

# West Devon Planning & Licensing Committee



West Devon  
Borough  
Council

<b>Title:</b>	<b>Agenda</b>								
<b>Date:</b>	<b>Tuesday, 26th July, 2016</b>								
<b>Time:</b>	<b>10.00 am</b>								
<b>Venue:</b>	<b>Chamber - Kilworthy Park</b>								
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Sanders <b>Vice Chairman</b> Cllr Parker</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Baldwin</td> <td>Cllr Mott</td> </tr> <tr> <td>Cllr Benson</td> <td>Cllr Moyse</td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Hockridge</td> <td>Cllr Roberts</td> </tr> </table>	Cllr Baldwin	Cllr Mott	Cllr Benson	Cllr Moyse	Cllr Cann OBE	Cllr Pearce	Cllr Hockridge	Cllr Roberts
Cllr Baldwin	Cllr Mott								
Cllr Benson	Cllr Moyse								
Cllr Cann OBE	Cllr Pearce								
Cllr Hockridge	Cllr Roberts								
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
<b>Committee administrator:</b>	Member.Services@swdevon.gov.uk								

**1. Apologies for absence**

**2. Declarations of Interest**

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

*[If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting]*

**3. Items Requiring Urgent Attention**

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

**4. Confirmation of Minutes**

**1 - 4**

Meeting held on 28 June 2016

**5. Planning Applications & Enforcement Reports**

**(a) 0958/16/FUL**

**5 - 14**

Land West of Seaton Way, Crapstone

Development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each. Panels to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels.

**(b) 0436/16/COU**

**15 - 22**

Kingswood, Castle Road, Okehampton

Change of use from private garage (C3) to furniture shop (A1)

**(c) 1008/16/VAR**

**23 - 30**

Land off Crediton Road , Hillside Drive, Okehampton

Variation of condition 2 (Approved Plans) of planning consent 01324/2014 to allow for a minor material amendment

**6. Planning Appeals Update**

**31 - 32**

**7. Affordable Housing Obligation**

**33 - 36**

**8. Planning Peer Challenge Action Plan 2016/17**

**37 - 88**

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# Agenda Item 4

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **28<sup>th</sup>** day of **JUNE 2016** at **10.00am**

**Present:** Cllr P R Sanders – Chairman

Cllr M J R Benson	Cllr W G Cann OBE
Cllr L J G Hockridge	Cllr C Mott
Cllr D E Moyse	Cllr T G Pearce
Cllr A Roberts	

**Substitutes:** Cllr J Sheldon for Cllr G Parker  
Cllr J Yelland for Cllr R E Baldwin

Lead Specialist - Development Management (PW)  
Specialists (TF and JK)  
Highways Authority Representative (PT)  
Solicitor (SN)  
Senior Case Manager (KT)

**In attendance:** Cllrs R Cheadle, A Leech

## **\*P&L 01 APOLOGIES**

Apologies were received from Cllr G Parker for whom Cllr J Sheldon acted as substitute and Cllr R E Baldwin for whom Cllr J Yelland acted as substitute.

## **\*P&L 02 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr P R Sanders declared a personal interest in application 0958/16/FUL: Development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each. Panels to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels – Land West of Seaton Way, Crapstone, by virtue of being the local Ward Member who called the application to Committee. He remained in the meeting and took part in the debate and vote;

Cllr J Yelland declared a personal interest in application 0436/16/COU: change of use from private garage (C3) to furniture shop (A1) – Kingswood, Castle Road, Okehampton, by virtue of being the local Ward Member who called the application to Committee and a Member of Okehampton Town Council. She remained in the meeting and took part in the debate and vote;

Cllr T G Pearce declared a personal interest in all applications, by virtue of being a Member of the Devon Building Control Partnership. He remained in the meeting and took part in the debate and vote on each item.

**\*P&L 03      CONFIRMATION OF MINUTES**

The Minutes of the Planning and Licensing Committee Meeting held on 29 March 2016 were confirmed and signed by the Chairman as a correct record. In response to a query regarding a perceived omission from the minutes, the Chairman reminded Members that the minutes reflected specific agenda items and if other issues were required to be minuted then an appropriate agenda item would need to be programmed.

**\*P&L 04      PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Management Specialists and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED**:

**Application No: 0958/16/FUL    Ward: Buckland Monachorum**

**Site Address: Land West of Seaton Way, Crapstone, Yelverton PL20 7UZ**

Development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each. Panels to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels.

Speakers included: Supporter (representing the Applicant as member of the Parish Council) – Cllr R Cheadle; Ward Member – Cllr P R Sanders

**RECOMMENDATION:**    Conditional Approval

**COMMITTEE DECISION:** Defer for Site Inspection

**Application No: 0436/16/COU    Ward: Okehampton South**

**Site Address: Kingswood, Castle Road, Okehampton EX20 1HX**

Change of use from private garage (C3) to furniture shop (A1)

Speakers included: Supporter (owner) – Mr Sean Kelly

**RECOMMENDATION:**    Conditional Approval

**COMMITTEE DECISION:** Defer for Site Inspection

**Application No: 1008/16/VAR Ward: Okehampton North**

**Site Address: Land off Crediton Road, Hillside Drive, Okehampton,  
EX20 1UN**

Variation of condition 2 (Approved Plans) of planning consent 01324/2014 to allow for a minor amendment

Speakers included: Supporter(Applicant) – Ms D Johnson

**RECOMMENDATION:** Conditional Approval subject to deed of variation of the Section 106 Agreement

**COMMITTEE DECISION:** Defer for Site Inspection

**\*P&L 05 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals.

**\*P&L 06 REPORT THE FACTS REGARDING THE IMMEDIATE  
REVOCATION OF A DRIVER LICENCE, AS AUTHORISED BY  
HEAD OF PAID SERVICE**

(Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that exempt information is likely to be disclosed as defined in Part 1 of Schedule 12(A) to the Act).

The Committee were presented with an exempt report that presented the facts relating to the revocation of a driver licence authorised by the Head of Paid Service.

It was then **RESOLVED:**

1. That the facts in relation to the immediate revocation of a Hackney Carriage/Private Hire Driver licence due to safeguarding concerns be noted; and
2. That the action taken by the Head of Paid Service in determining to immediately revoke the Hackney Carriage/Private Hire Driver Licence be noted and that this action had been taken in accordance with Section 61 of the Local Government (Miscellaneous Provision) Act 1976 as amended by Section 52 Road Safety Act 2006.

(The Meeting terminated at 12.20 pm)

Dated this

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**Chairman**

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## PLANNING APPLICATION REPORT

**Case Officer:** Matthew Jones

**Parish:** Buckland Monachorum

**Ward:** Buckland Monachorum

**Application No:** 0958/16/FUL

**Agent/Applicant:**

Tamar Energy Community  
Rock View  
2 Devon Consols  
Tavistock  
PL19 8PB

**Applicant:**

Buckland Monachorum Parish Council  
Gulls Cry  
Courtenay Road  
PL19 0EE

**Site Address:** Land West of Seaton Way, Crapstone, Yelverton, PL20 7UZ

**Development:** Development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each. Panels to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels.

**Reason item is being put before Committee:** The ward member has requested that this application be taken to Planning Committee due to concerns regarding the impact of the proposed development on the environment



**Recommendation:** Conditional approval

**Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted as part of the planning application, full details of a Landscape Plan shall have been first submitted to and approved in writing by Local Planning Authority. The Plan shall include:

- (a) the location, number, species, density, form and size of all proposed tree and hedge planting and approved means of enclosure;
- (b) the method of planting, establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting for a minimum period of 25 years;
- (c) a timetable for the implementation of the agreed Landscape and Ecological Enhancement Plan.

All elements of the approved Landscape Plan, including the approved timetable, shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public amenity and local landscape character

4. Prior to the commencement of development, details of a scheme for the provision of surface water management shall have first been submitted to and agreed in writing by the Local Planning Authority. The details shall include:

- Details of the drainage during the installation of the array
- Details of the final drainage scheme
- A timetable for construction

The development shall take place strictly in accordance with these details and maintained in perpetuity thereafter unless the Local Planning Authority gives written permission to any variation.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control

5. Prior to the commencement of development, full details of the specification for insulation to the switch room shall be submitted to and agreed in writing by the Local Planning Authority. The insulation measures shall be installed in strict accordance with the approved details prior to the first use of the solar array hereby approved

Reason: To ensure that the development maintains an acceptable impact on the amenity of neighbouring dwellings.

6. No external artificial lighting shall be installed during the operation of the site as a solar PV facility without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area.

7. Prior to the commencement of the development hereby approved, and notwithstanding the details submitted as part of the planning application, full details of an Ecological Enhancement Plan shall have been submitted to and approved in writing by Local Planning Authority. The EEP shall include:

- (a) arrangements for stripping, storage and re-use of top soil;
- (b) the location, number, species, density, form and size of the proposed wildflower meadow;
- (c) the method of planting, establishment, protection and maintenance of the meadow for a minimum period of 25 years;
- (d) a timetable for the implementation of the agreed EEP

All elements of the approved Ecological Enhancement Plan, including the approved timetable, shall thereafter be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public amenity, wildlife and local landscape character

8. Prior to the commencement of development, details of the relocation and/or replacement of the goalposts shall first be submitted to and approved in writing by the Local Planning Authority. The goalposts shall be removed and replaced/relocated and the means of enclosure along the entirety of the east boundary of the site erected, prior to the first use of the solar array hereby approved.

Reason: To ensure that the solar array does not prejudice use of the adjacent public amenity land

9. When the land ceases to be used as a photovoltaic park for renewable power production or, at the end of the period of 25 years from the date of grid connection (such date to have been given to the Local Planning Authority within one month of grid connection), whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its previous state or as otherwise agreed, in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority prior to the decommissioning works taking place. Such details shall include the time scale for decommissioning.

Should any of the individual solar panel(s) not commence exportation of electricity to the grid for a continuous period of 6 months from the date of first installation (such installation date having been notified in writing to the Local Planning Authority upon commencement of installation), or thereafter ceases to export electricity to the grid for a continuous period of 6 months, the solar panel(s) and the relevant associated infrastructure shall be removed from (that part of) the site and the land restored to its previous use all within three months from the cessation of that 6 months period, in accordance with a scheme of restoration that has been previously submitted to and approved in writing by the Local Planning Authority.

Reason: The application has been assessed in accordance with the details submitted by the applicants, taking into account the benefits of the production of renewable energy. At the end of the design life of the development the land should be restored in order to protect the visual amenity and character of the surrounding countryside.

10. Construction work and deliveries shall be restricted to Monday to Friday 8am until 6pm; Saturday 8am until 1pm. No work or deliveries shall take place outside of those hours. There shall be no work or deliveries on Sundays or Bank Holidays.

Reason: To ensure that the development maintains an acceptable impact on the amenity of neighbouring dwellings.

**Key issues for consideration:**

The main issues are the benefits of providing renewable energy, the visual impact of the proposal, any impact on the integrity of adjacent recreational uses, contaminated land and drainage.

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**Site Description:**

The site is within the Crapstone Development Boundary and is not designated, within the Local Plan, as an important public open space.

The site is currently long grass and appears to be used informally for the keeping of horses. It is unlikely that it is currently used for community recreation. There is also a utilitarian structure probably associated with the former Royal Navy use of the land. Submitted plans show that a number of RN structures have been removed from the land.

There was an application for change of use to leisure in 1992 but it is not clear if the specific land within the site boundary was ever physically changed to achieve this, or, if it was, one could also speculate that its use as a paddock has subsequently changed the use of the land back to agriculture. In any case, the land is currently unkempt and not currently fit for purpose as a public amenity space.

The site is within the Tamar Valley Area of Outstanding Natural Beauty.

**The Proposal:**

Planning permission is sought for the development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each.

The panels are to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels.

**Consultations:**

- County Highways Authority

No objection

- Tamar Valley AONB

No objection

- The National Trust

No objection subject to condition requiring reinforcement of boundary treatments

## **Representations**

21 letters of representation have been received at the time of writing this report, 19 objecting to the scheme, one not committing either way and one letter in support. Concerns raised within the submitted letters of objection are summarised as follows:

- The site notices have not been posted properly
- The applicant has circulated a misleading letter, and has not costed the community properly
- The keeping of horses is more financially viable
- The land is contaminated
- Could cause a safety hazard to the children
- The site is within the AONB
- Will be unsightly causing industrialisation of village
- Will affect private views and property values
- Will be visible from PRowS, particularly during winter months
- Will prevent and prejudice recreational use of land
- Has an ecological survey taken place?
- Will increase drainage issues
- The land should be used as a BMX circuit

Comments made in support of the proposal are as follows:

- Will generate equivalent energy to power 25 homes
- The community will benefit financially
- A fence will protect the children
- A wildflower meadow could be planted
- The site will not be visible from the wider AONB

## **Relevant Planning History**

RN/3/32/1099/1997/98 – Royal Navy Storage Facility– Renewal of change of use to sport and leisure – Conditional approval

## **Analysis**

### **Principle of Development**

The site is within the Development Boundary for the village.

There is a strong presumption within planning policy at the national level and the local level for the support of renewable energy schemes, particularly those which are community led, as is the case here. The Framework also specifies that even small scale installations can make a valuable contribution to the provision of renewable energy.

### **Effect on recreational land**

The comments made regarding the loss of recreational land are noted. However, the site is currently formed of what appears to be land informally used for the keeping of horses or otherwise left as scrub land. The grass is long and dense and precludes any sustained recreational use. Therefore, the proposal will not lead to the loss of currently useable public recreational land.

Even if the land was considered to be contributing to recreational facilities for the village, its loss would not be so significant as to warrant an objection; the remaining recreational land is considered to be appropriate in size to serve the community.

Officers would also question the appropriateness of using this land for recreation, owing to its current state and land contamination issues which have been raised by some third parties.

It is important, however, that the existing, adjacent recreational use is protected. This can be achieved by the imposition of a planning condition requiring additional detail regarding the specification for the means of enclosure, to ensure errant footballs will not commonly fly onto the site, and to prevent encroachment onto the site by a child or any third party who may wish to retrieve a football.

### **Visual impact within the AONB**

The proposed array is on land which is very well screened from wider view. If glimpsed through the not insignificant trees and vegetation surrounding the site, the panels will appear immediately within the setting of the modern housing estate around Seaton Way.

However, third parties are correct to raise views from the nearby PRow as a potential issue during the winter months, and therefore it is considered reasonable to impose a condition requiring a landscape plan showing the augmentation of existing boundary treatments, where necessary, prior to the commencement of development.

Although it will be visible in its immediate context, this is in an area which is very contained and is overtly domestic, with the housing, football field and play park, and also includes a utilitarian building which is a remnant of the heavily developed former use of the site as a storage facility for the Royal Navy.

Overall, the placement of panels onto this land will not harm the character and appearance of the Tamar Valley AONB. The AONB unit is not objecting to this proposal, nor are the Council's landscape officers.

### **Neighbour Impact**

Due to the orientation of the panels southwards and the distance from neighbouring dwellings the proposal is not considered to render a harmful impact on residential amenity. In addition, the switch room will be located within an existing building which can be insulated to prevent unacceptable noise, and this can be secured through condition. No external lighting is proposed, and a condition is reasonably imposed restricting any in the future, unless otherwise agreed in writing.

### **Land contamination and drainage**

This is an appropriate style of development for land with contamination issues, as the panels are simply pinned to the land with minimal intrusion, and the use prohibits a more sensitive land use, such as residential or recreational.

The panels will minimally increase the speed of surface water runoff. However, the surrounding land is within the control of the applicant and a proportionately sized SuDS can be easily achieved, and the specification for the controlling of surface water runoff can be secured by way of planning condition.

### **Ecology**

The application is accompanied by a wildlife trigger table which is considered by officers to be proportionate to the scale and impact of the development. The panels are simply pinned to the land and do not themselves present any significant threat to ecology, certainly no greater than simply clearing or mowing the land, which can be carried out without planning consent.

In addition, the submission suggests the planting of a wildflower meadow which will mimic or better the ecological contribution of the current long grass, and this detail can be secured through planning condition.

## **Other matters**

The Local Planning Authority has correctly and fully discharged its obligation to advertise the application to the public and statutory consultees.

The consistency or completeness of any consultation exercise separately undertaken by the applicant is not a matter for the Local Planning Authority.

The potential effect of this scheme on private views and property values is not a material planning consideration.

Highways infrastructure is adequate to construct and to serve the development. The highways officer is not objecting.

## **Conclusion**

This is, relatively speaking, an extremely small solar installation proposed in a discreet and well-chosen location where it will have a neutral impact on the landscape and wider AONB designation. Concerns regarding other issues, such as drainage, can be satisfactorily resolved by way of planning condition.

Overall, the very small scale environmental harm associated with the visual impact of the proposal within its immediate context is outweighed by the social, economic and environmental benefit of its associated renewable energy production.

