

**Appendix C Responses Received Following Consultation on Changes to Proposed Scheme of Delegation Jan/Feb 2016**

<b>Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
<b>Lt Abington PC</b>	<p>1.The Parish Council was broadly in support of the updated proposals.</p> <p>2.It reiterated their request for the establishment of better and closer working relationships with officers in the planning team. Whilst recognising that this may be easier in large communities SCDC should consider the option of pairing representatives with groups of communities which often have similar interests. As you may be aware applications for housing developments in both Great and Little Abington are anticipated in the near future and it would be helpful to have a consistent link to the planning team .</p> <p>3.The parish council would welcome opportunities for further training and to improve their understanding of planning processes.</p> <p>4I have accessed the planning map <a href="https://www.scams.gov.uk/content/planning-applications-map">https://www.scams.gov.uk/content/planning-applications-map</a> to which you refer. It does need further explanation. For example I searched on a recent planning application where I know the property has trees with TPOs yet they did not seem to be shown on the map.</p>	<p>1.Support noted and welcomed.</p> <p>2. We are always looking at ways to improve our working relationships. We have dedicated officers/single point of contacts for the growth sites and are looking to introduce this for larger sites or parishes where a number of applications have been received e.g. Waterbeach and Cottenham. We will talk with Gt &amp; Lt Abington directly about what arrangements they would like to have.</p> <p>3. Last year 8 training sessions were held across the District. The programme for 2016/7 is currently being prepared.. More information will be available shortly.</p> <p>4. we will look into this further.</p>
<b>Cottenham PC</b>	<p>This proposed scheme is generally acceptable to Cottenham Parish Council and we thank the Planning portfolio Holder and SCDC staff for listening and responding to our criticism of the earlier version. In particular, this version:</p> <p>1.outlines much more clearly how these delegated decisions are made and the internal review processes involved to maintain standards; an obscure process has become a little more transparent;</p> <p>·2.removes any front-end gate-keeper role by District Councillors; this avoids risks of delay or obstruction and minimises uncertainty;</p>	<p>1 – 4 Support noted and welcomed.</p>

	<p>·3. introduces clearer communication of a Parish Councils' concerns about possible delegated approvals and wishes for referral; local knowledge is important;</p> <p>4. requires clearer justification of a refusal for a decision to be referred to Planning Committee; trust will only be maintained by transparency.</p> <p>We remain concerned by:</p> <p>5.the uncertainty over whether or not a PC's recommendations have been received; this could easily be rectified.</p> <p>6.the limited notice given of Planning Committee referrals; few Parish Councils can guarantee to make someone familiar with a particular application available with only a few days notice.</p>	<p>5 We encourage Parish Councils to submit their comments via the website. We will explore an automatic acknowledgement for these.</p> <p>6. At present agenda papers go out to Parish Councils 5 days in advance, when the papers are publicly available. As part of our current review of planning procedures we will look to do their earlier and hope to be able to give 10 working days notice.</p>
<p><b>Fowlmere PC</b></p>	<p>1.Fowlmere Parish Council (FPC) is grateful that SCDC has taken account of the concerns clearly expressed in the last consultation on this matter, and has revised the proposals.</p> <p>2.FPC supports the principle that planning applications with material planning considerations should be considered by SCDC Planning Committee where there is a difference of opinion between SCDC planning officers and the SCDC Local Member or relevant Parish Council, based on those material planning considerations.</p> <p>3.FPC welcomes the draft application letter for referral of an application to the Planning Committee setting out examples of material planning considerations as being very helpful. It notes that the lists given are not claimed to be comprehensive.</p> <p>4.FPC notes that new proposal is that such requests will be considered by the Chairman of Planning in consultation with designated Officers. There is a major flaw in this. The system</p>	<p>1Comments noted and welcomed.</p> <p>2.This does not form part of the proposed scheme. Whether or not there is a difference between Officer sand Parish Councils/ Members will no longer be a criteria on which a decision will be made whether applications go to Planning Committee.</p> <p>3. Support for revised consultation letter is noted and welcomed.</p> <p>4-5.The final decision about which applications go to Planning Committee will rest with the Chairman of the Planning Committee – a Councillor, not an</p>

