem.

Also – can District Councillors fit in with the time scale, and how do they feel about taking on this in addition to their existing work load?

Parish Councils would also need to be given reasonable notice of when an application is going to Committee (I've seen cases where nothing happens for months then they suddenly pop up at Committee).

3. Why not give the proposed system a trial without the Chairman's final say at first, to see if the required % of delegated decisions is achieved?

4. Yes – If there is a recommendation of refusal from the Parish Council and the application relates to conservation area and/ or listed building issues, and the advice from Conservation is to refuse, how about the Planning Officer not going against such advice but refusing the application? Most contentious cases in my experience have come about because of a Planning Officer going against the advice of the Parish Council!

5. I'm concerned that the proposals will mean the pressure is on to approve nearly all 'small' developments. In small settlements, with several listed buildings and where the conservation area occupies much of the built area, if a single dwelling is too big for a plot, or its design or massing relative to existing buildings is incongruous, or there are neighbour amenity issues, any adverse impact could be very great in the context of that settlement.

Terry Sadler

Ickleton Parish Council Chairman

# Little Abington Parish Council Consultation on scheme of Delegation

29 October 2015  
10:39

Subject	<b>Little Abington Parish Council Consultation on scheme of Delegation</b>
From	<a href="#">Little Abington</a>
To	Pierce Tony
Cc	Clr Orgee
Sent	27 October 2015 20:13
Attachments	

## 1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?

*We strongly recommend that the District Council considers linking planning officers to specific areas. This would enable them to get to know the parish council, local history of planning and get a better understanding of the locality.*

*It would be helpful if planning officers could advise the parish council when they plan to visit the site so that the parish council can consider if there would be any value in a representative being present.*

*We would welcome more regular contact with planning officers whether by telephone or email to provide an opportunity to discuss planning applications and clarify any queries.*

## 2. Do you foresee any practical problems with the proposed changes?

Yes.

*The current proposal places responsibility for referring planning applications to the Planning Committee on the District Council member. Whilst Little Abington Parish Council has been lucky to have a good working relationship with the current Council member it should not be assumed that it will always be so, particularly with the possibility of boundary changes.*

*There may also be occasions when there is a real or perceived conflict of interest for the District Councillor in making a decision to refer an application to the committee*

*The proposal put forward at the Planning Forum on 14 October which would enable parish councils to request referral to the Planning Committee using a revised version of the "blue form" would be preferable.*

*We note the expectation that parish councils will send representatives to Planning Committee meetings to discuss particular items. This would not always be possible and we would welcome confirmation that written submissions would be acceptable. Given that parish councillors and/ or any other reps will have to give up their own time and SCDC meetings are held in office hours it would be helpful if there could be a timed agenda. We assume the Committee always meets in Cambourne which is some distance from Little Abington and most easily by car. Using modern technology, for example teleconferencing, would also be an acceptable and cost effective option.*

## 3. Should the Chairman of Planning Committee have the 'final say' over which cases are considered by Committee?

*Yes this would be acceptable. We assume there would be a formal record of decision-making.*

*We understand that the Planning Committee feels that it is being expected to consider too many minor applications. We feel strongly that most parish councils do not recommend refusal lightly. Planning officers could follow “refusals” up if reasons are not clear.*

*The number of referrals might reduce if the criteria and thresholds for referral were published.*

*We recommend that the delegation report is included when planning decisions are sent to parish councils or at least a link to the relevant section of the SCDC website.*

*At the meeting on 14 October SCDC representatives agreed to circulate a list of material objections. It was also suggested that training should be provided to parish councils. Both would be welcome.*

**4. Are there more efficient ways that planning decisions can be delegated?**

*We understand that a very high proportion (90%) of decisions are already delegated but SCDC has a goal of 95%. It is hard to gauge if this is a reasonable level without benchmarking from other planning authorities.*

*We feel our points above particularly about improving relationships between planning officers and parish councils and offering feedback would help to provide greater clarity on the planning decision process, improve mutual understanding and support the development of more trust that the process is open and transparent*

# Melbourn Parish Council

29 October 2015

11:22

Subject	<b>The Proposed Scheme of Delegation of Planning Decisions in South Cambridgeshire</b>
From	<a href="#">John Regan</a>
To	Pierce Tony
Sent	20 October 2015 13:24

Set out below are my comments:

1. It is agreed that the SCDC Planning Committee should have the opportunity to be able to focus their efforts on the more significant and/or contentious cases. However it must be recognised that both Parish and District Councillors are fully conversant with local issues and the feelings generated within the local community for planning proposals and community based initiatives driven by the Parish Councils. This degree of local sensitivity and the ability to embrace local issues and initiatives should not be lost in the new system and any new proposals should take the opportunity wherever possible to strengthen the relationships and create a greater understanding of local issues. It is hoped that in future the successful delivery of Neighbourhood Plans will greatly assist in providing a firm foundation for taking forward further planning issues. An early warning of any potentially sensitive local planning issues no matter how small or trivial is essential to resolve any possible areas of conflict to minimise future Planning Committee involvement and thus enable them to remain focussed on the more significant and contentious cases.

2. From my experience Melbourn Parish Council actively encourage members of the local community who wish to proceed with development that requires planning permission to discuss their preliminary proposals with its Planning Committee. In that way it is possible to resolve any local planning issues that may be possibly contentious and smooth the path to full planning approval at Delegated Officer stage. Having established this dialogue it is absolutely vital that the new system does not discourage or prevent this process from continuing. The Parish Council has also developed an excellent working relationship with Case and Delegated officers at SCDC via our District Councillors and it is important that this line of communication remain open.

3. I am also concerned about the impact of the new proposals on District Councillors to articulate requests by Parish Councils to make a request for applications to be considered by the Planning Committee. I am concerned about the potential increase in workload on the District Councillors many of whom already have additional tasks that will impact their availability. The proposed changes will also test the integrity of District Councillors where their views are at variance with that of the Parish Councils. The perception of the proposal in the local community will be that it will be a diminution of the role of the Parish Council.

4. Where possible would it be sensible and practical to delegate small low profile, low impact planning decisions that are not contentious from Case/Delegated Officers to Parish Councils? Historically very few of the smaller planning applications have been rejected by Melbourn Parish Council Planning Committee. Referring to the response in Q2 above it is also vital to retain the links and working relationships between the Parish/District Councillors and Case/Delegated Officers to promote a greater understanding of local and national planning issues.

5. Any changes to the current system should not diminish the input or influence of the Parish Councils and should where possible seek to strengthen it. Once the decision is made on the Scheme of Delegation it is essential that clearly set out processes which are easily understood by all participants in the process and members of the local communities. In this regard it is vital that the District Councillors and nominated members of Parish Council Planning Committees attend training so all concerned fully understand how the system will work in practice.

Yours sincerely

Mr A J Regan  
10 Little Lane  
Melbourn  
SG8 6BU

# Meldreth Parish Council

29 October 2015

11:11

Subject	<b>Changes in delegation process.</b>
From	<a href="#">Parish Clerk Meldreth</a>
To	Pierce Tony
Sent	26 October 2015 13:04
Attachments	

**1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?**

*The more controversial planning applications can sometimes be delayed before making it to committee and parish councils only hear that it will go to committee on the Wednesday before the meeting. This makes it difficult with part time clerks and councillors to put in an authorised application to speak by midday on the Monday before. More time would help.*

**2. Do you foresee any practical problems with the proposed changes?**

*Our district councillor has publicly stated that if she did not agree with the parish council's position that her integrity would be compromised by putting forward a request, with justification, to refer an application to full committee.*

**3. Should the Chairman of Planning Committee have the 'final say' over which cases are considered by Committee?**

*Yes – in consultation with officers*

**4. Are there more efficient ways that planning decisions can be delegated?**

*Better dialogue between officers and parish councillors would ensure that local views and sensitivities were fully considered leading to better decision making.*

**5. Any other comments?**

*Under the current protocol only when the reason for a parish council's recommendation being different to the officer's recommendation is based on material planning considerations is this referred to committee. This should protect against trivial referrals. However we support the suggestion for a tick box requesting referral to full planning committee on the recommendation form.*

**Meldreth Parish Council**



# Milton Parish Council

29 October 2015

11:19

Subject	<b>Planning delegation response</b>
From	<a href="#">Hazel Smith</a>
To	Pierce Tony
Sent	21 October 2015 15:28

Dear Tony,

As a long-time member of the planning committee my thoughts are;