This application is therefore recommended for approval subject to appropriate conditions.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

## **Planning Policy**

### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP3 – Renewable Energy  
SP4 – Infrastructure Provision  
SP5 – Spatial Strategy  
SP13 – Community Services and Facilities  
SP17 – Landscape Character  
SP18 – The Heritage and Historical Character of West Devon  
SP19 – Biodiversity  
SP20 – Promoting High Quality Design  
SP21 – Flooding  
SP24 – Sustainable Rural Communities

### **West Devon Borough Council Local Plan Review 2005(as amended 2011)**

NE10 – Protection of the Countryside and Other Open Spaces  
BE1 – Conservation Areas  
BE2 – Conservation Areas  
BE3 – Listed Buildings  
BE4 – Features and Artefacts of Local Importance  
BE5 – Important Open Space within Settlements  
BE13 – Landscaping and Boundary Treatment

BE19 – Development on Contaminated Land  
H26 – Open Space Provision in New Residential Developments  
PS2 – Sustainable Urban Drainage Systems  
PS9 – Transmission and Distribution of Electricity

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.



## SITE INSPECTIONS HELD THURSDAY 14 JULY 2016

- (i) **0958/16/FUL** Development of an 80kW solar photovoltaic installation, comprising of 307 solar photovoltaic panels with a rating of 260W each. Panels to be arranged in 7 rows of 22.24 metres long, with the top of the panels having a height of 2.46 metres above ground level. There will be a spacing of 9 metres between the rows and a deer fence enclosing the panels – Land west of Seaton Way, Crapstone, PL20 7UZ

Present: Cllrs Sanders, Benson, Moyse, Pearce

Parish Council representative: Cllrs Davis and Fowler

Officers: Planning Specialists (TJ, MJ, TF), Senior Case Manager (KT)

The Chairman began the site inspection with introductions. Members proceeded onto the site to better assess the potential impact of the proposal. The Case officer indicated the slope of the land and Members asked questions in relation to the distance between the panels and the existing properties. Members noted no windows in the gable ends of the properties nearest to the position of the panels. Officers agreed to provide clarification on the precise position of the panels within the site.

The Parish Council representatives outlined their reasons for supporting the application.

The Chairman then concluded the site inspection.

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## PLANNING APPLICATION REPORT

**Case Officer:** Matthew Jones

**Parish:** Okehampton **Ward:** Okehampton South

**Application No:** 0436/16/COU

**Agent/Applicant:**

Miss Monika Pieprzyk

The Lodge

Castle Road

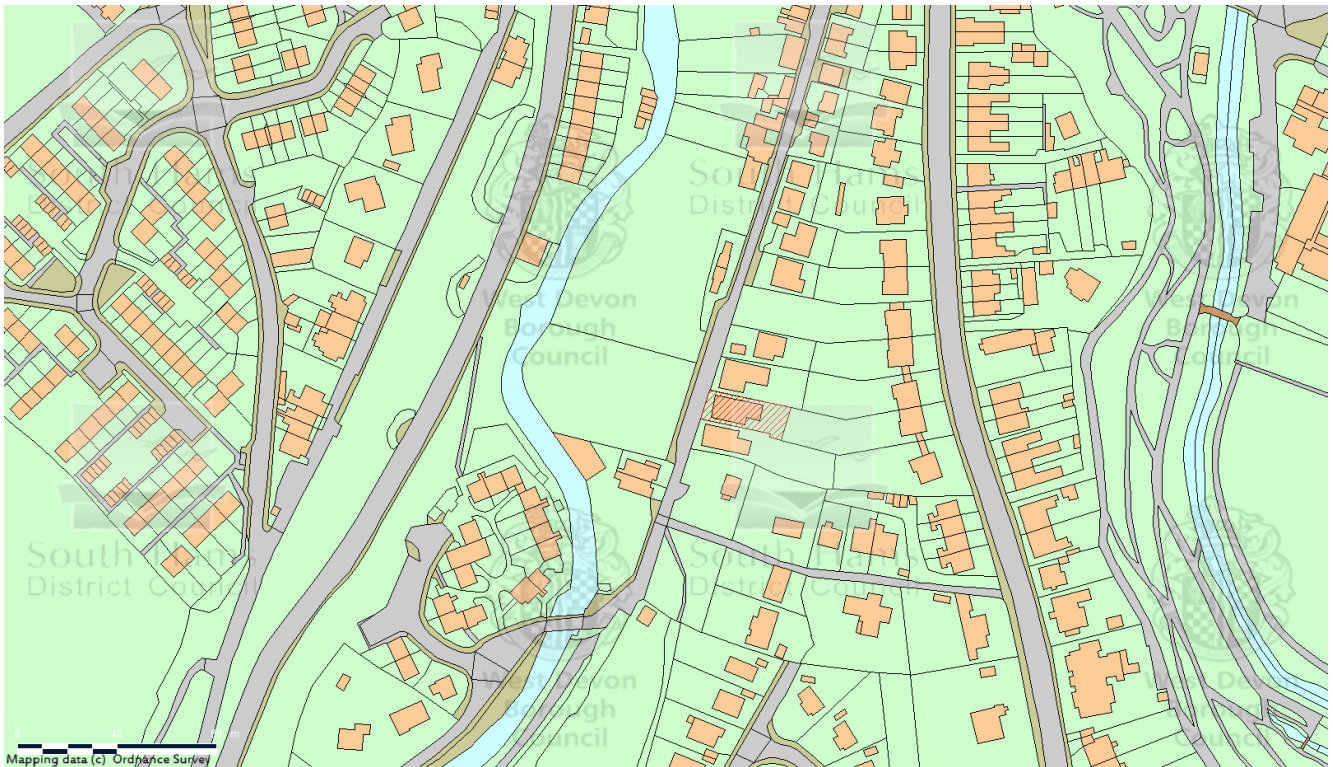
Okehampton

EX20 1HZ

**Site Address:** Kingswood, Castle Road, Okehampton, Devon, EX20 1HX

**Development:** Change of use from private garage (C3) to furniture shop (A1)

**Reason item is being put before Committee:** The ward members have requested that this application is taken to planning Committee due to concerns regarding highways safety and the impact of the development on highways infrastructure



**Recommendation:** Conditional approval

**Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice. Notwithstanding other illustrative plans in documents hereby approved, this permission relates only to the floor space edged in green as shown on approved plan WDBC1 received by the Local Planning Authority on 26 June 2016

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. The A1 use hereby approved shall be restricted only to the sale of furniture and associated householder goods

Reason: The specific use applied for is considered acceptable but an alternative A1 would require consideration on its own merits within a separate planning application.

4. Opening hours of, and deliveries to, the A1 use hereby permitted shall be restricted to 08:00 – 18:00 Monday – Saturday, with no opening on Sundays or Bank Holidays.

Reason: To ensure that the development maintains an appropriate impact on the amenity of neighbouring dwellings

**Key issues for consideration:**

The main issues are access, parking, the impact of the proposal on the amenity of neighbouring properties, the impact of the proposal on the retail vitality of Okehampton shopping area and any impact on the character and appearance of Okehampton Conservation Area.

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**Site Description:**

The application site is a detached dwelling over three floors. The ground floor provides pedestrian access and has an integrated garage and store, with the garage fronted by two narrow garage doors. Access is from Castle Road to the west, via a front parking area. The residential curtilage of neighbouring dwellings is to the north and the south. The majority of properties have parking integrated in this way. There is limited on street parking and double yellow lines restrict vehicle parking.

The site is within the Okehampton Development Boundary and within the town's Conservation Area. The planning application has been correctly advertised, including by the posting of site notices at the site.

**The Proposal:**

Planning permission is sought for the Change of Use of the garage and store of the dwelling into a retail unit. No physical alterations are proposed.

### **Consultations:**

- County Highways Authority

No objection (detailed comments within file)

- Environmental Health Section

No objection subject to condition restricting opening hours: *'I believe it would be pertinent to attach a condition to restrict opening hours of the shop to 08:00 – 18:00 Monday – Saturday, with no opening on Sundays or Bank Holidays. This being in order to protect neighbouring residential amenity'*

- Okehampton Town Council

Objection – due to impact on neighbouring dwellings, access, congestion and potential road blockages

### **Representations:**

2 letters of representation have been received at the time of writing this report. Comments made within the submitted letters are summarised as follows:

- Will increase traffic and therefore challenge highways safety
- No notice have been posted at the site
- The road could be blocked blocking access for emergency vehicles
- Location not suitable for a business

### **Relevant Planning History**

None

### **Analysis**

#### **Principle of Development**

Local planning policy seeks to promote retail uses within Town Centres and requires applicants to consider more favourable, centrally located sites sequentially in order to justify a new unit outside of the local centre.

Okehampton does not have a zoned town centre designated within the current Development Plan, although, the primary frontages are identified in the area in and around Fore Street. The Post Office is approximately 240m from the site which clearly provides a community function and it, and the area surrounding it, is considered to be within the Town Centre

The applicant has not provided a sequential assessment of alternative sites. However, officers have undertaken research which identifies that there are not proportionally similar retail units currently available to let within the town centre. Officers are also not aware of a second hand furniture shop within Okehampton.

Overall, although this site can most sensibly be argued to be outside of the Town Centre, it is very close by and within easy walking distance. This close proximity, the relatively diminutive size of the unit, and the absence of a proportionate and available alternative in a more central location leads officers, on balance, to conclude that the proposed unit will not negatively impact the retail vitality of Okehampton Town Centre

## **Access and Parking**

The application site is in a sustainable location with regard to access to services, being easy walking distance to the range of services and transport options available in the town. The Council does not prescribe minimal parking requirements and for these reasons the loss of the parking serving the dwelling is not considered to be unacceptable. It is also important to note that the garage is accessed via two extremely narrow doors, which effectively render the garage unusable, meaning that the only parking the dwelling relies on, in reality, is the parking apron to the front.

This area would now become a space allowing a customer or the operator to load and unload a vehicle. Furthermore, the applicant lives next door which means that the entire parking area in front of these two properties and a car port are all available to serve the two dwellings and the shop. Overall, this larger parking area is considered to allow the off street parking for a car for each property and a space for the shop. For these reasons and for those given in the response from the highways officer, officers conclude that the parking and access arrangements are satisfactory.

The comments raised by third parties and the Town Council are noted. However, the blocking of a highway is an offence under separate legislation and the locality already benefits from waiting restrictions which should prevent inappropriate parking and ensure access for emergency vehicles.

## **Neighbour Impact**

Policy supports new commercial uses within residential areas unless the proposal would lead to *'Significant adverse harm to the character of the area or to the amenities of adjoining properties.'* The affected properties are those on both sides and the dwelling above the shop. The neighbour to the north, in particular, has a balcony close to the proposed shop.

Although the provision of a shop in this location will have an impact on neighbour amenity, officers have the ability to impose a condition restricting opening hours. With this in mind, officers can conclude that the impact will be acceptable. The opening hours suggested by officers are 08:00 – 18:00 Monday – Saturday, with no opening on Sundays or Bank Holidays.

A different type of shop, such as a pet shop, could have an entirely different impact on neighbour amenity and it is therefore reasonable to impose a condition restricting the use specifically to a furniture shop.

## **Conservation Area**

This proposal includes no operational development and the provision of a shop within this location will not harm the character or appearance of the Conservation Area.

## **Conclusion**

The comments made by the Town Council and by interested third parties are considered within the above analysis. For the reasons outlined above this application is considered acceptable. The application is therefore recommended for approval subject to conditions.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Planning Policy**

**West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP5 – Spatial Strategy  
SP10 – Supporting the Growth of the Economy  
SP 12 – Retailing  
SP18 – The Heritage and Historical Character of West Devon  
SP20 – Promoting High Quality Design

**West Devon Borough Council Local Plan Review 2005(as amended 2011)**

BE1 – Conservation Areas  
H41 – Business Use in Residential Areas  
R1 – Core Shopping Frontage  
T1 – Walking and Cycling  
T2 – Pedestrian and Cyclist Safety  
T8 – Car Parking  
T9 – The Highway Network

**Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

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## SITE INSPECTIONS HELD ON 14 JULY 2016

- (i) **0436/16/COU** Change of use from private garage (C3) to furniture shop (A1) - Kingswood, Castle Road, Okehampton, EX20 1HX

Present: Cllrs Sanders, Benson, Cann OBE, Hockridge, Moyse, Pearce

Ward Member: Cllr Stephens

Town Council representative: Cllr Leech

Applicant: Miss Monika Pieprzyk

Supporter: Mr Sean Kelly

Officers: Planning Specialists (TJ, MJ, TF), Senior Case Manager (KT)

The Chairman began the site inspection with introductions. The Case Officer outlined the application. It was confirmed that the French doors that had been constructed did not need permission. The Case Officer clarified the area that was the subject of the application, and how the area in front of the property was able to be used for parking. The Group then entered the premises to assess the area of the proposal.

The Town Council representative expressed concerns about congestion along the highway which was very busy, particularly with traffic heading towards the Castle. The local Ward Member noted the distance from the town centre and the number of available retail units in the town. He confirmed that he did not support the proposal.

The Chairman then concluded the site inspection.

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## PLANNING APPLICATION REPORT

**Case Officer:** Tom French

**Parish:** Okehampton Hamlets

**Ward:** Okehampton North

**Application No:** 1008/16/VAR

**Agent/Applicant:**

Mr Ben Warren  
5 Church Street  
Stoke  
Plymouth  
PL3 6DT

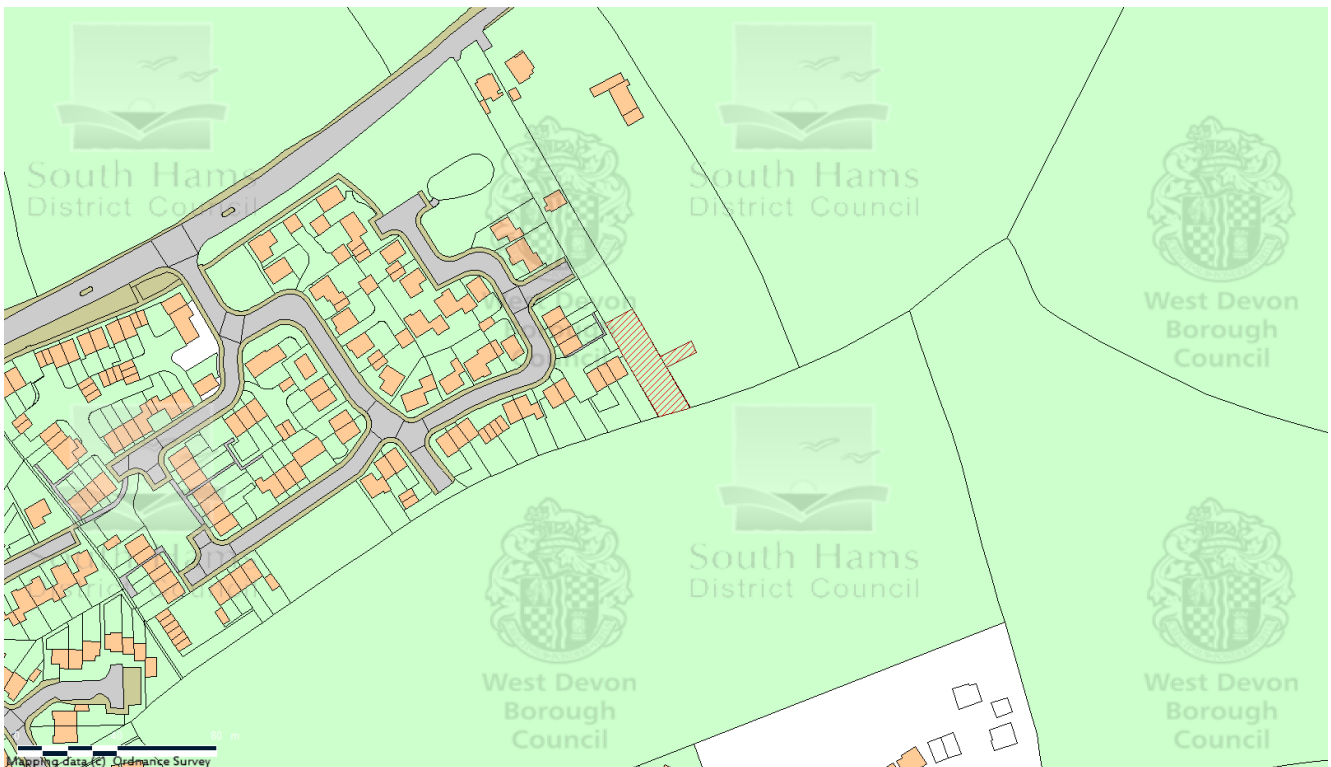
**Applicant:**

Ms Donna Johnson  
Eastbridge House  
Rooksbridge  
BS26 2TN

**Site Address:** Land Off Crediton Road, Hillside Drive, Okehampton, EX20 1UN

**Development:** Variation of condition 2 (Approved Plans) of planning consent 01324/2014 to allow for a minor material amendment

**Reason item is being put before Committee:** Referred by Cllr Leech due to concerns over compliance issues on the site and the impact on the Devon hedgebank, which is sited between the application site and Kellands Lane to the south



**Recommendation:** Conditional Approval delegated to the COP Lead Development Management in consultation with the Chairman and Vice Chairman of Planning and Licensing Committee, subject to deed of variation of the Section 106 Agreement

**Conditions:**

1. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: For the avoidance of doubt and in the interest of proper planning.

2. The facing and roofing materials to be used in the construction of the development shall be carried out in accordance with the details approved under 00828/2015.

Reason: In the interests of visual amenity.

3. The dwellings hereby approved shall not be occupied until the parking, and servicing areas relating to them (and shown on the submitted drawings) have been properly consolidated, surfaced, laid out and constructed. The parking, servicing and garaging areas shall be kept permanently available for the parking and manoeuvring of motor vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and satisfactory provision is made for the garaging and parking of vehicles clear of all carriageways in the interests of road safety and amenity.