	<p>proposed will be biased in favour of planning officers. Planning officers have every incentive to recommend that planning applications are handled under delegated powers, which reduces the number of applications where the planning officer's recommendation is rejected by the Planning Committee. It would also make it easier to meet targets, which is not the proper objective of the planning system.</p> <p>5. There is a second aspect that is equally problematic. The consultation between the Chairman of the Planning Committee and planning officers will be a closed session, not an open meeting subject to democratic scrutiny. No minutes will be produced and made public. This is wholly inconsistent with the principles of open government.</p> <p>6. Finally, the proposal reduces the opportunities for elected Members to appraise the performance of planning officers. Elected members are responsible for the appointment and performance of planning officers, and need to have as much opportunity as possible to discharge those responsibilities effectively.</p> <p>7. FPC considers that it is a proper purpose of the Planning Committee to reflect on disputed interpretations of material planning considerations which arise where there is a difference of opinion between planning officers and the Local Member/Parish Council.</p> <p>8. FPC does not support the right to refer planning applications to the Planning Committee where there are not material planning considerations at issue, but a more robust and unbiased system needs to be devised.</p> <p>9. FPC notes the definition of a 'significant departure from the approved policies of the Council' is that the application represents 'a development which requires referral to the Secretary of State'. This is a very big hurdle indeed. There are many applications which are</p>	<p>Officer. Officers and the Chairman of Planning Committee recognise the balance that needs to be struck when making decisions, including the timeliness of decisions. Any request will be assessed against the following criteria:</p> <ul style="list-style-type: none"> <li>a) Relevant material planning considerations raising significant planning concerns</li> <li>b) Significant implications for adopted policy</li> <li>c) The nature, scale and complexity of the proposed development.</li> </ul> <p>If a request is declines, a written explanation will be sent to the relevant Parish Council/District Councillor.</p> <p>6. The performance of the Planning Service is reported regularly to the Planning Portfolio Holder which gives opportunity to scrutinise and debate performance.</p> <p>7-8 Comments noted.</p> <p>9 The last clause of the Revised scheme has been further amended to clarify this point, to acknowledge that Significant departures include but are not limited to those referred to the Secretary of State. (refer Appendix A)</p>
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	in contravention of SDCDC's Local Plan, but would not be called in by the Secretary of State. A better and less demanding definition which responds better to local conditions, is required	
<b>Girton PC</b>	Girton PC is broadly in agreement with the proposed changes to the Scheme Of Delegation	Support noted and welcomed.
<b>Granchester PC</b>	Grantchester Parish Councillors discussed the proposed changes at a recent meeting and have no further comments to make.	Comments noted and welcomed.
<b>Hatley PC</b>	<p>1.The Parish Council approves the new proposal which maintains direct communication between the Parish Council and the Planning Team regarding referrals to Planning Committee.</p> <p>2. The draft consultation letter is also useful in giving Parish Councils an opportunity to request for certain planning cases to be escalated to Planning Committee whilst ensuring that clear material reasons can be accounted for.</p> <p>3.Hopefully the proposed changes will achieve the desired efficiencies within the planning department whilst retaining good communication with Parish Councils on contentious planning applications.</p>	<p>1Comments noted and welcomed.</p> <p>2 Support for revised consultation letter is noted and welcomed</p>
<b>Hauxton PC</b>	Hauxton PC welcomed the proposed changes.	Support noted and welcomed.
<b>Histon &amp; Impinton PC</b>	<p>1.Additional comments:</p> <p>1.Access to case officers for Parish Councils requires significant improvement.</p> <p>2In order for this form of delegation to be effective, Parish Councils need to know as soon as possible whether applications that they would recommend refusal for are getting Officer approval so that the necessary case can be made.</p> <p>2 Operation of the scheme should be reviewed, with Parish Council input, after 12 months</p>	<p>Comments noted and welcomed.</p> <p>1We are looking at ways to improve our working relationships with all stakeholders including Parish Councils.</p> <p>2. Parish Councils need to consider this at the outset for all applications, setting out their comments and any concerns, and considering whether they would like to request the application to go to Planning Committee and if so the reasons for doing this. This should be done irrespective of the officer recommendation.</p>

	<p>3.Comment on the appendix 1 proposals:</p> <p>- bullet point 3 ie:</p> <p><i>If approved, the application 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;</i></p> <p>Strike: "the departure from policy would not conflict substantially with the aims and objectives of the policy or"</p> <p>Reason: planning committee should be made aware, and agree, where a planning application is to be approved that represents a significant departure from approved policies</p>	<p>3. A timely review is recommended including Parish Councils in the process.</p> <p>3.Comment noted and accepted – refer Appendix A.</p>
<b>Milton PC</b>	No comments to make on the proposal; it will put a copy of the new procedures in their 'bible' once everything has been agreed.	Comments noted and welcomed.
<b>Stapleford PC</b>	Stapleford Parish Council support the changes to make the system more comprehensive	Support noted and welcomed.
<b>Swavesey PC</b>	<p>1.Swavesey Parish Council has no further major comments to add to its previous ones, other than it is now pleased to see that Parish Councils can directly request that applications be referred to Planning Committee.</p> <p>2.The one comment that was mentioned was that Planning Committee agendas are often very long. With Cllrs often having to take time away from work to attend they can be waiting for some considerable time to speak at their relevant item. If it was possible to give a time indication it would be helpful.</p>	<p>1Comments noted and welcomed.</p> <p>2. It is very difficult to predict the time that items will be held within a Committee Meeting. Parish Councils can speak with the case officer who will try and estimate it judging ny the preceeding items on the specific agenda. It will always be an estimate.</p>