I am concerned that removing the right for Parish Councils to refer an application to planning committee if they disagree with the officer's recommendation may lead to the weight of local opinion being lost as the decision is made:

a. District Councillors don't always get copied in when the Clerk is informed. Often at Parish Council we see applications that we were not notified about. 28 days is a better notice period than 21 days.

b. It would be helpful if Parish Councillors were given an initial assessment of the officers view to decide whether to make a fuss or not.

c. It would be helpful for all these notifications to be sent from a central email address eg '[planning.notifications@scambbs.gov.uk](mailto:planning.notifications@scambbs.gov.uk)' so that our email clients could filter them. They come from a number of different officers in any one area.

d. Could contact be made between the officer and the PC Clerk or Chairman to ensure that if the PC objects to the recommendation someone is available to put their case and answer questions at committee?

e. The stated aim "to address the problems parish councils raise" and leave the decision with the officers and Chair of Planning does not give parish councils enough influence.

f. Under the proposed change the District Councillor (any councillor for that area?) can still ask for a contentious application to go to Committee – but what about the case where they are disengaged, on holiday during the period, or they may disagree with the Parish Council's view. Could a neighbouring area's councillor ask instead? Parishes with 3 councillors are less likely to miss out than those with only one.

On balance, in order to get the local opinion I think the Parish Councils must be fully engaged with this and provided they have material planning grounds to disagree with the officer's view, and are prepared to send someone to argue their case and answer questions, if they ask for the application to go to the committee it should do so.

Many thanks  
Cllr Hazel Smith

# Papworth Everard Parish Council

28 October 2015

15:07

Subject	<b>Comments of Papworth Everard Parish Council on SCDC's "Consultation on Proposed Changes to the Scheme of Delegation"</b>
From	<a href="#">Paul Hicks</a>
To	Pierce Tony
Cc	Clare Taylor; chris.howlett@papwortheverardpc.org.uk
Sent	28 October 2015 11:59

Dear Tony

I write with the comments of Papworth Everard Parish Council on SCDC's "Consultation on Proposed Changes to the Scheme of Delegation".

Our comments can be summarised as follows, and we would be pleased to expand on any of these (with specific case examples) if helpful:

Papworth Everard Parish Council is **strongly against** any change to the current scheme of delegation which removes the automatic right for a referral to Planning Committee where the Parish Council recommendation conflicts with the Officer recommendation;

1) The current scheme of delegation provides for Parish Councillors (as elected members) to be able to present in person, and to ask and answer questions of District Councillors (as elected members) of the Planning Committee on material planning policy grounds relating to an application under consideration and of concern to a Parish Council

It is evident that over recent years Officers are coming under ever increasing pressures, especially time pressures given budget cuts, and turnover of staff, meaning there is a lack of local knowledge (applications in Papworth Everard have been sub-contracted out to Officers in Colchester and Norfolk unrelated to SCDC and having limited or no local knowledge – by way of example, one such Officer did not know there was a hospital in Papworth Everard, and this had a bearing on the application in question).

As such, the current scheme of delegation provides a "check and balance" on Officer views which are in conflict with those of the Parish Council, and provides an opportunity for District Councillors on the Planning Committee to question both sides and come to a more informed decision.

2) Parish Councils are one of the three tiers of local government, and the tier most knowledgeable and representative of local issues. This has been acknowledged and is recognised in the drive for more "Localism" by central government in planning policy and other areas. Removing the automatic right to a referral (and hearing – even if only three minutes) to Planning Committee is counter to this drive. Further, Officers themselves have advised us (Papworth Everard Parish Council) that they see us as the "eyes and ears" of SCDC, and best placed to keep them fully informed as they just do not have time and resource themselves.

3) Papworth Everard Parish Council takes planning very seriously, and has been actively involved in planning policy. For example, Papworth Everard Parish Council has worked closely with the policy team (Keith Miles, Jonathan Dixon, Caroline Hunt and James Fisher), and has appeared before the Government appointed Inspectors during Examination to speak on its representations submitted in the development of Local Plans/LDF. As such, the comments of Papworth Everard Parish Council are based on material planning policy issues, and this has been recognised and commended by the Planning Committee. The results have been important, with S106 agreements, unilateral undertakings and planning conditions imposed by Planning Committee that were not considered necessary by Officers.

4) Papworth Everard Parish Council always attend Planning Committee when an application is referred.

