

21 January 2021

Report of	Assistant Director for Place and Client Services	Author	Karen Syrett
Title	Interim Planning Scheme of Delegation		☎ 506477
Wards affected	All		

1. Executive Summary

- 1.1 This report seeks an amendment to the temporary measures that were introduced to allow planning decisions to be made during the Covid-19 lockdown and changes to the scheme of delegation while virtual committees are in operation. It also details all those applications that have been determined under the delegated arrangements since the last update in December.

2. Recommended Decision

- 2.1 The Committee are asked to agree a change to the interim scheme of delegation to require all member call-ins, made in accordance with the Planning Procedures Code of Practice, to be referred to the virtual Planning Committee.
- 2.2 Planning Committee are also asked to note those applications that have been determined under the emergency delegation.

3. Reason for Recommended Decision

- 3.1 To allow Council decision making to continue in the most efficient manner whilst ensuring those applications which are controversial or contrary to policy are determined in the public domain.

4. Alternative Options

- 4.1 The Committee could decide not to agree the change to the proposed scheme of delegation.

5. Background Information

- 5.1 In March 2020 due to the Coronavirus pandemic and in response to Government advice on social distancing etc, the Council cancelled all scheduled formal decision-making meetings for the remainder of the 19/20 Municipal Year. However, it was recognised that it was important to ensure that the Council's ability to determine planning applications which would ordinarily have been considered by members of the Planning Committee could still function during this period. Accordingly, Interim Planning Arrangements following agreement by the Leader of the Council, Group Leaders and the Chair of the Planning Committee, were introduced with effect from 18 March 2020.
- 5.2 The initial Interim Arrangements were in place for 11 weeks between March and June. This demonstrated that there are certain types of applications/developments that can be determined without the need for a formal committee decision. It was therefore agreed at the first virtual Planning Committee held on 18th June that the arrangements would be adapted so fewer applications would be referred to the committee while it operates on a virtual basis. It was also agreed that the arrangements would be reviewed in December 2020.
- 5.3 At the Planning Committee meeting on 10th December it was agreed that the interim arrangements would continue for a further 6 months. There was however concern raised about ward councillor involvement and it has become apparent that some Councillors are not aware of the temporary arrangements in so far as they relate to 'Call-Ins'. Accordingly, it is recommended that all applications 'Called-In' within the 25 day period and in accordance with all other requirements set out in the Planning Procedures Code of Practice, should be considered by the Planning Committee.
- 5.4 The revised Interim Scheme of Delegation is as follows;
1. Delegated to Assistant Director for Place and Client Services - the determination of all planning applications irrespective of scale and size (including changes of use and all applications for Listed Building Consent, Certificates of Lawfulness, applications for the determination as to whether prior approval is required, consent to display advertisements and other notifications) except any application which is significantly contrary to adopted policies or a departure from the development plan, and which is recommended for approval.
 2. Those major applications, that are recommended for approval and where a section 106 Agreement is required will only be referred to Committee if there is a dispute about the detail of the S106 agreement.
- 5.5 It was also agreed that all those applications to be determined under the revised Interim Arrangements would be reported to 'The Members' who could recommend that an application is referred to the Virtual Committee if they consider it to be in the public interest. It is suggested that this decision needs to be taken within 5 working days of the report being circulated to 'The Members'.
- 5.6 All decisions taken under the Interim Arrangements, that would ordinarily be considered by the Committee, are reported to the next available committee meeting.
- 5.7 All applications determined under the interim procedures are reported to the next available committee. In line with this protocol details of each application determined since the last update are contained in Appendix 1 to this report. A verbal update will be provided at the committee if further applications have been considered under the Interim Arrangements following the writing of this report.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; equality, diversity and human rights implications, or health and safety implications.

7. Risk Management Implications

- 7.1 The proposed scheme of delegation is intended to improve decision making by ensuring the Planning Committee can concentrate on matters that are of most importance.

8. Environmental and Sustainability Implications

- 8.1 The purpose of the planning system is to contribute to the achievement of sustainable development.

9.0 Background Papers

- 9.1 Planning Procedures Code of Practice

(https://colch.sharepoint.com/sites/Store/DyLi/Documents%20for%20GovUk/Forms/AllItems.aspx?id=%2Fsites%2FStore%2FDyLi%2FDocuments%20for%20GovUk%2FYour%20Council%2FGovernance%2FLocal%20Councils%20Charter%2FPlanning%20Procedures%20Code%20of%20Practice%2Epdf&parent=%2Fsite%2FStore%2FDyLi%2FDocuments%20for%20GovUk%2FYour%20Council%2FGovernance%2FLocal%20Councils%20Charter&p=true&originalPath=aHR0cHM6Ly9jb2xjaC5zaGFyZXBvaW50LmNvbS86Yjovcy9TdG9yZS9EeUxpL0VjODVTaEJXdXhGSmdzUFo2T1JwVHZJQldlMURXYkgtYk5BNEJUendNOGdFSkE_cnRpbWU9N2ozajBlMncyRWc).

Appendix 1

App. Ref.	Site	Ward	Recommendation	Decision
201339	R/O 64/66 Blackheath	Berechurch	Approval	Approval
202207	Hewthorn, Wivenhoe	Wivenhoe	Approval	Approval
201943	Elfreda House	Shrub End	Approval	Approval with extra condition
191830	School Rd, Langham	Rural North	Approval	Approval
202105	Stane Park	Stanway	Approval	Approval subject to referral to SoS
202078	Severalls	Mile End	Approval	Approval
192837	Butt Road	New Town & Christchurch	Approval	Approval subject to S106