	<p>3.The other comment we made earlier was the possibility of Planning Committee being split into regions, thereby making the meetings shorter.</p>	<p>3. The Council is not currently considering area committees.</p>
<b>Thriplow PC</b>	<p>Whilst Thriplow Parish Council has no objection in principle to the proposals.</p> <p>1.There is a problem with the timescales proposed. This is especially so given that most planning applications are sent to us in 2nd Class Post giving what is often a narrow window for consideration. Most of our councillors like to see the hard copy documents. It would be helpful if the maximum time allowed for consideration (21 days) were in fact the time actually provided for consideration. This is especially so in contentious applications. Unfortunately the timing for proposed amended applications being changed to 14 days makes the situation even more impractical.</p>	<p>Comments noted and welcomed.</p> <p>1If an extension of time is required to consider an application, the Parish Council should contact the case officer who will grant it whenever possible.</p> <p>A preference for hard copies is noted; however over the coming year (s), the Planning Service will be moving towards a more 'paperless system' . We will discuss with Parish Councils how we can best achieve this together.</p>
<b>Whaddon PC</b>	<p>Whaddon Parish Council are much happier with these proposals.</p> <p>1We are pleased that SCDC has taken on board so many of the viewpoints expressed by Parish Councils in the earlier consultation exercise.</p> <p>2We also like the draft consultation letter that would go to Parish Councils, giving them the option to seek referral to the Planning Committee, and find the examples of Material Considerations very helpful.</p> <p>3.We would like to make one further request regarding Planning Committees. Would it be possible for SCDC to amend its procedures so that Parish Councils are notified when a referral has been made to a Planning Committee, if possible with the date and time of that meeting? At the moment we are not informed if applications are going to Planning Committee. Changing this, so that Parish Council's are informed as a matter of process might also address the issue of</p>	<p>1.Support noted and welcomed.</p> <p>2 Support for revised consultation letter is noted and welcomed</p> <p>3 At present agenda papers go out to Parish Councils 5 days in advance, when the papers are publicly available. As part of our current review of</p>

	<p>low Parish Council representation at Planning Committee meetings. Hopefully more Parishes would send representatives if they knew that a meeting was taking place. We would ideally like to be informed of all applications within our Parishes that are going to a Planning Committee but would hope, at a minimum, to be informed of those where the Parish Council has requested this referral. We understand that there is to be a review of Planning Committee procedures undertaken in 2016.</p>	<p>planning procedures we will look to do their earlier and hope to be able to give 10 working days notice.</p>
<p><b>CPRE</b></p>	<p>CPRE notes the amendments following the last consultation</p> <p>1. We support the principle that material planning considerations need to be identified by the local councillor or parish council when they disagree with recommendations from officers of the District Council and a referral to Planning Committee is requested. Equally we have no issue with the list of material planning factors set out in your latest version.</p> <p>2. However, we remain concerned that the final decision, based on an interpretation of whether there is a valid material planning consideration, rests not with the local councillor or parish but within the District Council by the Chairman of the Committee in consultation with officers. You will be well aware that there can be many interpretations of the factors listed. For example "parking" - the parish may consider this to be inadequate but the officers do not. In such a case, would referral succeed?</p> <p>3. Whilst we understand the drive to determine as many applications as possible through delegated powers in order to speed up decision making, we feel that this should not be at the expense of referring contentious applications to Committee where a full and open democratic debate can take place."</p>	<p>1. Support for this approach welcome and noted.</p> <p>2. The Chairman of Planning Committee will have regard to the following criteria when considering</p> <ul style="list-style-type: none"> <li>a) Relevant material planning considerations raising significant planning concerns</li> <li>b) Significant implications for adopted policy</li> <li>c) The nature, scale and complexity of the proposed development.</li> </ul> <p>If for, example parking, was a concern it would depend on the degree of the problem. Inadequate parking is a material consideration and if it was a significant under provision it is likely to be concern to both Officers and Parish Council alike.</p> <p>3. The aim of the Revised Scheme is to allow sufficient time at Planning Committee for the larger, and more contentious applications.</p>