5) Moving to a scheme which relies on Local Member support is particularly problematic in Papworth Everard. Mark Howell is employed by the Papworth Trust and conflicted out of

commenting on planning applications. Nick Wright is a farmer with family who farm in/around Papworth Everard and so too is often conflicted out of commenting on planning applications. Working with other Local Members who do not know the local issues presents problems. If one is used simply to refer an application, then this undermines the very need to have Local Members to effect the referral process.

As such, Papworth Everard Parish Council is **strongly against** any change to the current scheme of delegation which removes the automatic right for a referral to Planning Committee where the Parish Council recommendation conflicts with the Officer recommendation.

I should be grateful if you would please acknowledge safe receipt of this response to the consultation.

Kind regards

Paul Hicks  
Vice Chairman Papworth Everard Parish Council

paul@hicks.gb.com  
07887 808033

# Sawston Parish Council

29 October 2015

11:23

<b>Subject</b>	<b>RE: Changes to Planning Scheme of Delegation</b>
<b>From</b>	Green Jane
<b>To</b>	'Jo Keeler'
<b>Cc</b>	Clr Turner; Lynda Harford (lyndaharford@icloud.com); Pierce Tony
<b>Sent</b>	14 October 2015 12:13

Good afternoon,

Sawston Parish council discussed this at our full parish meeting last night and strongly oppose the changes to the planning procedures and are more than happy with the process in place at the moment.

Kind regards

Jo

Mrs Jo Keeler  
Sawston Parish Clerk

# Swavesey Parish Council

29 October 2015

13:02

<b>Subject</b>	<b>SCDC Consultation on scheme of Delegation Sept 15</b>
<b>From</b>	<a href="#">Swavesey Parish Council</a>
<b>To</b>	Pierce Tony
<b>Cc</b>	ClIrSue Ellington
<b>Sent</b>	29 October 2015 12:57

## Swavesey Parish Council comments:

1. Cllrs would prefer to see the Planning Committee retained to make final decisions on applications where local consultation has raised objections, rather than via officer delegation. Parish Cllrs feel it is a more democratic system for elected, accountable District Cllrs on the Planning Committee to make the final decisions.
2. Parish Councils should continue to be able to directly refer a decision to the Planning Committee and not have to go through a District Cllr.
3. It is often difficult for Parish Cllrs to attend Planning Committee meeting at short notice, due to full-time working of many Parish Cllrs. By the time the Planning Committee Agenda is published, there is often only a few days for a Parish Cllr to try to take time off work to attend.
4. A suggestion supported by Swavesey Parish Council to try to make Planning Committee decisions more efficient would be to split the Planning Committee into area committees, which covered the same geographic area as the Planning Officers. This would reduce the amount of agenda items and time taken at each committee, Planning Officers would only need to liaise with their area committee. These committees could work in parallel or meet at different times. It would help to reduce the time Parish Cllrs have to give to attend a planning committee. It could help to make District Cllr time more effective, with each committee have fewer District Cllrs on it and only ones relevant to the geographic area, which would give them more knowledge and understanding of the application and area.

Kind regards

Linda

Linda Miller

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Clerk to Swavesey Parish Council

# West Wickham Parish Council

28 October 2015

15:07

<b>Subject</b>	<b>Consultation On Scheme Of Delegation</b>
<b>From</b>	<a href="#">Trevor Hall</a>
<b>To</b>	Pierce Tony
<b>Cc</b>	West Wickham Parish Council; Jenny Richards
<b>Sent</b>	28 October 2015 11:20
<b>Attachments</b>	

1. How can parish council, district councillors, officers and Planning Committee work together better in making planning decisions?

- By following the basic conditions laid out in the planning policies.
- By the Planning Department enforcing decisions and not letting them lapse. (West Wickham Public House)
- By communicating with the parish council and each other in a timely manner
- By providing and sharing current and accurate information regarding planning applications and decisions. (Recommendations made along with possible issues identified by all parties from Parish Council to Planning Committee can only be submitted against the information they have been provided. As such incomplete, late and inaccurate information can sometimes result in valid recommendations and issues being discarded without full and proper consideration.)
- By stopping developers by-passing the basic intent of Planning policies

2. Do you foresee any practical problems with the proposed changes?

- The changes depend on the District Councillor consulting with the Parish Council which has the interests of parish residents as their remit. It is important that the local knowledge of the parish and its residents are not ignored by District Councillors who may only be providing their personal opinion on planning issues. West Wickham Parish Council has had recent experience of this consultation not taking place.
- Existing poor communication issues would be amplified and there is no recourse when communication does break down. For example, once approval has been granted without responses or consideration of views from parish councils, it becomes difficult to overturn.
- The proposed changes should require the Planning Department to advise the Parish Council of a Delegated Decision and provide the reasoning and also give sufficient time for response.