4. Within 3 months of the date of this consent, details of the surface water design including percolation test results and supporting calculations shall be submitted to and approved in writing by the local planning authority.

Details of maintenance and management responsibility for the drainage system must be submitted to and approved in writing by the local planning authority prior to commencement on site.

Such approved drainage details shall be completed and become fully operational before the development first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter.

Surface water drainage systems design and installation shall be in accordance with CIRIA C697 The SuDS Manual and CIRIA C698 Site Handbook for the Construction of SuDS.

Reason: To safeguard the amenities of the locality and environment and to ensure that the development is adequately drained

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately

6. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking, re enacting or further amending that Order), no development of the types described in Schedule 2, Part 1, Classes A-E of the Order, including the erection of extensions, porches, garages or car ports, the stationing of huts, fences or other structures shall be carried out on the site, other than that hereby permitted, unless the permission in writing of the Local Planning Authority is obtained.

Reason: To protect the appearance of the area to ensure adequate space about the buildings hereby approved and in the interests of amenity

7. No new windows shall be added to the side elevations of the approved dwellings without the written consent of the Local Planning Authority.

Reason: To protect the amenities of neighbouring occupiers. To comply with Policy H28 of the Local Plan.

8. The windows to the side elevations at first floor level of the proposed semi-detached dwellings and the first floor front window to the detached dwelling serving a bathroom shall be obscure glazed, non-opening and permanently retained as such.

Reason: In the interests of the residential amenities of the adjoining occupiers.

9. The construction Management Programme approved under 00828/2015 shall be adhered to at all times thereafter unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interest of the residential amenities of the adjoining occupiers.

10. There shall be no removal of the Devon hedgebank on the southern boundary. If any part of the hedgebank becomes seriously diseased, or are damaged, they shall be replaced in the first available planting season with others of such species and size as the Authority may specify.

Reason: In the interests of ecology, visual amenity and the residential amenity of adjoining occupiers.

**Advice notes:**

1. Requirement for adherence to Section 106 agreement

**Key issues for consideration:**

The principal of the development has been established through the approval of application 01324/2014, which was for the erection of 3 No affordable dwellings, a pair of semi-detached dwellings at the northern end of the site, which have been substantially completed and a detached dwelling at the southern end of the site. This application seeks to amend the detached dwelling therefore the considerations are the impact of this proposed change on;

- Impact on character of surrounding area;
- Impact on amenities of neighbouring occupiers;

**Site Description:**

The application site is located immediately to the west of nos. 26 and 25 Hillside Drive and to the east of nos. 18 and 20 Long Barton Avenue. The application site is located within a recently constructed residential estate and surrounded to the north, west and eastern sides by two storey dwellings

**The Proposal:**

This applications seeks to vary the approved plans by raising the detached dwelling by 0.7 metres. This would result in the detached dwelling being 0.2 metres higher than the adjacent dwelling No 25 Hillside Drive

**Consultations:**

- County Highways Authority: No objection
- Okehampton Hamlets Parish Council: Councillors resolved to object to this application. They felt it would have a detrimental effect on neighbouring properties particularly those to the south. They are concerned that a retaining wall has already been built which appears to have not been included in the approved plans.  
In view of the fact that there are known outstanding issues with the other two properties being built, they would like to see this application and those issues considered together in order a complete picture is considered as a whole.

**Representations:**

1 Letter of objection has been received

With regards to the building of 3 houses to the rear of my garden in Kellands Lane my husband and I would like to strongly object to any further removal and preferably replacement of plants in the Devon hedge at the end of our garden as we have already lost considerable privacy to an ancient hedge which we have been told by Aster Homes/Linden Homes should be protected and has dormice living in it.

We also object to houses any further towards our boundary or any higher than planned as we also feel this would cause privacy issues

**Relevant Planning History**

01324/2014 - Erection of 3 dwellinghouses with associated access and parking – Conditional approval

**ANALYSIS**

The italicised text below is the assessment of planning application 01324/2014 in relation to the detached dwelling which this application seeks to amend. The siting and design of the proposed dwelling remains unchanged. The modest increase in height does not result in the dwelling being overly dominant in the street scene. The distance between the proposed dwelling and the dwellings to the south in Kellands Lane remain unchanged, the dwelling will be marginally higher than the adjacent dwelling No 25 Hillside Drive and therefore the potential for mutual overlooking between the dwellings of Hillside Drive and Kellands Lane remains the same and is acceptable.

*The proposed detached dwelling would be set behind the rear building line of no. 18 Long Barton Avenue, although to the side and therefore views between the two properties would be at an oblique angle. In addition, the first floor window proposed to the side of the detached property closest to Barton Avenue would serve a bathroom. On this basis, it is considered reasonable to condition that this remains obscure glazed, to limit overlooking to*

*neighbouring properties. In addition, the relationship of the proposed detached dwelling and the existing properties to Barton Avenue is not unusual in the surrounding development.*

The existing and proposed site plans show the retention of the Devon hedge bank at the rear, it is proposed to impose a condition requiring its retention in the interests of biodiversity.

This application does not proposed any changes to the 2no dwellings approved at the northern end of the site.

There are no retaining walls shown on the proposed plans, the applicants have indicated that the raising of the dwelling is proposed in order to remove the need for retaining walls to be constructed on the boundaries.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004***

#### **Planning Policy**

*All standard policies listed (delete where not relevant, add others as relevant, including NPPF):*

#### **Planning Policy**

*All standard policies listed (delete where not relevant, add others as relevant, including NPPF):*

#### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP5 – Spatial Strategy  
SP6 –Density of Housing Development  
SP20 – Promoting High Quality Design  
SP22 – Okehampton

#### **West Devon Borough Council Local Plan Review 2005(as amended 2011)**

BE13 – Landscaping and Boundary Treatment  
BE19 – Development on Contaminated Land  
H28 – Settlements with Defined Limits  
T8 – Car Parking  
PS2 – Surface Water Run-off  
PS3 – Sewage Disposal

#### **National Planning Policy Framework (2012):**

Paras. 49 and 56

#### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

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## SITE INSPECTIONS HELD 14 JULY 2016

- (i) **1008/16/VAR** Variation of condition 2 (Approved Plans) of planning consent 01324/2014 to allow for a minor material amendment – Land off Crediton Road, Hillside Drive, Okehampton, EX20 1UN

Present: Cllrs Sanders, Benson, Cann OBE, Hockridge, Moyse, Pearce and Roberts

Ward Member: Cllr Leech

Officers: Planning Specialists (TJ, MJ, TF), Senior Case Manager (KT)

The Chairman began the site inspection with introductions.

The Case officer outlined the proposal and the reason that it had been submitted. The Group then proceeded briefly onto the construction site to better assess the impact of the application.

The Ward Member outlined concerns in respect of the Devon hedge, and the Case officer confirmed that the proposal did not infringe the current permission.

The Chairman concluded by advising Members that whilst there may be other issues in the vicinity of the site, the Committee would need to determine whether lifting the ridge of the property by 700mm would adversely impact the other neighbours. He then concluded the site inspection.

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**West Devon Borough Council** **Agenda Item 6**  
**PLANNING AND LICENSING COMMITTEE 26-Jul-16**

**Appeals Update from 13-Jun-16 to 18-Jul-16**

**Ward Bere Ferrers**

APPLICATION NUMBER : **2589/15/HHO** APP/Q1153/D/16/3147148  
APPELLANT NAME: Mr I McAuliffe  
PROPOSAL : Retrospective application for raised decking  
LOCATION : 51 Broad Park Road, Bere Alston, Devon, PL20 7DT  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 01-April-2016  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 14-July-2016

**Ward Buckland Monachorum**

APPLICATION NUMBER : **00727/2015** APP/Q1153/W/16/3145211  
APPELLANT NAME: Mr & Mrs S Taylor  
PROPOSAL : Outline planning application proposing the erection of 3 dwellings with means of access and layout to be considered.  
LOCATION : Land At Axtown Farm, Green Lane, Yelverton, Devon  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 31-March-2016  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 30-June-2016

APPLICATION NUMBER : **2845/15/OPA** APP/Q1153/W/16/3147720  
APPELLANT NAME: Mr P Jones  
PROPOSAL : Outline application (all matters reserved) for the erection of new dwelling and garage (resubmission of 00905/2015)  
LOCATION : Fratton, Golf Links Road, Yelverton, Devon, PL20 6BN  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 15-April-2016  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 08-July-2016

**Ward Hatherleigh**

APPLICATION NUMBER : **01104/2015** APP/Q1153/W/16/3143483  
APPELLANT NAME: Mr D McCulloch  
PROPOSAL : Notification for prior approval for a proposed change of use of agricultural building to dwellinghouse Class C3  
LOCATION : Oak Hill, Church Road, Highampton, EX21 5LF  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 13-April-2016  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 14-June-2016

**Ward Mary Tavy**

APPLICATION NUMBER : **WDE/00001/2015** APP/Q1153/C/16/3149564  
APPELLANT NAME: Mr J Henry  
PROPOSAL : Operational Development for the installation of a pre-fabricated garage  
LOCATION : West Liddaton Farm, Coryton, Okehampton, Devon, EX20 4AD  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 03-June-2016  
APPEAL DECISION:  
APPEAL DECISION DATE:

APPLICATION NUMBER : **WDE/00001a/2015** APP/Q1153/C/16/3149560  
APPELLANT NAME: Mr J Henry  
PROPOSAL : A material change of use of the Land without planning permission from Agricultural (Sui Generis) to Residential Garden (C3) (the 'Development')  
LOCATION : West Liddaton Farm, Coryton, Okehampton, Devon, EX20 4AD  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 03-June-2016  
APPEAL DECISION:

APPEAL DECISION DATE:

**Ward North Tawton**

APPLICATION NUMBER :

**00888/2015**

APP/Q1153/W/16/3152648

APPELLANT NAME:

Mr B Dufty

PROPOSAL :

Full planning application for 28 residential dwellings with associated roads, footways, parking, landscaping and drainage. Part previously approved application under reference 01037/2013

LOCATION :

4 Land West Of High Street North, Tawton, Known As Batheway Fields, EX20 2FN

APPEAL STATUS :

Appeal Lodged

APPEAL START DATE:

13-July-2016

APPEAL DECISION:

APPEAL DECISION DATE:

# Agenda Item 7

Report to: **Planning and Licensing Committee**

Date: **26 July 2016**

Title: **Affordable Housing Obligation**

Portfolio Area: **Customer First – Cllr Moody**

Wards Affected: **All**

Relevant Scrutiny Committee: Overview and Scrutiny Internal Committee

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: N/A

Author: **Tom Jones** Role: Senior Specialist – Development Management

Contact: email: [thomas.jones@swdevon.gov.uk](mailto:thomas.jones@swdevon.gov.uk)

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## Recommendations:

### That the Planning and Licensing Committee agrees:

- 1. That S106 Agreements on small scale residential development previously considered by the Planning and Licensing Committee be completed without the requirement for affordable housing or an affordable housing contribution; and**
- 2. That in cases where the S106 Agreement for a small scale residential development only related to the provision of affordable housing or a financial contribution to affordable housing, the applications are approved without the requirement for a S106 agreement.**

## 1. Executive summary

1.1 The P&L Committee had previously granted conditional approval on a number of applications, subject to satisfactory completion of s106 agreements that included affordable housing or an affordable housing contribution.

1.2 Following a recent Court of Appeal decision relating to West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government, it is necessary to advise P&L

Committee Members of the impact of that decision on the previously granted applications.

## **2. Background**

- 2.1 On the 28th November 2014 the Government announced changes to National Planning Policy Guidance with regard to affordable housing thresholds and other tariff style contributions such as open space. This resulted in the authority being unable to collect commuted sums or on site provision where 10 units or less of housing was proposed. A lower threshold of 6 units or more could be implemented for authorities whose boundaries covered Designated Rural Areas, National Parks and Areas of Outstanding Natural Beauty (AONB).
- 2.2 At the Full Council meeting on the 17<sup>th</sup> February 2015 the proposal to adopt and implement the lower threshold of 6 or 10 units was agreed.
- 2.3 Subsequently on the 31st July 2015 the Government's decision to implement the change in policy was quashed by the High Court. This followed a successful legal challenge by Reading and West Berkshire Councils. This legal challenge resulted in paragraphs 012-023 of the guidance on planning obligations being removed. The Judgement is available under R (on the application of West Berkshire District Council and Reading Borough Council) v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin).
- 2.4 At the special Council meeting on the 29<sup>th</sup> September 2015, Members agreed to revoke the interim planning obligations decision made by the Council on 17<sup>th</sup> February 2015 and revert to the previous adopted policy.
- 2.5 The Government successfully challenged the West Berkshire and Reading decision in the Court of Appeal and as a result reissued planning Practice Guidance (PPG) on 20<sup>th</sup> May 2016 which re-introduced the higher thresholds (with exceptions for rural and designated areas) in line with the original guidance of 28<sup>th</sup> November 2014.
- 2.6 The Court referred to the submissions of the Government previously that there remains the possibility for a Local Planning Authority to submit for examination local plan policies with thresholds below those in the national policy. It will then be for the Inspector to consider whether the LPA's evidence base and local circumstances justify the LPA's proposed thresholds. If he concludes that they do and the local plan policy is adopted, then more weight will be given to it than to the new national policy in subsequent decisions on planning applications.

Until the Council can demonstrate that it has a clear evidence base to support thresholds lower than those recommended in the guidance it will not be able to successfully defend any challenge.

**3. Outcomes/outputs**

- 3.1 Application 01182/2015 is for one residential unit, which is of a scale below the re-imposed thresholds and was the subject of a resolution of P&L Committee of the 1<sup>st</sup> March 2016.
- 3.2 The application is the subject of a resolution to approval subject to the satisfactory completion of a S106. The S106 has not, as yet, been completed and the committee resolution includes an affordable housing provision or contribution.
- 3.3 Agreement is sought to complete the S106 agreements without the provision of the affordable housing/affordable housing contribution in line with the re-imposed Government guidance.
- 3.4 The application is an outline application with all matters reserved for change of use of land and construction of live work accommodation. The location is Glebelands, Hatherliegh, Okehampton.

**4. Options available and consideration of risk**

- 4.1 The only alternative would be to continue with the Committee recommendations to approve the application, following the completion of a s106, including the affordable housing provision. It is unlikely that the applicants would agree to the s106 given the circumstances as set out above. The likely outcome would be an appeal against the non-determination of the application and this could have cost implications to the Council.

**5. Proposed Way Forward**

- 5.1 Following the Court of Appeal decision, it is proposed to complete the previously agreed s106 agreements without affordable housing or affordable housing contributions, in line with re-imposed government guidance

**6. Implications**

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The legal implications are set out within the background section of the report. The report is necessary to provide clarity to the planning process

		and avoid potential challenges to the Council's decisions
Financial		There are no direct financial implications to this report if the recommendations are adopted
Risk		These are addressed in the body of the report
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications		

### **Supporting Information**

#### **Appendices:**

None

#### **Background Papers:**

Report to full Council 17 Feb 2015

Report to Special Council 29 September 2015

R (on the application of West Berkshire District Council and Reading Borough Council) v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin).

### **Approval and clearance of report**

<b>Process checklist</b>	<b>Completed</b>
Portfolio Holder briefed	<b>Yes/No</b>
SLT Rep briefed	<b>Yes/No</b>
Relevant Exec Director sign off (draft)	<b>Yes/No</b>
Data protection issues considered	<b>Yes/No</b>
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	<b>Yes/No</b>



Report to: **Planning and Licensing Committee**

Date: **26 July 2016**

Title: **Planning Peer Challenge Action Plan  
2016/17**

Portfolio Area: **Customer First – Cllr J Moody**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny (Internal)  
Committee**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately.  
However, it is also recognised that the Overview and Scrutiny (Internal) Committee has also requested the opportunity to consider the contents of the Action Plan at its next meeting on 6 September 2016

Author: **Drew Powell** Role: **Specialist Manager**

Contact: **Ext 1240 drew.powell@swdevon.gov.uk**

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**RECOMMENDATIONS:**

**That the Committee:**

- 1. note the content of the Planning Peer Challenge report (Appendix 2 refers);**
- 2. endorse the content of the Action Plan 2016/17 being implemented to improve performance within the wider Planning function (Appendix 3 refers); and**
- 3. receive on a monthly basis key performance data relevant to the Action Plan.**

## **1. Executive summary**

1.1 The report outlines the Action Plan that has been developed to implement the recommendations contained within the Report arising from the Planning Improvement Peer Challenge visit conducted between 18<sup>th</sup> and 20<sup>th</sup> April 2016.

1.2 Effective Development Management supports the Councils priorities and objectives and also supports the local economy.

1.3 Failure to deliver the service in line with National Performance Measures may result in the Council being 'designated'. Designation could have adverse impacts in terms of reputation and also financially.

## **2. Background**

2.1 Stability, and by association performance, within the Planning Service, and in the new Community of Practice of Development Management evolving within the new operating model, has adversely been affected by a number of internal and external factors over a number of years.

2.2 There has been a clear improvement in terms of the time taken to determine planning applications as a result of targeted and robust performance management measures over the last six months.

2.3 This improvement is, however, only part of the picture and in order to take a wider, objective view of the function, the Council invited the Local Government Association (LGA) and the Planning Advisory Service (PAS) to undertake a planning improvement peer challenge.

