

Planning Improvement Implementation Plan – May 2015

No.	Consultant Recommendation	Cabinet Response	Action and Progress	Implementation Date	Lead Officer	Traffic Light R/A/G		
1.	The council should improve its examination of planning applications when submitted for validation. Care should be taken that plans are accurate (as far as officers are able) and that the information on planning application forms matches that in the plans. Where specialist information is required, these should be requested at validation stage; for example, tree surveys or geotechnical reports	1) The planning service has developed a revised validation checklist and this will be reviewed as part of a subsequent Planning Advisory Service (PAS) review of our overall processes	Implemented: New validation checklist (VC) adopted and operational following consultation event with planning agents in March 2015. Agents validation reports (performance measures) to be reinstated post implementation (6 months to allow for bedding in).	March 2015 Oct 2015	█ █	G G		
		2) Applications will not be accepted where plans are not sufficiently accurate or don't match the application. Staff will be given additional training on this aspect of the planning process.	The validation of applications is at present being overseen by the senior planning officer responsible for developing the revised checklist. If mainstreamed, random sample audits will introduced and undertaken by senior planners. A quality assurance check will be carried out by PAS as part of scheduled health check.	June 2015 July 2015	█	G		
		3) Additionally the planning service will develop a route map through the planning process whereby it can be clear that the necessary process and documentary evidence are in place.	Route' or process map to be produced and made available online. Summary document to be made available for stakeholders & applicants in print form and web site The above changes will form part of a revised Planning Staff training plan to be developed in consultation with POD	Sept 2015 Sept 2015 Sept 2015	█ █ █	A A A		
		2	The Council could respond in a more	1) It is recommended that Cabinet consider both the need	Noted - as agreed at Cabinet			G

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<p>positive manner to complaints and reports of breaches of planning control. Responses could be more consistent, decisive and thoroughly researched.</p>	<p>for transparency, good decisions and the needs of staff working in a challenging and pressured environment.</p>				
	<p>2) It is recommended that where a challenge is made to a factual statement about Planning policy that a review of the file takes place and that all responses be signed off by the development manager. All replies to a Member of Parliament should be reviewed and signed off by the head of service.</p>	<p>Implemented - [REDACTED] is responsible for undertaking a planning application file review where there is a challenge in respect of the 'facts' relating to Local Planning policy. Where necessary he will consult with others, including the Planning Policy Manager, in preparing a formal response.</p>	Jan 2015	■	G
		<p>Implemented –All MP replies are reviewed and signed off by the Head of Service.</p>	Jan 2015	■	G
	<p>3) Inevitably staff feel pressurised in a period when they are being publically challenged and where mistakes have been made. In some cases this pressure is very personal and public. It is recommended that planning staff are offered specific training both in appropriate customer care but also in complaint handling. This training should be arranged in conjunction with PAS and the council's personnel organisational development team to ensure its appropriateness for the</p>	<p>Specific training aimed at improving Customer Care and Complaint handling within the planning service will be included within a revised training plan to be drawn up in consultation with POD and introduced in line with the councils new corporate complaint handling system</p>	Sept 2015	■	G
		<p>The introduction of a new complaint logging (Firmstep) system will be used alongside the existing DM document management system (Acolaid) to monitor complaints and these will be reviewed quarterly at staff meetings and in line with new corporate arrangements to be established.</p>	Sept 2015	■	G
		<p>An annual planning performance statement will be presented to CAP detailing key performance data & trends, including complaints and</p>	April 2016	■	A