3. Should the Chairman of Planning Committee have the 'final say' over which cases are considered by Committee?

- No. There must be recourse for appeal or quality assurance system in place without which the new system could introduce a single point of failure.
- Not if it removes any involvement of a Parish Councils in representing the parish residents or ensuring equitable standards are maintained for different developments within the Parish.
- The Parish Council tries to ensure that it applies material objections to applications which are consistent across the parish, something that District Councillors, and Planning Department officers may not be aware of.

4. Are there more efficient ways that planning decisions can be delegated?

Documentation presented to the Planning Committee and all other parties involved with the decision process should be timely, accurate and complete. A recent Planning Committee Agenda Item for a West Wickham development was inaccurate in a number of facts. This can be attributed to the workload in the Planning Department, which is a known issue, but places the system at risk.

Consultation Questions?

5. Any other comments?

- The consultation should recognise that an application which the Planning Committee considers to be a "minor" application, for example, a single unit development, are of significant importance to small village communities. Multiple unit developments in in-fill villages have a significant impact and need local input.

- The knowledge derived from the development of Neighbourhood Plans should be taken into account. This can only be provided by the Parish Council.
- Notice should be taken of the feedback from Parishes which are provided at Planning Forums. At these meetings Parish representatives raise their frustrations with the present system and these views should not be ignored.
- The proposed changes must include a scheme to provide a robust communication mechanism that will provide or make available all relevant material, decisions and recommendations made by all parties involved within the planning decision process. Failure to do so could introduce a hierarchy in which the input of the lower tiers of the hierarchy could be overlooked or even ignored.

West Wickham Parish Council

# Whaddon Parish Council

29 October 2015

10:36

Subject	Planning delegation consultation-submission from Whaddon PC
From	<a href="#">Lee Ginger</a>
To	Pierce Tony
Cc	Nigel Strudwick; Tony Milton; Will El bourn; Gabrielle Van Poortvliet; Randall Scott PC; Kate French; Amy Walker; Green Jane
Sent	28 October 2015 09:16
Attachments	

## Suggested response from Whaddon Parish Council to SCDC consultation scheme of delegation of planning decisions in South Cambridgeshire

### **Background**

Whaddon PC originally submitted comments on 22 October that were based on a distinct lack of information at the time, indicating that the situation was confusing and we were hesitant to comment until more written information was available. We would now like to withdraw these comments and replace them with the following.

The proposals put forward by SCDC have been somewhat confused by the development by Council Members of a different scheme for delegation, apparently put forward at a workshop for council members on 14 October, and passed on to Parish Councillors at a Planning Forum later the same day.

**Proposal 1 (original):** The original proposal (as published) can be condensed to saying that Parish Councils would lose the automatic right of referring applications to the Planning Committee, and instead would have to appeal to their local District Councillor to request that a certain application be referred.

**Proposal 2 (revised):** The revised proposal (which has not yet formally been published) would also remove the automatic right of referral by PCs, but would allow a council to request that an application be referred by ticking a box on the comment form, on the understanding that this would be received sympathetically by the District Council.

### **Our comments**

Whaddon PC accepts that improvements need to be made to delegation to keep the system running. We accept that invalid categories of comment by PCs and the common failure of PCs to send a representative to a Planning Committee can waste time and resources.

**A. Comments on original scheme.** Whaddon PC feels very strongly that the initially proposed revisions are an attempt to remove PCs from the planning process. PCs are the most local element of government and effectively removing their ability to ask directly for referral would cause much ill-feeling and strikes at the basis of the democratic process. In the case of a strong disagreement between a PC and a local SCDC member, they could be effectively left out of the process. We thus view this proposal very negatively. Apparently we are not alone.



we are not alone.

**B. Comments on revised scheme (as we understand it).** This is much better, since it keeps an integral role for PCs while at the same time hopefully removing the more badly-framed objections from the Planning Committee.