2.4 In advance of the challenge a Position Statement (see Appendix 1) was prepared. This statement set the scene for the challenge team which was made up of experienced officers and members with the necessary skill set to cover the agreed scope of the challenge.

2.5 The challenge took place during between the 18<sup>th</sup> and 20<sup>th</sup> April and many Members will have had input to the process. In addition staff, Parish and Town Councils, Developers, Agents and other Stakeholders were engaged. The resulting, comprehensive Report (see Appendix 2) has been circulated to all members and comments have been collated.

## **3. Outcomes/outputs**

3.1 The Peer Challenge Report provides a comprehensive assessment of the Councils planning function and identifies both the strengths and areas for improvement.

3.2 The development, implementation and ongoing monitoring of a robust Action Plan in order to address the findings and key recommendations of the Report will ensure that improvements are delivered.

#### **4. Proposed Way Forward**

4.1 The Report identifies a number of key areas where improvements can be made. These are summarised in fourteen key recommendations on Pages 5-6.

4.2 A draft Action plan has been developed (see Appendix 3) to address these issues. In some areas, substantial progress has already been made and this is included within the Plan which includes actions, timescales and responsible officers.

4.4 Members views on the Plan are sought through this Report and there will be consultation events with Agents, Developers, Parish and Town Councils and other stakeholders to ensure that the Plan reflects the inclusive process that was followed through the Peer Challenge itself.

4.5 It is proposed that the Action Plan is owned and developed by the Planning and Licensing Committee and that key performance data is made available on a monthly basis.

4.6 In addition performance against the Plan will be monitored by the Overview and Scrutiny (Internal) Committee on a quarterly basis.

#### **5. Summary and Conclusions**

5.1 The Planning Peer Challenge Report made a number of key recommendations in order to improve performance across the wider planning function. As a result a detailed Action Plan has been developed which will enable improvement to be monitored.

#### **6. Implications**

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The provision of a high performing planning service will support effective decision making within the Planning and Licensing Committee. The development, implementation and monitoring of the proposed action plan will support this provision.

Financial	Y	There are risks associated with being 'designated' through poor performance including a potential reduction in income from application fees. Whilst it is not possible to predict this at this early stage, the experience from the regime covering major applications is that the financial risk is very low.
Risk	Y	In addition to the risks associated with being 'designated' (paragraph 1.4 and section 6 above refer), there are well rehearsed reputational risks associated with the performance of the Development Management Service. Whilst there have been a number of factors that have had an adverse impact on the service, performance is improving and the action plan is proposed in order to deliver wider, sustainable improvement.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no equality and diversity implications directly related to this report.
Safeguarding	N	There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder	N	There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing	N	There are no health, safety and wellbeing implications directly related to this report.
Other implications	N	N/A

### **Supporting Information**

#### **Appendices:**

Appendix 1: Position Statement

Appendix 2: Planning Peer Challenge Final Report 28 June 2016

Appendix 3: Peer Challenge Action Plan 2016-17

#### **Background Papers:**

None.

# South Hams District Council and West Devon Borough Council



## Planning Peer Challenge April 18-20<sup>th</sup> 2016 Position Statement

Final Version  
13 April 2016

*Working together*



South Hams  
District Council



West Devon  
Borough  
Council

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## Section 1 - Introduction and the challenge

1.1 This Position Statement provides the context for the Peer Challenge of Development Management and Strategic Planning delivered by the shared services of South Hams District Council and West Devon Borough Council. The review is due to take place between 18 and 20 April 2016.

1.2 The statement outlines the context within which the councils now deliver their services, the fundamental and innovative changes that have taken place over the last year as part of the Transformation 2018 (T18) Programme and a summary of present performance.

1.3 The Members and Senior Leadership Team understand the key role that effective planning and decision making plays in forming, supporting and delivering the vision, corporate values and statutory functions of the councils and the impact this has on the community.

1.4 The primary focus of the review has been scoped, with support from the Planning Advisory Service and the Local Government Association, and is as follows although it is envisaged that other areas of interest and future development are likely to arise as the review progresses;

The aims of the peer challenge are to:

- Assess whether the new ways of case management working that have been introduced across the integrated service and which are the foundation of the shared service is (or will) contribute to the delivery of desired outcomes in relation to the consideration of planning proposals and delivery of high quality development across the area.
- Investigate whether there remain inconsistencies in governance arrangements in relation to planning between the two LPA and assess what if any impact the lack of harmonisation has on the efficiency of the service and the experience of the customer.
- Review the Council's corporate priorities for sustainable development and economic growth: consider the existing planning policies and services offered to customers to evaluate whether the councils are considered to be positive by local businesses and supportive of economic growth in the area.
- Consider the effectiveness of the respective roles of officers and members in developing planning strategies, particularly in the context of the proposed joint local plan.
- Review the mechanisms for community involvement, including relationships with town and parish councils, customer access to planning services and the means for engaging communities in consideration of development proposals and the development of policies to guide development in the future

- Review rates of planning appeals and judgements on judicial reviews and appraise the extent to which local and national planning policy is taken into account by both officers and members when making decisions on planning proposals and whether this fosters good outcomes through the determination process
- Review and comment on the efficiency and effectiveness of decision making arrangements at planning committees, including governance arrangements, committee practice, role of members, speaking rights and training for members.
- Identify any learning opportunities that will help the councils to move forward and achieve their ambitions including through the proposals for commissioning effective planning services in the future.

1.5 In addition to the agreed scope above, the Councils are interested in;

- developing a vision for 'planning decision making'
- looking forward, being bold and innovative in its ambition,
- developing a high performing planning service, that is scaleable and attractive to potential markets in the future.



## Section 2 - Vision and leadership

2.1 South Hams and West Devon Councils began their shared service journey in 2007 with the appointment of a shared Chief Executive. Since then through a range of iterative processes including the creation of a shared leadership and then wider management team, the depth of sharing has increased. Governance and Democratic process has remained separate with each Authority retaining its own decision making powers and identity.

2.2 Whilst substantial savings and efficiencies have been achieved by the development of the shared service the impending financial crisis facing most Councils demanded a more fundamental look at how the relationship worked. Both Councils were facing funding gaps over the next four years of between £2.2million and £2.5 million (28%). With between 65%-75% of revenue expenditure on staff costs, responding to the financial challenge meant reducing staff numbers whilst maintaining frontline services.

2.3 In 2013/14 the Councils engaged with leSE and Ignite to explore how a new Operating Model, similar to that being implemented in Eastbourne, may offer a more radical and sustainable option for future delivery as opposed to continued organic development of the shared service. As a result Transformation 2018 (T18) was born. The South Hams Committee Reports at Appendix A and B outline the original future operating model and business case and the latest monitoring update, respectively.

2.4 The Business Case for the programme included an investment of £4.61million from South Hams and £2.83million from West Devon, with predicted annual recurring savings of £3.37million and £1.64 million, respectively.

2.5 The decision to take on such a fundamental, innovative and high risk change programme reflects the vision of the Leaders and Members of both Councils. The decision has been backed up by unwavering commitment to see the programme through and to realise the benefits to the local communities.

2.6 The T18 programme is based on a number of key principles;

- Centred around the citizen not the Council
- Removal of service silos
- Enabled by technology
- Driven by behaviours

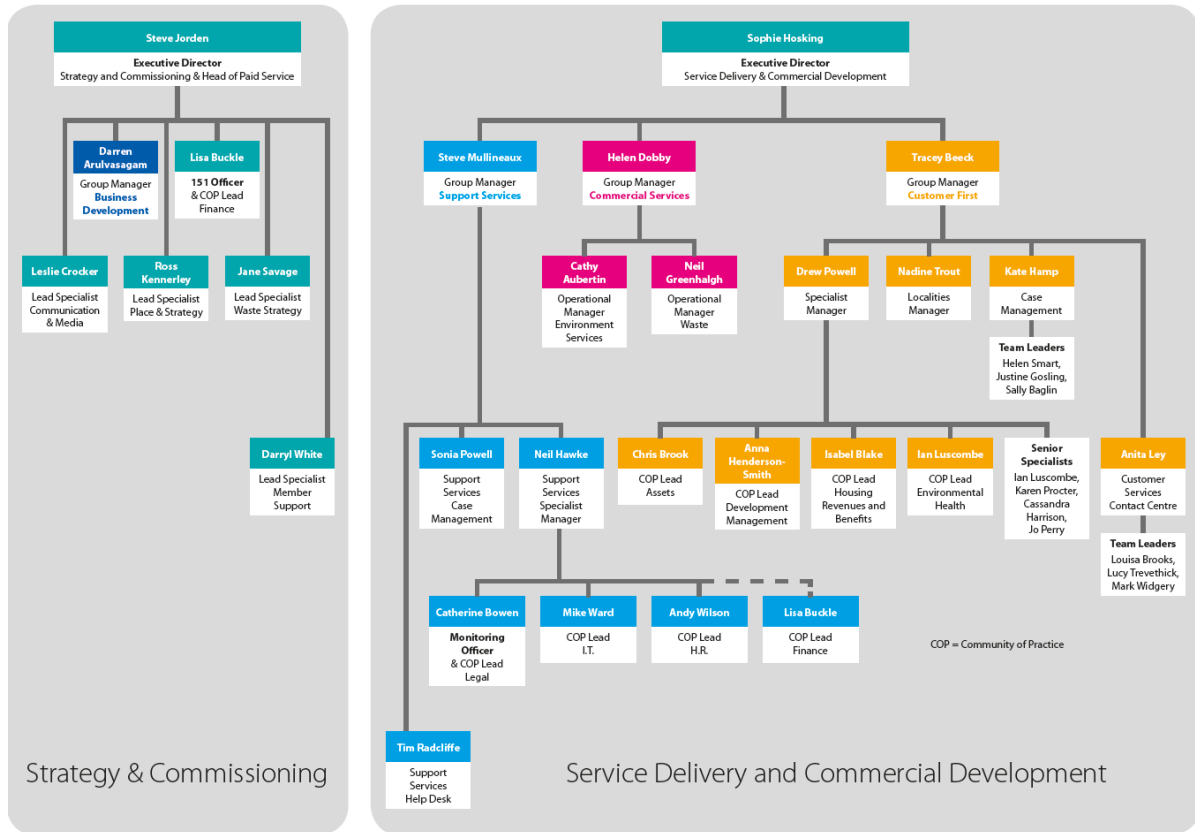
More details on the T18 programme are available upon request and will form part of the introduction on Day one of the Challenge.

2.7 Over the last 12 months the Councils have;

- re-engineered over 400 processes (60 linked to Planning/Development Management)- redesigned, mapped, scripted and tested
- Implemented new systems, the smarter use of technology and an emphasis on channel shift and efficiency

- totally redesigned structures on a case management and specialist model – removed all service silos
- reduced staff numbers by 30% (approx. 100 FTE's)

## 2.8 The new Structure



The chart above outlines the new operating model in terms of organisational structure. At present as the new ways of working develop, there is a 'soft split' between Strategy and Commissioning on the left and Service Delivery and Commercial Development on the right. The Councils are presently scoping options to increase their ability to trade and become more financially sustainable. One of the options includes transferring the right hand side, 'the delivery', into a Local Authority Controlled Company.

## Vision and Priorities – Our Plan

2.9 Our Plan: South Hams/West Devon will be the single strategic plans that set out the vision, objectives and activities of each Council. It brings together all strategies and plans and sets out a comprehensive story of what the council wants to achieve through two blended and interrelated elements;

- The corporate plan establishing the Councils vision, objectives, priorities, actions and delivery approaches and
- The Local Plan establishing land use planning policies and allocations

2.10 At a local level WDBC, SHDC and Plymouth City Council are embarking on a Joint Local Plan. A draft of the Collaboration Agreement is being finalised at this time and officer time and funding has been committed.

2.11 Under the regional devolution bid *Place* features as a key element- in particular accelerated growth in the Plymouth area and collaborative Local Planning. See the prospectus at <http://www.heartofswlep.co.uk/sites/default/files/user-1889/Heart%20of%20the%20South%20West%20Devolution%20Prospectus.pdf>

2.12 In terms of sub-regional planning and Duty to Co-operate both Councils are signatories to the Devon wide DTC agreement (available upon request).

2.13 See Section 6 for details and links to Our Plan and its development.

## Section 3 - The Development Management (Planning) Service

3.1 The Planning, or Development Management, Service within the Councils have moved more slowly towards being truly shared when compared with other frontline services. The reasons for this are not clear but factors include the existence of different polices and decision making, geographical challenges around delivery and a different management approach.

3.2 Stability within the Planning Service, and in the new Community of Practice of Development Management evolving within the new operating model, has been affected by a number of internal and external factors over a number of years.

3.3 The national shortage of suitably qualified Planning Specialists, combined with the loss of experienced knowledgeable officers through the T18 recruitment process, resulted in a reduced resource to deliver the service. Recruitment in advance of T18 was very difficult as there was no job security in view of the 'at risk' nature of the majority of posts. Posts have been back-filled with Agency staff which does not, generally, offer the same continuity and stability as establishment staff.

3.4 Delivery of the new operating model and the associated future efficiencies has required the migration of all planning records into new software from the established M3 system across to Civica's APP as part of the corporate solution. During the transition period, it was essential to operate both the old and the new software systems in order to maintain our statutory duties and minimise any risk to the council.

3.5 There has been extensive demand on key officers to support the transition and additional time spent training Case Managers and Specialists on use of the new systems. The impact of the above has been an increase in the backlog of applications waiting to be determined, delays in validating new applications and reduced levels of customer satisfaction.

3.6 The migration of data from the old M3 software into the APP (Civica) solution took place in November/December 2015. This included a programmed period of downtime of a week. There was an ongoing programme of updates as records/documents that extended to a number of weeks in entirety. Full migration of all records from M3 and therefore visibility is now 95% complete but the time taken, which was longer than expected, has had an impact on both performance and reputation. Notwithstanding these issues, applications are now being managed within the new APP system and some of the predicted efficiencies are beginning to have an impact. It is important to stress that these will take time to be fully realised.

3.7 The main benefit of the transition to date is that all applications received through the National Planning Portal are being automatically uploaded to the new APP system thereby removing the need for manual input and onward delay in processing the applications.

3.8 There have been some issues relating to uploading and viewing applications on the planning website which have now mainly been resolved. The website is now far more stable and increased functionality to improve the customer experience will be delivered in the near future.

3.9 Transition into the new way of working using Civica's W2 system is currently being trialled and once established will deliver a number of benefits including;

- Increased visibility of the progress of an application – Customer Advisers and Applicants will be able to follow progress of an application
- Applications will be managed and performance driven by Case Managers rather than being held by Specialists (formerly Planning Officers)
- Automatic updates through preferred method of contact (SMS, email, letter)
- Fully paperless capability

3.10 There have been a number of changes made to the service as a result of the transition and a new management approach, these include;

- Embedding performance management within the service
- Single IT platform, APP, for both Councils
- Fully shared Specialists and Case Managers – operating across both Councils depending on demand
- Use of Mobile Locality Officers to erect site notices and take photos to allow Case Managers and Specialists to reduce travel time on lower risk applications
- Review of Duty Planning system with the introduction of appointments for face to face and telephone calls.
- The retention of a charged pre-app service across both Councils

Section 5 on Planning Performance outlines the measures that have been taken to reduce the back log of applications and performance issues highlighted in 3.5 above.

## Section 4 - Governance and Delegation

4.1 The two Councils retain separate and different Governance arrangements.

### South Hams DC

4.2 The outcome of the Boundary review was to reduce the number of elected Members in SHDC from 40 to 31 in May 2015, each serving a four year term. The Council operates an Executive form of governance and has adopted the 'Strong Leader' model – Leader appointed for a 4 year term and able to appoint their own Deputy. The Leader is also the Chairman of the Executive, with their Deputy being the Vice-Chair.

4.3 Each of the 31 Members serves on one of either the Executive (6 Members), Overview and Scrutiny Panel (13 Members) or the Development Management Committee (12 Members). Each Executive Member has an allocated area of responsibility (a 'portfolio' area).

4.4 A key objective with regard to the make-up of the Development Management Committee was to ensure that it was both politically and geographically balanced as far as was practically possible.

### West Devon BC

4.5 The Council operates with 31 elected Members each serving a four year term and is a fourth Option Council, with a 'Single Committee' (Hub Committee) form of governance. All appointments (including Leader and Civic Mayor) are appointed by the Council at its annual meeting each May.

4.6 Each of the 31 Members has a role on one of either the Hub Committee (9 Members) or the Overview and Scrutiny (Internal) and (External) Committees (11 Members on each). Each Hub Committee Member has an allocated area of responsibility.

4.7 Planning and Licensing Committee is made up of 10 Members presently, 7 Conservative and 3 Independent, which reflects political and geographical across the Borough.

A visual representation of the Council structures is at Appendix C.

### Delegation

4.8 At present the schemes of delegation differ for the two Councils. Work is on-going to re-align the two schemes so that there are less differences and at the same time the schemes have been re-assessed to ensure that they are appropriate to enable decisions to be made within an appropriate time framework. Copies of the Committee Report and Scheme of Delegation for West Devon, which was agreed by the Planning and Licensing Committee on 29 March 2016, and considered at the Council meeting on 5 April, are attached at Appendix D and E, respectively.