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		planning context	planning appeal analysis.			
3	The Planning Department could undertake a review of the procedure for signing off delegated planning applications to achieve a consistent application and interpretation of planning policy	1) The service will review its performance via the PAS quality framework. This includes a randomised sample of delegated decisions. It also includes satisfaction surveys of stakeholders including members and neighbours.	The framework will be introduced early summer 2015. The first surveys will be going out in June 2015. It will not be possible to carry out any meaningful comparative review until a reasonable amount of data has been collected (12 months)	June 2015		G
		2) The development manager will routinely review 10% of all delegated decisions to ensure a broad standard of consistency.	████████████████████ is to undertake a quarterly review of delegated decisions to ensure a broad standard of consistency. As with the validation audits these will be random A quality assurance check to be carried out by PAS after implementation date as part of health check.	July 2015	██	G
				July 2015	██	G
		3) In normal circumstances the development manager should be expected to decide on issues of consistency and interpretation where they arise.	Noted – In normal circumstances the ████████████████████ is expected to decide on such issues.		██	G
	4) Where an issue is substantial or significant the matter should be resolved by the head of service, if necessary using external advice	Noted – ████████████████████ is expected to bring significant or substantial matters to the attention of the Service Manager for resolution		██	G	
4	The council could consider a review of its internal consultation	1) The establishment of a council wide planning group under the leadership of the	Key officers now meet fortnightly (depending upon the level of business) to exchange views on applications and pre-application discussions.	Dec 2014	██	G

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		<p>3) A rigorous internal system of written consultation on applications. Where the planning service has requested input from a service this will be provided through and in the name of the head of service concerned. A response be required even if it was a simple "no comment". Response returns would be reported to the planning committee or recorded in a delegated decision</p>	<p>Implemented – As agreed by the Corporate Management Group, all relevant Heads of Service and key personnel are aware of the requirement and all consultee responses are now signed off in the name of the appropriate Head of Service.</p> <p>Given the volume of applications received it has been agreed that in some service areas consultation responses are dealt with directly by the service officers who are under instruction to make their head of service aware of any issues of particular concern or contention. This has been done to avoid bottlenecks occurring.</p>	April 2015	■	G
		<p>4) The performance of service responses to planning requests will be reported annually to planning committee and Cabinet</p>	<p>See response to recommendation 2. Further research into availability of key performance data that can be drawn from current systems is to be carried out.</p>	Sept 2015	■■■■■	A
5	<p>The council may wish to consider a change to its delegated agreement, so that if identical planning applications, previously refused, could be subsequently considered by committee if the recommendation is to be permitted. In reality this is unlikely to be a</p>	<p>i. All identical (or practically so) applications following a previous refusal under delegated powers should only be revisited with the written approval of the development manager.</p>	<p>Operational - However need to establish formal trigger mechanism and a procedure note for historic applications where planning guidance may have significantly changed over the passage of time.</p>	Sept 2015	■	A
		<p>ii. Any approval of an identical (or nearly so) application made under delegated powers should be reported to the planning committee with</p>	<p>ii) As above.</p>	Sept 2015	■	A

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	frequent occurrence.	arguments given as to why an earlier decision had been changed				
6	The Council should undertake a thorough review of its procedure for granting caravan site licences that would include consulting other departments, and ensuring reciprocal arrangements when planning applications are received.	1) That a written instruction is given to both the licensing and planning teams that no decision relating to caravan sites should be enacted until the recorded completion of discussion with the other service. This instruction to be put on the physical and electronic files of each service.	<p>Implemented - staff have been instructed that no approvals are to be granted without consultation with Head of Environmental Services. This will ensure that no approvals are granted without the appropriate cross departmental consultation taking place first.</p> <p>Implemented - A new procedure note setting out how caravan site licence applications have to be processed has been introduced All information is to be recorded on the Environmental Health IT system</p> <p>Implemented - File checklists now include consultation with other services & agencies and require final sign off by the Head of Service.</p>	March 2015		G
		2) That a regular scheme of inspections of caravan sites is introduced.	<p>Implemented - All sites have been audited by the same specialist contractor that carried out the Rocklands caravan site audit</p> <p>All 5 site operators have been met and advised of audit findings and recommendations. In most cases these relate to minor contraventions of the space requirements between the caravans.</p> <p>Meetings took place with the local Fire & Rescue service in attendance because of the</p>	Jan 2015		G

