

To All Parish and Town Councils

CHANGES TO THE PLANNING SYSTEM COMING INTO OPERATION FROM 1ST NOVEMBER 2018.

I am writing to up-date you on the changes coming into effect in the way South Gloucestershire Council makes its decisions on planning applications, and to ask for your support to help these changes come into operation smoothly from the 1st of November 2018.

South Gloucestershire Council values the high level of engagement there is from Parish and Town Councils, in our plan-making, assessment of planning applications, and enforcement of breaches of planning controls. Your local knowledge is often invaluable in the development and operation of our planning policies and the way we make decisions.

This letter sets out the changes that have been agreed by South Gloucestershire Council at its meeting on the 18th July 2018, the reason for these changes, and how they will be implemented.

The headline 'good news' for Parish and Town Councils is that the way in which we will consult you, seek your views, and invite you to engage with the decision-making process is not changing significantly. In fact, the key role of Parish and Town Councils in assisting local communities to make their views known is safeguarded by the changes that have been made. So Parish and Town Councils will: -

- Still be notified of all applications in the same way as now
- Still be invited to comment on applications in the same way as now
- Still be able to attend the planning committees to present their views as speaking rights remain unchanged
- Still be invited to attend committee site inspection visits where a representative will be able to explain relevant issues to the planning councillors in attendance

In addition, the changes to the Council's constitution specifically require most applications where a Councillor or Town or Parish Council has expressed a different view to that of the assessing planning officer, to be referred on to the Circulated Schedule for review by all South Gloucestershire Councillors ahead of any decision being made.

The letter below sets out in more detail the changes proposed. Details will also be provided on the council's website, and a presentation is planned for the Town and Parish Council Forum meeting of the 17th October.

What's changing?

Most users of the planning system will not notice any big changes, but we hope there will be noticeable improvements in the speediness and consistency of the decisions made which will improve the service we provide.

The changes being made will affect the types of planning decision made directly by councillors, and those made by officers under what are known as delegated powers.

For applications going to a planning committee, the changes will separate out the larger applications from the smaller ones: these will now go to different committees to improve the

way these decisions are made, by allowing each committee to focus on the mix of issues that different scales of application may give rise to.

The purpose and focus of sites inspections by committee members has also been clarified through these changes. Members of the public will now be able to draw councillors' attention to any relevant issues concerning the site or its surroundings at the public committee meeting, putting councillors in an informed position, ahead of their decision on whether or not to visit the site. The visit itself will be for members, with representative of the parish and applicant present, and the application will come back to the next committee meeting, giving a further opportunity for stakeholders' views to be expressed and heard before the final decision is taken, by committee members.

Why are we changing things?

The changes agreed by the meeting of Council on 18th July, are designed to make the system more transparent; to encourage residents, Town and Parish Councils and other stakeholders to engage early in the process; and to better show what decisions are made, by whom and why.

The review of the current system found many aspects of the South Gloucestershire system worked well and these will be retained. The new approach also reflects best practice from other council areas, which have been developed since South Gloucestershire Council established its planning procedures in 1996.

What are main details?

Key features of the new system include:

- All planning applications received by the Council will be streamed, with the most straightforward, such as an extension or redevelopment of a single dwelling for example, being delegated to officers, who will be able to make a decision based on existing planning rules. This means that simple, non-controversial applications will be dealt with more quickly for residents.
- More impactful proposals will either be considered by the Strategic Sites Delivery Committee (SSDC), which will have responsibility to determine larger applications, or by the Development Management Committee (DMC), which will consider applications of a locally significant, but non-strategic nature, up to around 10 new homes, for example.
- A Spatial Planning Committee (SPC) will oversee planning decision-making and advise on planning policy formulation for the council.
- The SPC will also build-in an opportunity for councillors to re-evaluate any decision taken by the SSDC or DMC if they resolve to 'overturn' recommendations by officers. This will ensure that decisions taken are in the best interests of the public and don't expose the council (and council taxpayers) to unnecessary risks and costs which can come if a developer appeals a council decision. This referral system is established practice in many local authorities
- Membership of the each of the committees will be made up of Councillors from all parties.
- Councillors and Town and Parish Councils will be able to escalate 'smaller' applications and refer them for consideration by refer them for consideration by

members via the Circulated Schedule, if they believe a development would have a significant local impact, and their views differ from officers.