4.9 The proposed scheme of delegation for South Hams, which is closely aligned to the West Devon scheme is also attached (see Appendix F), this is to be considered at the Development Management Committee on the 13 April which will then make a recommendation to the meeting of the Full Council on the 19 May.

4.10 Essentially the proposal allows for officer delegation to either approve or refuse applications where no comments have been received from consultees or members of the public that are contrary to the officer recommendation. If a contrary comment has been received a delegated decision can only be made with the agreement of the Ward Member(s) and in the case of South Hams the Ward member(s) and Chair of the Development Management Committee.

4.11 The majority of applications that require consultation with members are still dealt with through delegation and it is not considered that the overall number of applications called to committee for determination is at an unacceptable level.

#### Delegation Data

<b>SOUTH HAMS</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16 (to 23/3/16)</b>
<b>Committee</b>	3.38%	4.65%	3.47%
<b>Member delegated</b>	17.76%	19.28%	21.08%
<b>Officer delegated</b>	78.85%	76.07%	75.45%

<b>WEST DEVON</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16 (to 23/3/16)</b>
<b>Committee</b>	6.45%	4.91%	3.57%
<b>Member delegated</b>	Information not collected – shown as “officer delegated”		5.12%
<b>Officer delegated</b>	93.54%	95.09%	91.30%

## Section 5 - Performance Data

### Performance

5.1 Planning performance is monitored through service leads, management teams, portfolio holder briefings, and Overview and Scrutiny Committee. Appeal decisions are reported to all Councillors and to the Development Management Committee or Planning and Licensing Committee, whichever is relevant.

5.2 The following tables give a snapshot of the performance of the planning services over the last three years:

#### Major applications

% on target	2013/14	2014/15	2015/16 (to 23/3/16)
SH	88.46%	81.5%	95.5%
WD	62.5%	92.3%	91.7%

5.3 Major applications has been given a high profile for several years and the performance results in this area show a high percentage determined within agreed timescales. Whilst every Development Management Specialist can have a Major application there is a team approach to these applications with one of the Senior Specialists having an overview of the Major applications, who chairs a fortnightly meeting with internal and external consultees regarding current applications and pre-applications.

#### Minor applications

% on target	2013/14	2014/15	2015/16 (to 23/3/2016)
SH	55.5%	50.88%	50.84%
WD	56.19%	52.27%	43.46%

#### Other applications

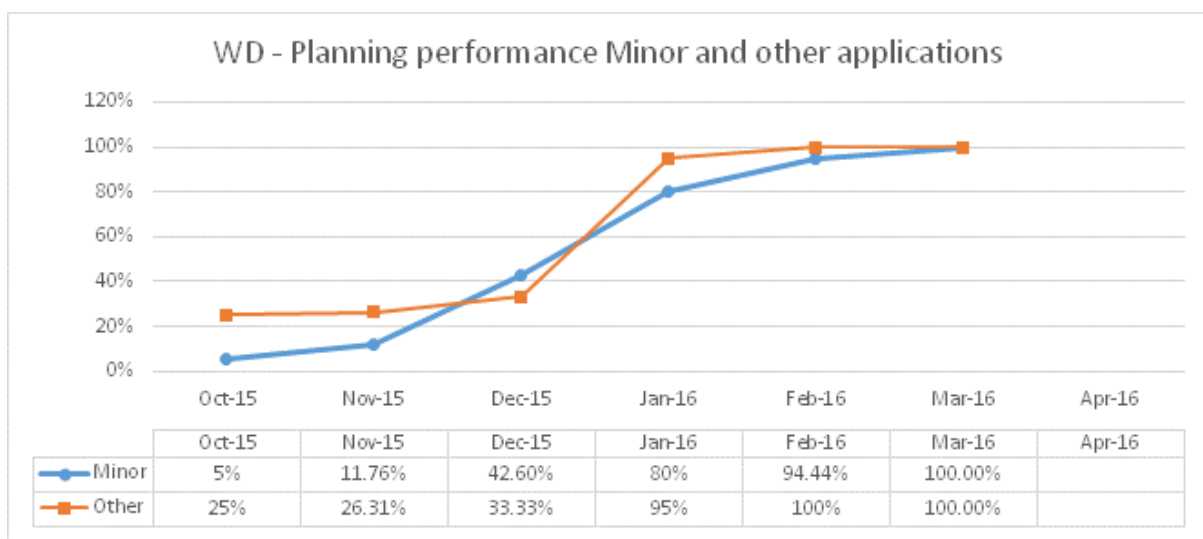
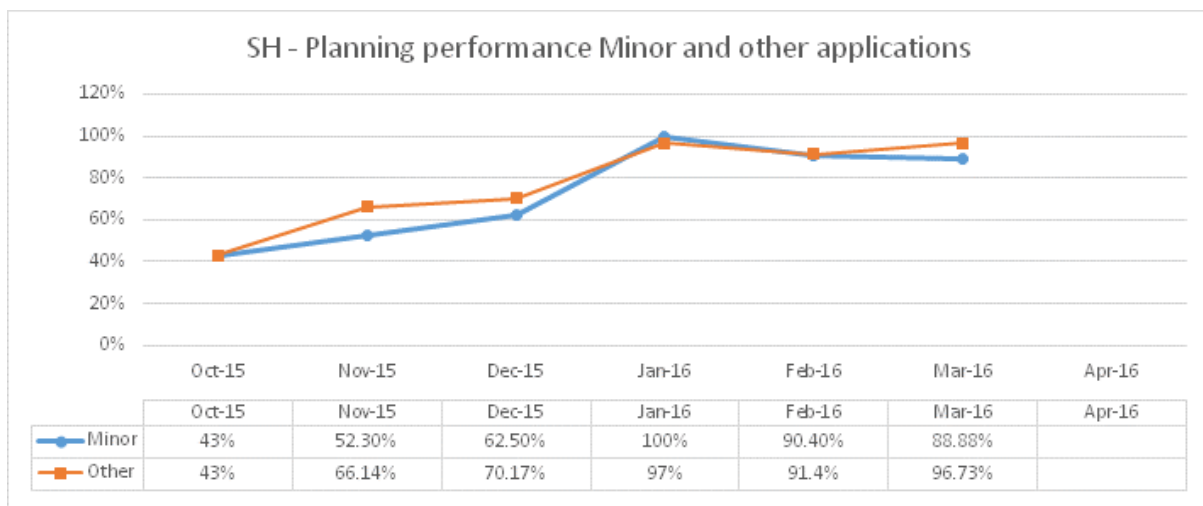
% on target (or with PPA/ Extension of Time) Target 60%	2013/14	2014/15	2015/16 (to 23/3/16)
SH	76.02%	64.47%	63.53%
WD	72.2%	83.08%	47.9%

5.4 Recent years have proved very challenging for Minor applications. Delays in determination have occurred due to a number of factors, including the transition process that has been undertaken, staffing levels and the processes that were in place to ensure that performance was at an acceptable level.

## Present Performance

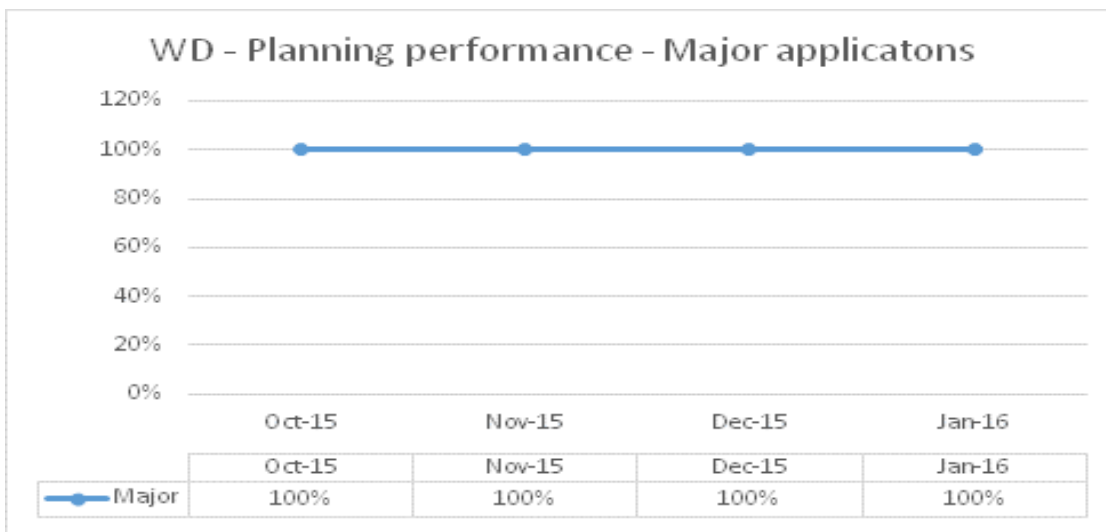
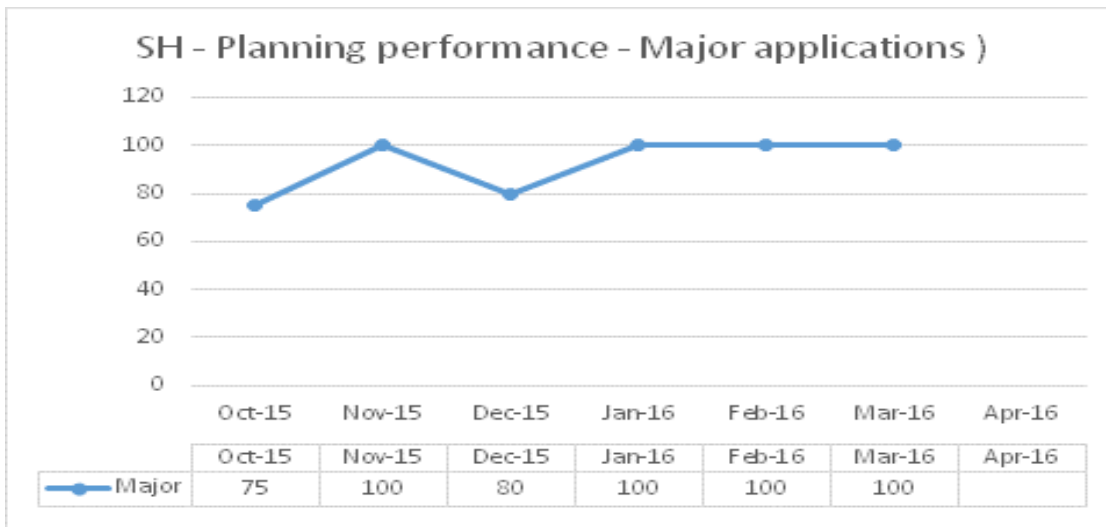
5.5 The transition process that has been undertaken does provide for a new way of working that has and will continue to improve the efficiency of the planning process, together with a more stable and committed body of staff has provided a dramatic increase in performance in this calendar year. Actions have been also been undertaken to improve performance management to keep performance as a key priority.

## Minors and Others

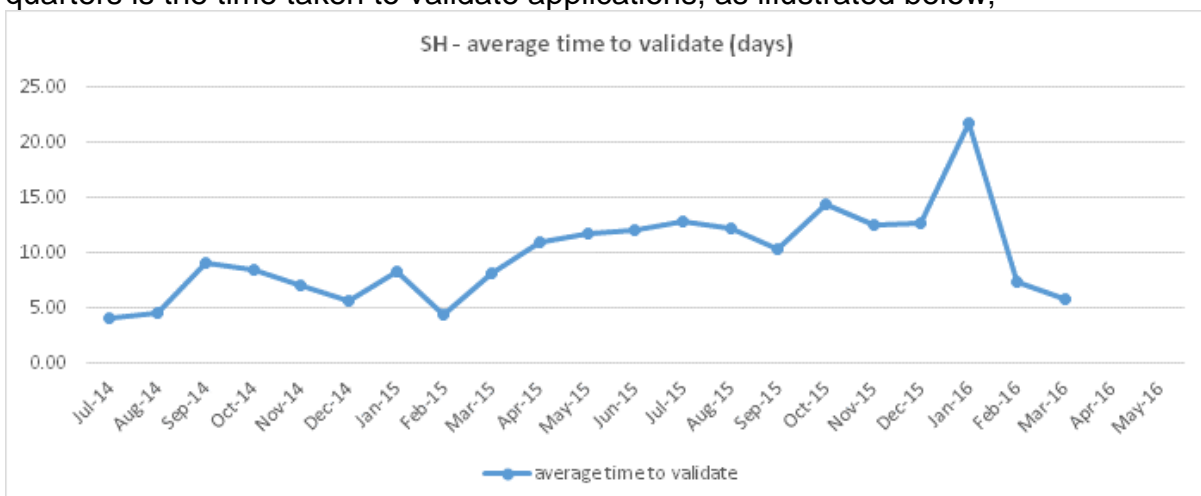


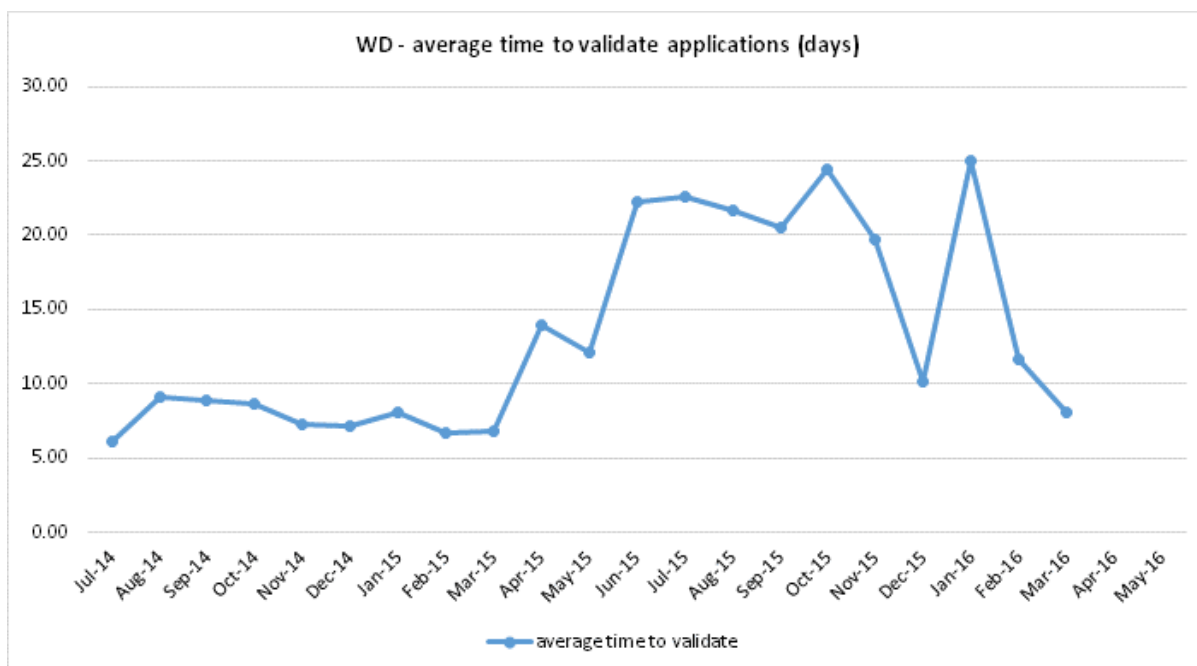


## Majors



5.6 A key factor that has affected determination performance over the last three quarters is the time taken to validate applications, as illustrated below;





## Appeals

South Hams	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	35	32	30
Total won	24	19	20
Total Lost	11	13	10

West Devon	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	25	24	29
Total won	12	14	14
Total Lost	13	10	15

## Major Appeals:

South Hams	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	1	4	1
Total won	0	3	0
Total Lost	1	1	1

West Devon	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	3	0	2
Total won	0	0	1
Total Lost	3	0	1

5.7 The number of appeals received remains broadly similar each year over the last three years. In terms of overall performance, it is considered that the ration of appeals allowed/dismissed within the South Hams area is broadly consistent to national average. It is acknowledged that the ration of allowed appeals is slightly higher within the West Devon Area and we need to undertake some work to identify any particular trends and lessons to be learnt to improve this ratio.