We would suggest that the following further riders be placed on the revised proposal (we have heard these mentioned, but they are not clearly mentioned in the notes on the planning forum):

**B1.** That where PCs request referral to the planning committee, the Chairman of that committee with officers should check that the objections raised are in the range of those regarded as valid (there is such a list in one of the documents); if not, it should go to immediate delegation.

**B2.** That a PC should be required to send a representative to the Planning Committee. If such a representative is not present, then the matter should immediately be turned over to delegation.

**Further points relating to the numbered questions originally asked on the consultation document:**

1. All too often officers can be difficult to contact and this gives rise to the PCs feeling that their concerns are being ignored as representatives of the people.
2. Covered above.
3. Only where referrals do not adhere to what we suggest in B1 and B2 above.
4. Covered above

We feel that we should protest about how the goalposts have moved during the consultation process. Even though we strongly approve of how things have changed, the formal lack of a new written proposal and consequent extension of the consultation process seems to rather invalidate the whole procedure

# Willingham Parish Council

29 October 2015

11:06

Subject	<b>Planning Scheme of Delegation</b>
From	<a href="#">Clerk</a>
To	Pierce Tony
Sent	27 October 2015 09:09

Dear Tony

Further to the above consultation. Having attended the recent planning forum, Willingham Parish Council would like to make the following comment:

Where there is a conflict of recommendation between the Parish Council and SCDC and the Parish Council have strong clear reasons for their recommendation, the Parish Council must have a finite power to insist that the application be passed to committee for consideration. The Parish Council would then be required to either attend the meeting or provide detailed written representation.

Please can you confirm receipt of this feedback to your consultation.

Kind regards

*Mandy Powell*  
*Clerk*  
*Willingham Parish Council*  
*01954 261027*

# Anna Bradnam

29 October 2015

11:18

Subject	<b>Consultation on changes to the proposed scheme of delegation of planning decisions in SC</b>
From	<a href="#">Anna Bradnam</a>
To	Pierce Tony
Sent	23 October 2015 16:33

Dear Tony

Here are my views on the Consultation

### **1. Should there be a stronger role for local members?**

I do not think local members need a stronger role. Equally local members should be able to make representations to the Planning Committee in all the ways they do now.

### **2. Should the Chairman of the Planning Committee have more control over which cases are considered by Committee?**

I would prefer that **the current arrangement be continued**, that is, that an application would be **automatically referred** to committee if the recommendation of the case officer and the parish council conflicted. However, to control the number of applications that go onto the agenda, I would be happy for the Chairman of the Planning Committee, in discussion with appropriate advisors, to have the right to **exercise discretion** on which applications are actually accepted onto the agenda. This would allow applications to be excluded if they were considered to be uncontroversial or of insufficient merit.

### **3. Are there more efficient ways that planning decisions can be delegated?**

Since Parish Councils are currently making recommendations about applications before they know what the Case officer's decision is, they need to be able to refer applications that concern them directly to the Planning Committee, rather than via the District Councillor – because the DC might be away, ill or otherwise unavailable. Parish Councils should be involved in the decision-making process because they know the local situation.

### **Any Other comments?**

a) Under the current referral, if a parish has more than once Councillor, there is a risk that one Councillor might refer the application to Committee with different reasons than the other Councillor, not deliberately but simply because they look at it from a different viewpoint.

b) Currently local members are only informed about an application when it is registered. I would prefer that in future the **Case officer's recommendation** should be conveyed to the Parish Council and the local members. Basically parish councils and local members should be kept informed about applications in their patch.

c) There has been much talk about 'requiring' parish councils to attend Planning Committee meetings in order to make representations on behalf of the parish council. Since parish councillors are voluntary and unpaid, I think it would be unreasonable to require them to

attend. However I accept it is preferable if the Planning Committee can hear the views of the parish council themselves and ask questions of clarification. In summary I think the form sent to the parish council should **explain the reasons why it is important** for a representative of the parish council to attend and to encourage them to do so – but this should not be required.

d) I believe the original comments from all the representative should be available on the website for the Committee to view – not just the versions summarised by the Case Officers in the report for the committee – useful as these are.

Kind regards

Anna  
Cllr Anna Bradnam  
South Cambridgeshire District Council - Milton  
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