- The old Development Control East and West committees will cease, being replaced by the above committees.

Full details of the new procedures can be found in the Council's constitution which can be viewed on the Council's website from the 1st November.

What do the changes mean for Parish and Town Councils?

In fact, there are no changes to the way in which Parish and Town councils will be notified and be asked to comment on planning applications. There will also be no changes in the rights to attend committee, or the sites inspections, where a representative of the council may attend to give the views of the Parish and Town Council. In addition, in most cases the views of the Parish and Town council, if different from the officer assessing the planning application, will trigger the referral of that application to the Circulated Schedule, which is sent out to all South Gloucestershire councillors before a decision is made on the listed applications. This enables the applications and officer assessment to be reviewed before a decision is taken, and these applications can be 'called in' to committee if two or more South Gloucestershire Councillors (from different wards) and a Committee Spokesperson agree that it should be referred.

What do the changes mean for South Gloucestershire Councillors?

Councillors will still be notified of applications (the weekly list) and receive the Circulated Schedule in exactly the same way as they do now. Any views from a councillor need to be submitted using the on-line public access consultee system. If a councillor expresses a view different to that of the officer assessing the application, this will trigger a referral of that application (except those that are delegated decisions) onto the Circulated Schedule.

In a change to current arrangements any application can then be called from the Circulated Schedule to committee if two or more South Gloucestershire councillors (from different wards) and a Committee Spokesperson agree that it should be referred and give their reasons for this. The Circulated Schedule will set out the details of the 'call-in' procedure.

There are also changes to the committee structure with a 'parent' Spatial Planning Committee meeting needing to meet only to establish the membership of the Development Management Committee and Strategic Sites Delivery Committee, and to consider any applications referred to it from these two committees.

The Development Management Committee will meet once a month to determine the smaller-scale applications referred to it, and members may decide to carry out a site inspection before making a decision on any application.

The Strategic Sites Delivery Committee will only need to meet when there are large-scale applications to decide, and the members will also be able to agree to visit the site of any such application before they make a decision on the proposal.

The decision to visit a site prior to a decision being made will be taken by the committee (or Director.) The sites inspections will not be a committee meeting but action notes will be taken of the points raised at the visit.

Changes to officer Delegations

Under the changes agreed by Council, more minor applications of a technical nature will be determined by officers and won't be able to be called onto the Circulated Schedule or committee. These applications are: -

- Those with default approvals e.g. most prior approvals
- Certificates of Lawfulness
- Non-Material amendments
- Discharge of Planning Conditions
- Applications only required because permitted development rights have been removed
- Footpath stopping up or diversion applications required to implement an approved scheme

Other applications, if they are not required to be placed on, or called to, the Circulated Schedule or one of the committees will also be determined under delegated powers, as currently happens.

What do you do if you have any queries or questions?

Before and after the changes come into effect it is likely that users of the planning system will have queries and questions. A good place to start if you have any queries is the Council's website which gives access to the report to the Council meeting of the 18th July where details of the changes are set out. It also gives access to the council's Constitution, which from 1st November will include the changes to the constitution and the terms of reference for each committee.

A presentation is also proposed at the Town and Parish Council Forum on the 17th October which will provide an opportunity for the new arrangements to be explained to clerks or council representatives.

Questions can also be raised directly with officers from either the Democratic Services team or the planning teams. If you wish to put these in writing, please send these by email to planningapplications@southglos.gov.uk

I hope this up-date letter has been useful ahead of the new arrangements coming into effect from the 1st November 2018

Yours sincerely



Brian Glasson

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