## Pre-application submissions

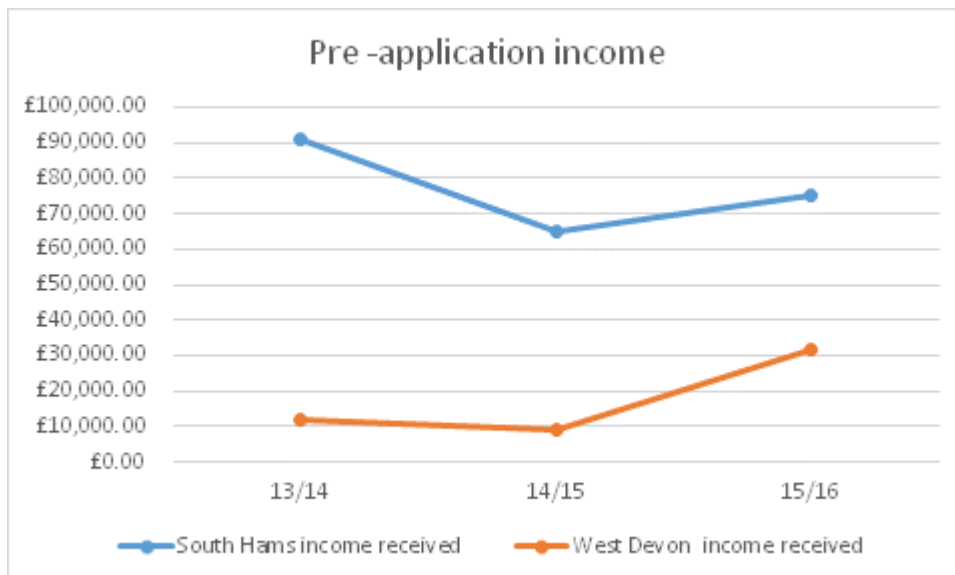
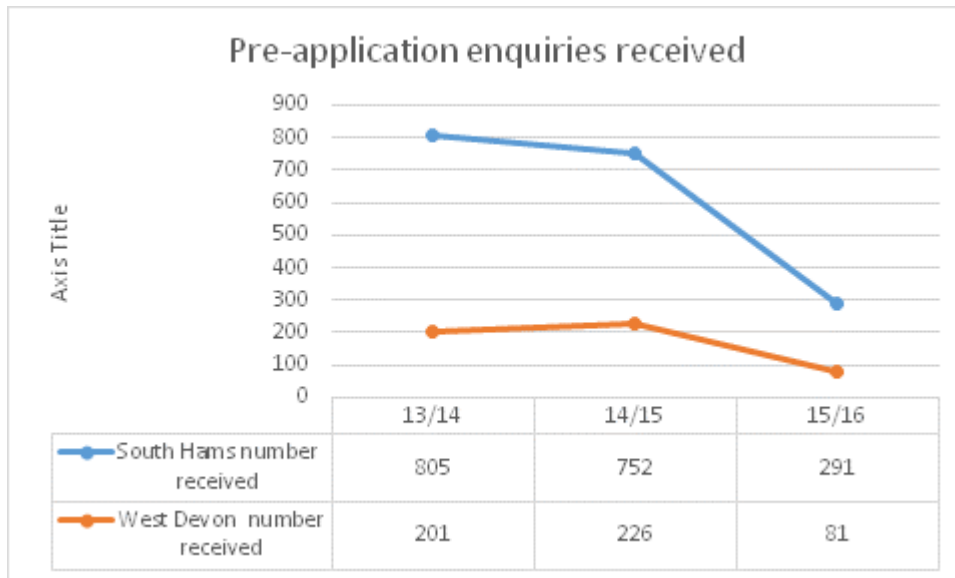
5.8 Formalised pre-application was introduced in South Hams in 2009 and West Devon in 2012. The following table gives details of volumes over time;

### Pre-apps received

	Total	2009	2010	2011	2012	2013	2014	2015	2016
<b>Total</b>	4,165	2	522	623	523	894	1,061	487	53
<b>South Hams Planning</b>	3,657	2	522	623	521	740	834	371	44
<b>West Devon Planning</b>	508	0	0	0	2	154	227	116	9

5.9 The Councils provide a specific pre-application service that is set out on the website with a form to complete and forward to the Council. This will normally provide sufficient detail along with associated plans/design and access detail to enable officers to give guidance as to whether a scheme will receive support at application stage or if further amendments are required.

5.9 On receipt, each pre-application submission is given a unique file number and a dedicated case officer. Officers will facilitate meetings to discuss the pre-application, a charge is made for this service.



## Section 6 - Local Plan and Policy Making

6.1 Both SHDC and WDBC have a clear basis for strategic planning and have adopted Local Plans.

6.2 For SHDC there are a suite of documents adopted under the Local Development Framework including

- Core Strategy 2006
- Development Policies Development Plan Document 2010
- Sherford New Community Area Action Plan 2007
- Rural Areas Site Allocations Development Plan Document 2011
- Dartmouth Site Allocations Development Plan Document 2011
- Ivybridge Site Allocations Development Plan Document 2011
- Kingsbridge Site Allocations Development Plan Document 2011
- Totnes Site Allocations Development Plan Document 2011

6.3 These documents provide a planning context to 2016 with phased allocations beyond 2016. The documents and supporting information are held at <http://shdcweb.swdevon.lan/article/3234/The-Development-Plan>

6.4 The Council has undertaken limited monitoring of implementation since 2011/12 but has, most recently, issued a Housing Position Statement which reflects a significant deficiency in supply when set against the 5 year land supply target. Details at <http://shdcweb.swdevon.lan/article/1886/Monitoring-Our-Progress-on-Strategic-Plans>

The most recent position statement is attached at Appendix B.

6.5 WDBC also has a suite of adopted documents running through to 2026. These include

- Local Plan Review (as amended by Core Strategy) 2011
- Local Development Framework Core Strategy. 2011
- Infrastructure Delivery Plan 2010

6.6 Details are available at <http://westdevon.gov.uk/article/3237/The-Current-Development-Plan>

6.7 WDBC has also undertaken monitoring and details are at <http://westdevon.gov.uk/article/2408/Monitoring>

6.8 In 2014 both Councils embarked upon a process of a Joint Local Plan under the title of “Our Plan” – a document that was also intended to encompass the full range of Council activities within a single corporate plan. This work went out on initial “Regulation 18” consultation. With details at

<http://westdevon.gov.uk/ourplan> and <http://southhams.gov.uk/ourplan>

6.9 Following this WDBC decided to embark on submission of a formal “Our Plan” Local Plan for just West Devon. This formal “Regulation 19” version was published in February 2015 and has been through formal consultation. Details are at <http://westdevon.gov.uk/CHttpHandler.ashx?id=12825&p=0>. South Hams didn’t progress to a Regulation 19 stage.

6.10 By autumn 2015 it was clear that the context for Local Plans was shifting markedly – with a particular emphasis on planning across Housing Market Areas. In light of this both SHDC and WDBC agreed to undertake a joint Local Plan with Plymouth City Council (PCC). This was agreed by SHDC in December 2015 (details at <http://southhams.gov.uk/CHttpHandler.ashx?id=16950&p=0> ) and by WDBC in February 2016 (details at <http://mg.swdevon.gov.uk/documents/s377/Our%20Plan%20-%20Local%20Plan%20Arrangements.pdf> )

6.11 PCC simultaneously agreed to the Joint Local Plan process and a Collaboration Agreement is in preparation alongside joint governance arrangements and shared staff and resources. The timetable anticipates submission in autumn/winter 2016 and is explained further in the Our Plan Newsletter at <http://southhams.gov.uk/CHttpHandler.ashx?id=17137&p=0>

6.12 Both Councils have offered strong commitment to the Neighbourhood Plan process with 35 plans currently in preparation. None have yet reached examination and there is a building tension between the advancement of Neighbourhood Plans and the lack of an adopted Local Plan.





Planning Improvement Peer Challenge

**South Hams and West Devon Councils**

On site April 18 - 20 2016

Final Report June 28 2016

*Working together*



## 1.0 Background and scope of the peer challenge

1.1 This report is a summary of the findings of a planning improvement peer challenge organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet individual councils' need. Indeed they are designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

1.2 The peer challenge involves an assessment against a framework for a local authority planning function which explores:

- **Vision and leadership** - how the authority demonstrates high quality leadership to integrate spatial planning within corporate working to support delivery of corporate objectives;
- **Community engagement** – how the authority understands its community leadership role and community aspirations. Then how the authority uses spatial planning to deliver community aspirations;
- **Management** - the effective use of skills and resources to achieve value for money, accounting for workload demands, ensuring capacity and managing the associated risks to deliver the authority's spatial vision;
- **Partnership engagement** – how the authority has planned its work with partners to balance priorities and resources to deliver agreed priorities; and
- **Achieving outcomes** - how the authority and other partners are delivering sustainable development outcomes for their area.

1.3 As part of the above five themes the Council also asked the peer team to look at the following areas:

- Case Management System (T18);
- Governance and Planning Committees;
- Service support to corporate priorities;
- Planning policy;
- Customer and Community Access; and
- Development Management Performance.

1.4 Peers were:

- **Jack Hegarty** – *Managing Director Wychavon and Chief Executive Malvern Hills District Councils*
- **Cllr Andrew Proctor** *Leader, Broadland District Council.*
- **Alan Gomm** *Local Development Framework Manager – Borough Council of Kings Lynn and West Norfolk Borough Council*



- **Mark Cawood** *Planning and Building Control Manager, North East Lincolnshire Council/ ENGIE*
- **Phillipa Silcock** *Principal Consultant - Planning Advisory Service.*
- **Robert Hathaway** *Peer Challenge Manager, LGA Associate,*

**1.6** PAS where possible will support councils with implementing the recommendations as part of the Council's improvement programme. It is recommended that the council discuss ongoing PAS support, including the cost of it, with Alice Lester, Programme Manager at [alice.lester@local.gov.uk](mailto:alice.lester@local.gov.uk). The LGA is currently discussing support with the Councils in relation to officer/member training. A range of other support from the LGA – some of this might be at no cost, some subsidised and some fully charged [http://www.local.gov.uk/ is available](http://www.local.gov.uk/is_available). For more information contact Andy Bates, Principal Adviser [andy.bates@local.gov.uk](mailto:andy.bates@local.gov.uk). Additional support direct from PAS, including the subscription offer is at <http://www.pas.gov.uk/documents/332612/1102169/PAS+flyer+final+version/21115b48-e7dd-4d25-9e64-2298cfeaeadab>

**1.7** As part of the peer challenge impact assessment and its evaluation, PAS or the LGA may get in touch in 6-12 months to find out how the Council is implementing the recommendations and what beneficial impact there has been.

**1.8** The team appreciated the welcome and hospitality provided by South Hams and West Devon Councils and partners and the openness in which discussions were held. The team would like to thank everybody they met during the process for their time and contribution.

## 2. Executive Summary

2.1 South Hams and West Devon's ambitious Transformational 2018 (T18) programme has been successful in delivering significant financial savings on schedule. Driven by four key principles, including services 'centred around the citizen' and easier access 'enabled by technology', the new operating model offers clear potential for delivery of modern planning services. In the last year both Councils have totally changed the way they deliver their services with re-engineered internal processes, moving from departments to cohorts of case managers and specialist officers from all services and 30 per cent (100 full time equivalents) less staff.

2.2 The Councils recognise that their planning services have been slow in being truly shared compared to the progress of other frontline services. While other front line services have more easily made the transition to T18, delivery of the development management (DM) service in particular has suffered from significant customer concerns and local reputational damage. The Councils are generally aware of the reasons for this and internal reports have detailed factors such as a loss of experienced staff, difficulties in recruitment and problems with information technology (IT), most notably the front end customer interface.

2.3 Significant corporate management focus is invested on improving the planning service which is recognised as vitally important to supporting the delivery of corporate priorities and ensuring that appropriate development provides a stronger economic base. On-going reviews of sufficient capacity in the T18 model to deliver the DM service and weekly discussions with the IT partner are examples of this. The peer team's recommendations are designed to support the on-going improvement drive. We consider that a sharply focussed DM service improvement plan, with strong corporate officer/councillor ownership and accountability, offers significant potential for further improvement. Paramount among these is the need for substantial improvement in the DM websites, sufficient staff resources, improved ability for customers to contact the planning service and improvements to the quality of pre application advice.

2.4 Despite the very high level of customer and stakeholder dissatisfaction with the DM service we believe there are prospects for improvement. Corporate oversight, managerial leadership and councillor and officer trust is high and these are crucial to a successful outcome. The Planning Committee at South Hams and the Planning and Licensing Committee at West Devon (the Committees) are generally sound and speed of decision making is generally good and improving. Preparation of the South West Joint Local Plan between both Councils and Plymouth offers a good platform for the spatial expression of the 'Our Plan' single strategic plans that set out the vision, objectives and activities of each Council. We would encourage both councillors and officers make it a priority to ensure they quickly 'fix' the fundamentals of the DM processes and recapture the visionary and place shaping nature of planning to serve existing and future generations.

2.5 The political leaders of both Councils recognise that "customers have had a hard time" and residents deserve "a quality service to meet their expectations". Given that most local issues coming in front of ward members are about planning, councillors want to see a planning service that both supports them in their community leadership role and is one they can be proud of in upholding the reputation of their Council.

### **3. Recommendations**

1. Develop and embed the T18 model to respond more specifically to the context and challenges of the DM service. Specifically consider issues relating to how the T18 model can deal with the whole end to end processes of negotiating and determining proposals, to achieve better accountability, increased capacity and a greater customer focus.
2. Act on the findings of resource reviews, especially at the case manager level, so as to ensure that sufficient capacity to deliver an effective and customer facing DM service. This should include developing a strategy for dealing with applications more efficiently within the time limits without the need for excessive recourse to extension of time agreements, and also to ensure that applicants and the public have a single point of contact.
3. Work with the IT partner to ensure that the recognised IT problems, especially in relation to the planning constraints and history, and the labelling of plans, are tackled as a matter of urgency. In doing this, ensure that the web site is easy to use and learn from currently high performing customer focussed planning services.
4. Urgently reinstate regular local agent's forums.
5. Facilitate engagement with Town and Parish Council representatives to develop appropriate protocols to ensure that the concerns of these stakeholders are fully taken into account, and that feedback is given to them where a recommendation that differs to their views is reached. Also engage with the town and parish councils on expectations around support for neighbourhood plans.
6. Ensure timely processes and mechanisms for adoption of a Local Development Scheme as part of the rapid progression of the South West Devon Joint Local Plan to adoption.
7. Keep the communities, planning agents and stakeholders regularly informed of and involved in the South West Devon Joint Local Plan's progress recognising the benefits of maintaining an expeditious timeline for adoption
8. Engender strong leadership of the Planning Committees through regular training and appropriate updates on planning policy (including on the 5 year land supply for housing). General planning training should be made available to help non-planning committee members to be more effective local community leaders.
9. Report a suite of performance indicators directly to the Planning Committees and where necessary Cabinet and Hub, including productivity and performance of

Planning Committee itself. KPIs including quality, value and customer focus and land supply, should be reported via a performance dashboard to demonstrate the Service's contribution to wider corporate objectives.

10. Ensure there are adequate resources to focus on economic growth and affordable housing. This should include reviewing the approach of viability assessments paid for by planning applicants, and developing a pool of knowledge about comparables including values and build rates across the relevant market areas.
11. Review in 12 months' time the operation of the Schemes of Delegation to examine whether even greater harmonisation would be beneficial.
12. Further evaluate the risks at this time of moving to a Local Authority Controlled Company.
13. Ensure sufficient focus, capacity and consistency in delivering a high quality pre application service to provide greater certainty to customers and allow more time for helping shape development to meet community needs. Enhanced pre application engagement should also include delivering informal pre planning briefings to members of the Committees on significant major developments.
14. Review Committee site visit protocols to ensure planning decision making is as efficient as possible.

## **4. Case Management Working in T18**

4.1 The peer team were impressed with the boldness and high level ambition of the two councils to deliver substantial financial savings through the T18 programme. Senior managers have clearly focused their energies on supporting members on the transformational journey. Significant investment of £4.61 million from South Hams Council and £2.83 million from West Devon have ensured that predicted annual savings of £5 million, between the Councils, are on schedule. We met the senior members and managers from both Councils where it was clear that senior leadership is committed to driving through successful implementation despite the obvious challenges and difficulties in implementing a significantly different operating model. However, not all councillors had the same level of understanding and awareness of the implications of the T18 programme and many did not fully foresee the truly radical nature of delivery. More could be done to support all councillors to fully understand the new processes. Be that as it may, we found good political support that is clearly intent on seeing the T18 through.

4.2 We agree with the Councils' assessment that attempts to create a truly joined up planning service across both Councils has been slow to develop. The Councils are also

very aware that the DM service is at the very early stages of introducing the T18 model due to issues with workload, staff capacity and difficulties with IT that we discuss more fully later in the report. Officers have taken reports on the DM service and T18 and IT to Overview and Scrutiny Panels at both Councils and the significant issues are therefore well known and reported in the Councils. The timing of the peer challenge has obviously heavily influenced our findings in that we are unable to critically assess how the T18 was actually working in anything like a finished process in relation to the planning service..

4.3 Based on our extensive interviews and understanding of how the Councils plan to use the case management model in T18 the peer team considers that the Councils will have to very carefully manage potential risks with the new ways of case management working in DM. In particular we consider that there needs to be greater clarity among councillors, staff, customers and consultees in relation to the interrelated themes of accountability, ownership and customer focus. For example we consider that there needs to be a shared common understanding of the responsibilities of the case manager who is managing the progression of a planning application and the responsibilities of the specialist who is leading on determining the application. This is obviously important to all who need to know who to contact to discuss a planning application in terms of customer service.

4.4 Given the highly democratic nature of the planning process –accountability is vital. The high degree of democratic input into planning decisions on some controversial or major applications makes planning somewhat different from most other council services. Given the need for qualitative and value judgements at many stages of the decision making process, and the statutory nature of stakeholder engagement, it is vital that the T18 model ensures clear accountability for decision making to respond to the unique needs of the DM service. Continuity in relation to accountability is also vital as for example work on a major application proposal requires not just a decision at the end, but a series of processes, negotiations and balancing decisions along the way to a decision right from early pre-application discussions. This can occur over an extended timeframe but the integration of pre-app advice into consideration of the application is critical to achieving satisfaction from customers.

4.5 Some councillors, staff, planning agents and some Town and Parish councillors told us they were very confused by role titles such as case manager, specialist and community of practice lead and consequently were unsure who to talk to about addressing issues during the process. We also found generally low levels of confidence among staff that the case management model would work in delivering the high quality DM service that the two Councils aspire to. Our recommendation is for the Councils to further develop the application of the case management element of the T18 model in relation to the DM service.