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			<p>need to update the Council's standard caravan site license conditions, as they relate to fire safety/means of escape. Fires safety and its enforcement is primarily the responsibility of the Fire & Rescue Service, not local authorities.</p> <p>All site operators have agreed to address our requirements, and the Fire & Rescue service are happy with our proposals on removing fire safety conditions from the licenses.</p> <p>Full annual inspection of all 5 sites by the Council's licensing team are to be carried out in future and supplemented by spot checks.</p>			
		<p>3) The caravan licence for Rocklands is reviewed and either changed or a new one issued. This licence to include areas of planting and vegetation to ensure they can be managed through this system.</p>	<p>Partially implemented – A caravan site licence audit was carried out by independent consultants (RH Environmental) acting on behalf of the Council in August 2014. The audit did not review drainage and stability issues as these were being assessed by different means. The site operators agreed to address the relatively minor contraventions identified (e.g. spacing between caravans).</p> <p>A cross service inspection (environmental health, licensing, pollution, planning and communications present) took place in December 2014 to further discuss the audit findings, investigate allegations about the foul drainage system, and waste located at the bottom of the site. Changes to the site layout were also discussed with the owners. It was agreed that works to address the issues identified in the audit report would be carried out during the closed season.</p>	Oct 2015	■	A
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			<p>Compliance visits are to be made to ensure matters identified in the audit report have been addressed.</p> <p>Due to the land instability issues, it is still not clear what the site operators can reasonably be required to do in relation to the lower part of the site. This uncertainty has delayed the process of issuing a new caravan site licence. However it is anticipated that this will proceed within the next 3 months.</p>			
7	Additional Cabinet Recommendation	50. Both consultants (planning & Environmental Health) have recommended that a further geotechnical study should be undertaken to examine if and how further landslides might be avoided or minimised. This work will proceed but it is not known how practical or costly any solution may be.	This matter is being considered separately as part of the Councils ongoing investigation into the impact of the Rocklands development.		■	G
8	Additional Cabinet Recommendation	51. That all planning files should be electronically recorded to allow the most rapid response and easiest access to the public and this is considered as part of the council's budget making process.	This will be further explored as part of the Councils corporate efficiency agenda but the initial view is that the cost may be prohibitive.	Date to be determined		A
9	Additional Cabinet Recommendation	52. That an action plan is drawn up to implement the recommendations of this report	Actioned – a group consisting of relevant lead officers together with the lead member for planning and the chair of the planning	April 2015	■	G

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		and subsequently identified requirements. This to be implemented through a group to be chaired by the Head of Housing and Planning services	committee met three times between Jan – April 2015 in developing the action plan.			
10	Additional Cabinet Recommendation	The Council should adopt new guidelines on what constitutes a minor amendment (section 73a) and what constitutes a full application (section 91)	<p>There is no formal definition of what constitutes a non material or minor material amendment, and each case needs to be considered on its merits in the context of the development. The government has described minor material amendments as being "one whose scale and nature results in a development which is not substantially different from that which has been approved"</p> <p>For example whereas an increase in height of, say 1m might be considered minor in the context of a 20 storey office block, such an increase on a domestic extension would clearly not be minor.</p> <p>However, we propose the following guidelines.</p> <p>Non material Amendments:</p> <p>Where the overall dimensions of a building do not change, there are no changes to any windows or doors, and the changes to not conflict with any conditions attached to the original permission we may consider changes as a non material amendment.</p> <p>For example this might include minor changes to an area of hanging tiles on a building, internal changes, or some minor changes to hard</p>	July 2015		G

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			<p>landscaping such as the positioning of a path.</p> <p>Minor Material Amendments:</p> <p>Where the dimensions of a building are not changed by more than 10% and the description of the development in the original permission has not changed then we may consider changes as minor material amendments.</p> <p>For example if permission was granted for “ a single storey rear extension” which on the approved plans was 3m wide, we would be likely to consider an increase in width of up to 3.3m as a minor material amendment. However, we would not consider the addition of a dormer window in the roof that was not included in the original application as a minor material amendment.</p> <p>We propose to publish these guidelines on the website</p> <p>Please Note:</p> <p>These are only guidelines and each case will be considered in the context of the original approval</p>			
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