4.6 Several staff, managers and planning agents told us that capacity at case manager and specialist level is severely stretched and is contributing to the slow start of the T18 model in DM. This was evidenced by agents' reports of long delays and last minute requests for extensions of time. Some staff reported that they and colleagues are under

significant and unrelenting work pressure. We understand that the present numbers of case managers and specialists was derived from an 'end state' resourcing model. This took account of the need for less staff once channel shift, through fully enabled IT, had occurred and also when staff were working efficiently following training and successful bedding down period. When we spoke to specialists who are internal consultees to the planning process, such as Environmental Health and Wellbeing, Drainage, Landscaping and Biodiversity, they confirmed that resourcing issues at case manager level were slowing the speed at which they received requests for consultation advice. They also reported that the reduction in the numbers of specialists had meant that higher workloads weakened their ability to provide effective and timely responses to some planning applications.

4.7 Senior managers told us that they were aware of these concerns and had already commissioned a review of case manager capacity. It will be important for the Councils to act on the outcome of this review. If, given the high volumes and demand, the review finds that more resources are required, then we consider that the Councils should give serious consideration to at least additional temporary capacity to allow the DM service to settle to a steady state. Community of practice leads also need to keep the number of planning specialists and supporting expert specialists under review to maintain the high quality of planning decision making.

4.8 The Councils have recently received the results of a staff survey and while we did not have the opportunity to discuss this in any specific detail we understand that it highlights that staff morale is generally low. The peer team considers that responding positively to the staff survey will provide a good platform to address key issues to ensure staff ownership of an evolved T18 model and a positive upswing in morale confidence following a period of significant corporate transformation.

## **5. Governance and Planning Committees**

5.1 Judged by dismissed planning appeals the quality of the Committees' decisions appear generally sound (see later section for performance figure). The sizes of the Committees at 12 members at South Hams and 10 at West Devon appears appropriate for the numbers and types of applications.

5.2 The proportion of applications (less than 4 per cent) coming before Committee is low at both Councils and this supports efficient decision making. We noted the proportionately higher percentage of member delegated decisions at South Hams (21 per cent) when compared with West Devon (5 per cent). Both Councils have recently adopted new schemes of delegation as a means of ensuring that there are fewer differences between the two, to enable greater consistency and to promote efficient decision making. The member working group set up to review the schemes tried to harmonise the individual Schemes of Delegation but this has not proved possible. Differences remain in terms of the involvement of the Chairs of Committee. The peer team consider that the Councils should, in 12 months, review the operation of the Schemes of Delegation to examine

whether even greater harmonisation would be beneficial and achievable. It would be more efficient for the joint officer team to be working to one joint scheme and of course easier for planning agents and customers who work across both Council areas.

5.3 We visited both the South Hams Planning Committee and the West Devon Planning and Licensing Committee and found that both display a number of key strengths. Both Committees promote high levels of public engagement through appropriate public speaking opportunities, accessible locations with good room layout and audibility. Both rooms contained good IT facilities to project plans and photographs to aid debate. We saw for ourselves the level of public engagement by high attendances of both planning applicants, agents, objectors and non-planning committee councillors.

5.4 The peer team considered that the Chairs of both Committees kept the meetings in good order and helpfully defined the stages in considering the applications. Debate was good natured and there appeared generally to be good levels of trust and confidence between Committee members and officers. Committee members at both Councils showed a good level of technical and general planning knowledge and had obviously kept up to date on local appeal results. It was clear that the community of practice lead (effectively the head of DM) was well respected. Both Committees are supported by specialists including planning, environmental health, legal, democratic services and highway officers (from Devon County Council). However, on one particular occasion we felt that the Chair of the West Devon Committee could have been better supported by officers when a matter of normal procedure was overlooked in relation to a declaration of interest. In this, and in other professional/technical issues, the Chair of both Committees need to receive the highest standards of advice to help them discharge their duties.

5.5 The Chairs of the Committees ensured that the tone and atmosphere of their meetings was inclusive. We were told by some Planning Committee members, other councillors and some planning agents that they felt that some meetings were over long. The South Hams Planning Committee we attended was four –five hours in duration. Committee members can play an active part to support the Chair in the efficient running of to make the meetings efficient by:

- ensuring that they have a full grasp of the officer's report;
- by asking questions before the meeting;
- by avoiding repetitious points, and;
- by ensuring that they only ask relevant planning related questions in the meeting.

5.6 Chairs obviously have a role to play to; graciously but firmly, keeping a good pace to the debate and stepping in where necessary. And the importance of planning committee as the 'front door' of the planning services business can be enforced at members' training which has its part to play how members operate at the meeting. Members will also have an

important role to determine how reports are presented, their written format and how their views are taken account of on any particular application.

5.7 Both political Leaders want to see strong and highly effective Committees. To support this and to continue to improve on the performance at both Councils, the peer team have a number of additional areas for focus - as discussed below.

5.8 Committee members ward councillors and planning agents told us that they would value earlier political engagement at the pre application stage. This would allow councillors, officers and the applicant/agent to be better sighted of the opportunities and challenges to development and for earlier involvement of Councillors in their community leadership and place shaping roles. It also provides some elements of greater certainty for applicants and agents in helping them to 'de risk' their projects.

5.9 For some major or controversial applications we also recommend the Councils consider the use of informal pre planning briefings to members of the Committees. This would need to take place before officer reports on planning applications are published, allowing all members of the Committees to engage with planning and other technical officers at an earlier stage. Such a pre planning briefing has the clear potential to encourage Councillors and officers to be better informed about a proposal, to discuss issues and to point out areas of concern in an informal setting. It will also aid officers in understanding what issues they may need to provide more information and advice on.

5.10 In order to aid efficiency in decision making the peer team recommend a review of the site visit protocols at both Councils. By way of context, we understand that at one recent West Devon Planning Committee meeting all three items were deferred for site visits. Deferrals for site visits introduces delay, additional costs and continued uncertainty for applicants. Site visits are an important part of the decision making process where appropriate and the Councils could consider their use before Committee with the Chair and community of practice lead discussing a forward agenda list of items that includes the recommending of site visits. The ward councillor(s) could also be invited on these visits, provided they are made aware that it isn't a lobbying opportunity or the place for a debate of the proposal.

5.11 We consider that the Committees should take more accountability for and be better aware of relevant planning performance. This is particularly important given the possibility of designation by Government for poor performance on the speed of determining applications, quality of decisions (as measured by overturns on appeal), and local plan preparation. We are aware that the Councils' Overview and Scrutiny Committees receive planning performance information. However, we consider that relevant key performance indicators, including updates on the Councils' five year land supply, should be reported to the Committees to build their greater ownership, to enhance understanding of critical local decision making issues and to enable members to be more strongly engaged in performance management. Given the importance of the planning system in delivering on the Councils' vision in Our Plan, and in supporting financial stability through appropriate



growth, we also feel that Cabinet at South Hams and the Hub Committee at West Devon should be advised on key data trends.

5.12 Committee members told us that they complete mandatory training before sitting on Committee. Some members felt that there would value more in-depth and stronger bespoke mandatory induction training to support their decision making role. They also told us that helpful training updates were also offered but that attendance was mixed. The peer team also believe that Committee members could benefit from additional training and support including:

- the weight to be attached to technical evidence, especially highways, in planning decisions and learning from the Planning Inspectorate and relevant appeals;
- members receiving earlier information about submitted appeals to support their earlier involvement and community leadership role; and
- managing the tension between acting as ward councillor and serving as a Committee member where decisions are plan and policy led unless material considerations determine otherwise.

## **6. Support to Corporate Priorities**

6.1 We found that Planning Committee members had a good grasp of the emerging corporate priorities and annual priorities of sustainable development along with the need to focus and deliver on enhanced economic growth. Both Councils are developing single strategic plans that set out their vision, objectives and activities for their areas. 'Our Plan: South Hams/West Devon' aims to bring together the Corporate Plan and Local Plan into a strategic overarching document together with land use policies and allocations.

6.2 Both Councils' future strategic approach to economic growth and housing is emerging as part of the 'Our Plan' discussions and consultations. Both Councils have issued annual local priorities for 2015/6 that are essentially interim positions pending adoption of Our Plan: South Hams/West Devon.

6.3 The peer team found that while there was a growing appreciation of the role of planning to shape local communities, more could be done to support all councillors to appreciate their place shaping roles and the importance of development for sustainable growth. In order for Planning Committee members to ensure that planning maximises its ability to deliver local priorities in 'Our Plan' it is important that they recognise their role as community leaders - as opposed to their ward councillor roles - when taking individual planning decisions. This is particularly the case in relation to housing and employment proposals, where local public opposition and resistant to change can be high. We were advised of at least some recent instances at Kingsbridge and Salcombe where local interests seemed to trump appropriate economic development opportunities.

6.4 It is vital for the growth of sustainable communities, especially in relation to affordable housing and local jobs, for Committee members to take a Council-wide strategic view. It is

also important for Committee members to be aware of the economic benefits that can flow from development and officers and planning agents need to furnish members with appropriate information on this so that the on-going economic benefits of development can be taken into account.

6.5 In addition, growth in business rates, council tax and New Homes Bonus will be vital to sustain local government delivery of services given the decline in Government grant and the increasing reliance on local sources of revenue for councils. Although not a material consideration in planning decision making 'per se' it will be an important strategic objective for the Councils and will inform future income generation strategies.

6.6 We were told by planning agents that there is a growing recognition among the planning specialists of the need to place weight on the benefits of development in economic terms along with a stronger recognition of the need to demonstrate that the councils are 'open for business'. The Director leadership in supporting the Compulsory Purchase Order (CPO) for the site adjoining the longstanding major strategic economic growth area at Langage, to the north of the A38 on the Plymouth fringe, has been welcomed as a tangible example of the Council supporting business growth.

6.7 However, both Councils, and especially West Devon, recognise that there remain weaknesses in their own capacity and focus on the necessary business and economic regeneration required to improve job and wage creation in the local economy. We were told for example that despite a report in 2014 on 'Facilitating Economic Growth in South Hams and West Devon' – progress on taking this issue forward has been slow.

6.8 The peer team feel that in order to deliver the emerging corporate priority of economic growth, a clearer vision, strategy and distinctive local priorities are required, backed by adequate capacity and resources to supplement the existing asset management resource. We do not want to promote the reintroduction of the traditional economic development officer approach, focusing on inward investment, but suggest additional capacity of officers with a strong commercial sense and acumen who could work with relevant growth sectors and emerging industries. Additional officer capacity could also support developing and stretching the existing asset base of the Councils, especially at South Hams which has an asset portfolio value of some £75 million.

6.9 We were encouraged by the recent progress on developing an Asset Plan and Income Generation proposals, to develop land and buildings through changes of use, new build and refurbishment. Additional capacity in this area could also support the time consuming work of building strong and flourishing partnerships with land owners, developers and investors and produce an income stream for the Councils. This would also allow a stronger focus for securing Growth Fund money through the Heart of the South West Local Enterprise Partnership. The role for the Committees and supporting community of practice lead and specialists will be to influence the spatial direction of any emerging vision and strategy and to deliver quality and timely planning advice and determination when developments are presented.

6.10. Given high ratio of house prices to incomes in both areas plus high second home ownership, with inconsistent success in securing additional affordable homes through the planning system, more needs to be done to consistently secure affordable housing in the area. The ratio of house price to incomes in both Councils is high - South Hams is 13.9 and in West Devon it is 9.9. On top of this, the Councils estimate that approximately 15 per cent of houses in South Hams are second homes while at West Devon the figure is approximately 8 per cent although there are areas such as Salcombe with a much higher figure. In 2014/5, 52 per cent (92/177) of houses built in South Hams were affordable while for the same period West Devon recorded figures of 48 per cent (56/116). This is commendable. However, in 2015/6, 24 per cent of houses built in South Hams were affordable (figures for West Devon are not available). This delivery is against an existing Local Development Plan target of 55 per cent of affordable houses on qualifying sites.

6.11 The reasons given for the planning system not meeting its targets for affordable housing were mainly applicant/developer challenges on the grounds of viability. It will be vital through the emerging South West Devon Joint Local Plan (see further section) and the adoption of supporting supplementary planning guidance that appropriate and realistic affordable housing requirements are set, based on the Strategic Housing Market Assessments and other relevant viability data to satisfy Planning Inspectorate requirements at 'examination' stage. The Councils will also need to be mindful of the recently adopted Housing and Planning Act 2016, in particular the Government's priority of starter homes and the implications of this for affordable housing. In due course the Councils may consider that a joint housing strategy to operate alongside the Local Plan would be beneficial to set out housing requirements, including affordable housing, and delivery mechanisms to achieve objectives.

6.12 The peer team were surprised to be told that the Councils bears the costs of viability analysis where developers do not agree to provide a policy compliant level of affordable housing. The cost to the Councils, in 2015/6, was in the range of £60-£70,000. Many Councils, ensure that developers who are promoting a development which does not comply with local policy, request a viability analysis to be paid for by the developer. This is entirely appropriate and we recommend this as an immediate action.

6.13 We are aware that at a corporate level the Councils are at the early stages of exploring a Local Authority Controlled Company and asked for our advice. While this was not the focus of our work it is relevant given its potential impact upon the effective delivery of the planning service and its move to a new delivery model. We offer the initial view that, at this time, divestment of services to such a company should only take place if there was no detriment to the Councils ability to deliver services to its own communities and that there are clear potential and actual opportunities identified. It would also be important for there to be sufficient capacity within the Councils to implement further change within proposed timescales; at present we would question whether all of these conditions exist.

## 7. Planning Policy

7.1 The peer team support collaboration with neighbouring Plymouth City Council over the development of a South West Devon Joint Local Plan. The important potential advantage will be that the three Councils will have more scope to spatially plan economic growth and housing over a larger geographical area. Given the importance of Plymouth to the sub regional area in terms of housing, economy, infrastructure and leisure, joint working on long term spatial strategies makes sense. Development of a new up to date Local Plan will overcome current weaknesses at South Hams, where the existing Local Plan extends to 2016 only, while earlier work on updating West Devon's Local Plan was suspended in 2015. Effective monitoring at both Councils was also challenging.

7.2 The Director's leadership, backed by clear political support at South Hams/West Devon was vital to securing agreement with Plymouth City Council in relation to the agreement to produce a South West Devon Joint Local Plan. Plymouth and other stakeholders felt that progress in achieving commitment and agreement to the Plan was in marked contrast to the previously slow and cumbersome experience in joint strategic planning working between the three authorities.

7.3 The terms of the Joint Collaboration Agreement provide robust joint governance arrangements with two councillors from both South Hams and West Devon appointed to the Joint Steering Group, alongside two councillors from Plymouth. The fact that the Member Steering Group is supported by a Joint Officer team, comprising the Policy Units of all three councils, means that both South Hams and West Devon will benefit from additional capacity and expertise. We feel that this is important given the relatively small policy planning team currently covering South Hams and West Devon. This will support monitoring of the Joint Local Plan which has been an issue for both Councils, especially at South Hams.

7.4 Formal joint working with neighbouring authorities also helps fulfil the statutory requirement of the Duty to Co-operate (Localism Act 2012). This helps ensure the Plan takes account of the wider area and supports a focus on issues across local government boundaries. Even though Dartmoor National Park is not a signatory to the Joint Local Plan Agreement, the Parks Authority will be engaged through the Duty to Co-operate. Given the fact that some Council's Local Plans have failed at Examination on the Duty to Co-operate grounds, formal joint working should assist the Councils to demonstrate that this requirement has been met.

7.5 The peer team consider that the Councils have set a very 'aggressive' Joint Local Plan preparation timetable which aims to approve a draft Joint Local Plan for public consultation in July 2016 with a submission to independent examination by the Planning Inspectorate in autumn/winter 2016. Part of the urgency is the need to ensure that a Local Plan is at the submission stage as quickly as possible to prevent Government intervention due to the lack of an adopted and compliant Local Plan. It is vital that the Councils work speedily to

adopt, publish and publicise a Local Development Scheme to set out clear milestones and targets to support the ambitious timescales.

7.6 The additional capacity and expertise from working with Plymouth, supported by the commissioning of private sector consultants for specialist areas, provides additional support to meet this timescale. However, with such a timetable there are significant risks for all three Councils if they do not deliver what they intend and promise. Full officer and member capacity needs to be in place and assured by management and political leaders to ensure all this work can be completed on time.

7.7 The peer team feel that in order to meet the aims of getting the Joint Plan to submission stage and to build stronger awareness and ownership of the emerging Joint Local Plan, it is vital that South Hams and West Devon improve their communication with all councillors, Parish and Town Councils, statutory consultees and planning agents. Despite efforts by the Councils to communicate this, we found that some councillors, most Town and Parish Councils and agents were unaware of the agreement to produce a Joint Local Plan; and especially the urgent timetable to achieve this. It is important for the Councils to update information on their websites, especially under the 'Our Plan' newsletters as we found that information in relation to the Joint Local Plan did not reflect the up to date situation.

7.8 In developing the Joint Local Plan it is vital that all South Hams and West Devon Councillors are regularly engaged to ensure the widest political ownership of hard choices about the location and pattern of growth, supporting infrastructure and areas of environmental protection. For example, it will be important for adequate debate and realistic expectations to be set in relation to challenging local housing issues such as affordable housing, second homes and retirement demographics. We feel that similarly high levels of political engagement are required so that Councillors may fulfil their roles as community champions of the Plan to encourage and build local interest and involvement. Ensuring that Town and Parish Councils and local organisations are supported in playing a full part in the Plan's development is important to build local credibility. Both Councils have existing processes to engage with Town and Parish Councils and these should be built on to meet the needs and timescales for Local Plan production. Other opportunities may include 'themed parish conferences' which have worked well in other Council areas.

7.9 We are aware that both Councils have offered strong commitment to 35 Town and Parish councils to support the progress of Neighbourhood Plans with a number at an advanced draft stage. However, expertise has been lost in recent staff changes and Town and Parish Councils told us that this is holding back progress which in some instances is denting local confidence in the process. Some South Hams and West Devon Councillors and some Town and Parish Councils also told us about a building tension between progress of Neighbourhood Plans and development of the new South West Devon Joint Local Plan. As part of improved engagement with Town and Parish Councils realistic discussions need to take place about the priority and capacity that can be provided to support Neighbourhood Plans in the light of tight timescales and resources required by the

Joint Local Plan. Improved engagement can also assist in achieving clarity of understanding on the relative roles of neighbourhood and strategic policies in the light of the emerging Joint Local Plan.

## **8. Customer and Community Access**

8.1 The peer team recognise that the main drivers of the T18 programme include improving customer, community and public access to the planning service. We found that the main transformational principles of citizen centred delivery, easier public/customer access and self-service set out a clear statement of customer focus in strategy and delivery. These ambitions are backed by clear strategic intent in the form of a Customer First Strategy and IT Strategy with a single IT platform across both councils that offers clear potential for improvement in DM service delivery. For example, the new ways of working aim to deliver benefits including:

- increased visibility of the progress of a planning application – customer advisers, applicants and planning agents will be able to follow progress of an application electronically;
- applicants or planning agents will be able to receive automatic updates through a preferred method of contact (text messages, e mail, letter); and
- fully paperless capability.

8.2 The Councils' officer structure to deliver T18 demonstrates a good focus on customer access at a senior managerial level. In order to provide political oversight, South Hams has aligned Cabinet member responsibilities to T18 while at West Devon a member lead for Customer First is championing channel shift, to provide easier and more efficient customer access. We were encouraged to see that members and officers are willing to find solutions that respond to customer needs. For example, the piloting of the reinstatement of a duty planner service at Okehampton.

8.3 The peer team met with a range of group managers, community of practice leads, specialists and case managers and witnessed a developing team approach. This is encouraging and offers the potential to the Councils to realise the wider non-financial benefits of T18, such as service delivery 'centred on the citizen' and 'removal of service silos'. Understandably, in light of shift to an entirely new operating model, when speaking to a range of staff we found varying levels of commitment and enthusiasm for T18; although we consider that the vast majority of staff we met are committed to making the new operating model work.

8.4 Staff told us that the Councils' investment in technology has significantly enhanced their ability to work agilely and has improved their on-site efficiency. Many also felt they benefitted from working from home and that they were more productive. Staff valued the

ability to work more flexibly and this provides potential for working closer to communities as the Councils' Customer Service approach matures.

8.5 However, despite these emerging strengths the Councils are aware that the effect of implementing the T18 transformation project has had an adverse impact on the customer service element of DM. We consistently heard messages from planning agents, Planning Committee members, other Councillors and Town and Parish Councils of poor customer service which has undoubtedly damaged the service's reputation and standing. Internal staff and senior managers are acutely aware of this feedback and concerns about IT progress and Customer Services in DM have been reported to Overview and Scrutiny Panels. The main concerns appear to be :

- an inability of customers to obtain easy access to a member of staff who can speak to them about the progress of their application;
- slow validation and processing times;
- a loss of experienced and expert staff and a large quick exit of planning knowledge under the T18 rationalisation;
- a lack of ongoing and regular engagement with planning agents and a limited understanding and appreciation of the costs to their business of poor customer service;
- the sharing of only limited information to Town and Parish Councils about the significant changes to DM operational delivery and lack of feedback when officers recommend against their comments; and
- a poor digital interface and quality of information on the websites including limited self-service and poor labelling of plans.

8.6 In order to rebuild trust and confidence it is vital that directors and senior managers, political leaders, portfolio holders and other senior members provide strong, clear and effective leadership to a time limited DM improvement plan with a strong focus on customer services. Paramount among key priorities include working with the IT partner to deliver urgent and essential improvements to the web sites. We are aware that matters have escalated to the need for the Head of Paid Service to have weekly phone calls with the IT partner in an attempt to trouble shoot and gain assurance of improvement actions and timescales.

8.7 We understand that the IT partner is due to attend a joint Overview and Scrutiny Committee in late May 2016 and we suggest that early engagement between the Director, senior staff and senior politicians and the IT partner would be beneficial in reaching some positive outcomes. We feel there may be benefits to the involvement of customers and stakeholders in an appropriately managed setting to help the contractors more appreciate the actual needs of customers, so these can be better reflected in the design of the customer interfaces.

8.8 'Failure demand', currently puts excessive pressure on staff and managers and creates significant frustration for planning agents, applicants and stakeholders. Providing better opportunities for users of the DM service to speak more easily to staff would provide reassurance and rebuild trust. The peer team recognise that this would mean a financial adjustment but we consider that a slightly longer payback time on investment on T18 is worthwhile to deliver increased customer satisfaction and an improved local reputation.

8.9 Planning agents told us that there had been little or no formal group communication since the last agent's forum in October 2015. Since then T18 has commenced and there has been a significant escalation of customer concerns. We would recommend that the reintroduction of an early planning agents meeting is another priority with thought given to the agenda and management of the meeting to ensure constructive dialogue. These forums should then meet on a regular basis thereafter – probably quarterly. A quick win may be advising planning agents of the revised Schemes of Delegation which they appeared to be unaware of.

## **9. Development Management Performance**

9.1 The peer team noted a mixed but improving picture in performance on the speed of deciding planning applications. We appreciate that this is a single measure but as the Government can designate Councils, where speed on certain planning applications falls below set thresholds, it is an important consideration for the DM service and Planning Committees. Both Councils have benefitted from a clearer performance management and team focus on deciding the most important major applications and performance at both councils, but especially West Devon, has improved. With both councils approving well over 90 per cent of major applications in agreed timescales in 2015/16, performance in this area is much improved.

9.2 Recent monthly performance figures for deciding non major applications are improving significantly following a period of very poor performance. This period of poor performance was partly linked to a consequence of consistently high workloads coupled with the initial implementation of T18 that saw a significant churn in staff at different levels, IT downtime and slow validation.

9.3 It is important that this recent performance uplift in speed of processing is sustained, especially when additional resources to support validation rates are withdrawn. The service has responded to the poor performance levels and consequent risk of designation by deploying more focussed performance management, more stable staff resources and improving capacity and process, including using additional resources to speed up validation. It has also used the tool of extension of time agreements to ensure that targets are met. However, there is increased resistance to this from agents and long term reliance on time extensions risks further erosion of trust and working relationships with developers. Given the reduction in staff resources to deliver the DM service under T18, plus major concerns about customer focus, we recommend that the director and community of



practice lead, working with the Portfolio Holder and Hub lead, continue to monitor resources and performance closely.

9.4 Overall, planning appeal results for the last three years for both Councils remain relatively static in terms of appeals successfully defended and appeal costs against the Councils are low. South Hams' appeal performance hovers round 66 per cent of appeals successfully defended which is consistent with the national average. However, performance at West Devon has tended to be lower and in 2015/16 the Council lost just over half of planning appeals made against its decisions. We did not have time to examine in detail the appeal decisions but the DM service is aware that joint working with West Devon Planning and Licensing Committee members needs to identify any trends and lessons to improve on these results. Earlier we recommended more detailed reporting of performance statistics and appeal results and relevant learning from experience needs to form part of this.

9.5 The peer team recognise that the T18 model offers the potential for specialists to more clearly focus on matters of significance and judgement and that silo working between the professions has started to break down which has performance benefits. However, at the present time, we found that officer and managerial attention was focussed on dealing with the T18 process to the detriment of being able to focus on vision, outcome and added value. While we recognise the vital need to embed the T18 model and to tackle existing IT and customer care issues, it is important that the very process of dealing with planning applications does not overwhelm the capacity for planning to add value to developments and deliver outcomes that are consistent with the corporate objectives. To achieve this we recommend that as part of performance reporting for DM, a balanced score card/performance dashboard approach is used encompass quality, value/productivity and customer care as three important themes. In order to make the performance information as helpful and understandable to a wide audience a range of presentation techniques, such as strong pictorial content and charts as opposed to long narrative should be explored.

9.6 The Councils are aware of a very significant decline in the take up of their paid for pre application offer. The total number of requests between both Councils peaked at 1061 in 2014 declining to under half of that (487) in 2015; with the more acute fall at South Hams. Planning agents told us that their lack of confidence in the pre application service including slow responses, inconsistent advice and poor value for money had caused them to significantly scale back their use of the service. Planning agents advised that in place of submitting requests for pre application advice, they would submit planning applications, often expecting to get a refusal and then use the officer's report and the reasons for refusal as the pre application advice to submit a second application that sought to tackle the initial reasons for refusal. This "work-around" by agents adds significantly to workload and costs. Moreover, councillors have expressed a desire to have the opportunity to be involved in managed pre-applications as part of their community leadership role.

9.7 The peer team consider pre application advice as an essential part of a good quality DM service and the steep decline in usage reduces the opportunity of the Councils to influence both development and associated community benefits where major schemes are involved. A worthwhile pre-applications service will provide a supplementary income stream to cover its cost. On top of this, we strongly recommend, as part of any early meeting with Planning Agents and as part of an improvement priority, that the Councils redefine and actively promote and deliver improved and more targeted pre application offer to their customers.

## 10. Further Support

PAS would be happy to discuss with South Hams and West Devon on developing a package of further support (paid for at cost). Specifically, we recommend exploring PAS support around:

- Mentoring for the Committee Chair
- Training for the Planning Committee
- Critical friend review of the emerging plan and NPPF compatibility of the suite of DPDs

There are also tools and materials available on the [PAS website](#) which can be downloaded and used for free. Some of these are listed here.

**DM tools:** PAS has produced a suite of materials which should help with various aspects of the DM process. The councils have already had access to support for their DM service from PAS, particularly in relation to the DM challenge kit. The resources below are available to download and use.

- [Pre-app processes](#): PAS has a number of pre-application resources available to download and use.
- [Conditions](#): PAS has produced a best practice not on applying and discharging conditions
- [Project managing major applications](#): PAS has produced a new note about handling major applications
- [Using S106s – standard templates etc](#)



**Local Government Association** Local Government House, Smith Square, London SW1P 3HZ

Telephone 0207 664 3000 Fax 0207 664 3030

Email [info@local.gov.uk](mailto:info@local.gov.uk)

[www.local.gov.uk](http://www.local.gov.uk)

## Planning Peer Challenge – Action Plan

The following plan outlines the specific actions that will be taken to respond to the Peer Challenges recommendations. Reporting back on delivery against the actions will include the outcome/outputs of the action.

Overall monitoring of performance improvement will be through the new suite of key performance indicators detailed in Recommendation 9 and through delivery of the Joint Local Plan

Peer Challenge Recommendation	Comments/Actions completed	Proposed Action	Timescale	Lead Officer(s)
<p><b>1. Develop and embed the T18 model to respond more specifically to the context and challenges of the DM service. Specifically consider issues relating to how the T18 model can deal with the whole end to end processes of negotiating and determining proposals, to achieve better accountability, increased capacity and a greater customer focus.</b></p>	<p>1.1 The model is being developed and implemented within Development Management to reflect these recommendations.</p> <p>1.2 Under present trials L6 Senior Case Managers ('Junior planners') handle lower level householder apps from cradle to grave. The majority of other cases will be managed by Case Managers (CM) – ie they will push the application through the process and ensure that dates are met, consultations gathered, applicants/neighbours kept informed of progress etc. The Specialist will be accountable and responsible for the decision having assessed the application. Accountability will be clear; we will effectively have a CM managing the application and a Specialist determining the application.</p>	<p>A1. Extend trial to all CM/Specialists dealing with planning applications.</p>	<p>September 2016</p>	<p>Drew Powell Kate Hamp</p>

	<p>1.3 The Community of Practice Lead will be responsible for ensuring that the DM process is delivered efficiently and lawfully.</p> <p>1.4 The weekly list for Parish and Town Councils has now been amended to identify the relevant Case Manager and Specialist (if relevant).</p> <p>1.5 The need for an accountable officer to be contactable by agents, applicants, Parish's etc is fully recognised.</p>			
<p><b>2. Act on the findings of resource reviews, especially at the case manager level, so as to ensure that sufficient capacity to deliver an effective and customer facing DM service.</b></p> <p><b>This should include developing a strategy for dealing with applications more efficiently within the time limits without the need for excessive</b></p>	<p>2.1 Recent reports to West Devon Hub Committee (HC 07) and South Hams Executive (E.08/16) detail the resources at Case Manager level already identified to support transition.</p> <p>2.2 There has been an initial focus on securing a marked improvement in determination performance (with extension of time agreements) in order to minimise the risk to the Councils from new performance measures proposed within the Housing and Planning Bill.</p> <p>2.3 See 1.4 and 1.5 above</p>	<p>A2. Review staffing levels during transition to ensure post transition levels will be sufficient to sustain performance</p> <p>A.3 As part of the new approach to performance management (see also 9.1) we will also be measuring determination performance in line with the relevant 8 and 13 week statutory targets.</p>	<p>February 2017</p> <p>August 2016</p>	<p>Drew Powell Kate Hamp</p> <p>Drew Powell</p>

<p>recourse to extension of time agreements, and also to ensure that applicants and the public have a single point of contact.</p>				
<p><b>3. Work with the IT partner to ensure that the recognised IT problems, especially in relation to the planning constraints and history, and the labelling of plans, are tackled as a matter of urgency. In doing this ensure that the web site is easy to use and learn from currently high performing customer focussed planning services.</b></p>	<p>3.1 Since the visit there have been major improvements in terms of functionality in relation to planning history and constraints. There remains issues with the stability and functionality of the website and it is accepted that further development/improvement is necessary.</p>	<p>A.4 Review present action plan to develop the website in line with best practice and to facilitate self-serve and channel shift in line with operating model principles.</p>	<p>September 2016</p>	<p>Mike Ward</p>
<p><b>4. Urgently reinstate regular local agent's forums.</b></p>	<p>4.1 The frequency of forums has reduced during transition but the need for an active dialogue is fully recognised by officers.</p>	<p>A.5 A joint Developer/Agent forum will take place w/c 22 August 2016 at the Watermark Centre in Ivybridge.</p>	<p>August 2016</p>	<p>Pat Whymer</p>

		<p>A.6 Training on how agents can self-serve using new software will be given at future forums.</p> <p>A.7 Specialists and Senior Case Managers will attend the Forums to facilitate and build closer working relationships</p>		
<p><b>5. Facilitate engagement with Town and Parish Council representatives to develop appropriate protocols to ensure that the concerns of these stakeholders are fully taken into account, and that feedback is given to them where a recommendation that differs to their views is reached.</b></p>	<p>5.1 The current consultation on the Joint Local Plan has specifically targeted workshops with all town and parish councils. Responses from town and parish councils will be addressed and responded to as the Joint Local Plan progresses. Further engagement will be planned and set out in the Joint Local Plan Engagement Strategy.</p>	<p>A.8 Consult Town and Parish Councils and establish direct liaison during current and future consultation phases.</p>	In line with JLP programme	Tom Jones Lesley Crocker
		<p>A.9 Provide clear summary of Town and Parish Council comments and an explanation of any divergence from their comments in the officer report. A copy of the report to be provided to T/P Councils with the decision notice</p>	October 2016	Pat Whymer
		<p>A.10 Offer direct planning training sessions T/P</p>	November 2016	Pat Whymer

Also engage with the town and parish councils on expectations around support for neighbourhood plans.	5.2 Councils have dedicated staff resource focussed on Neighbourhood Plans and targeted support package. Current JLP consultation raises following for consideration <ul style="list-style-type: none"> <li>Supporting the emerging Networks in West Devon and South Hams.</li> <li>Entering into a Neighbourhood Plan Agreement with each group to clearly establish the intended purpose of the Plan, the relationship to the Joint Local Plan and roles &amp; responsibilities of those involved.</li> </ul>	Councils either individually or by cluster		
		A.11 Establish liaison arrangements in JLP Engagement Strategy	September 2016	Tom Jones
		A.12 Update Neighbourhood Plan Protocol to incorporate updated support package and clarify support level to NP networks and individual NP groups.	October 2016	Tom Jones
6. Ensure timely processes and mechanisms for adoption of a Local Development Scheme	6.1 Local Development Scheme is under current review by the Joint Local Plan (JLP) Member Steering Group.	A.13 Maintain as standing item for JLP Member Steering Group and issue as soon as reasonable.	In line with JLP programme	Tom Jones

<p>(LDS) as part of the rapid progression of the South West Devon Joint Local Plan to adoption.</p>	<p>6.2 Currently under watching brief to take into account any impacts on work programme in response to economic uncertainties</p> <p>6.3 Adoption of LDS already delegated to senior officers in consultation with lead members – allowing for speedy adoption once timing is clarified.</p>			
<p>7. Keep the communities, planning agents and stakeholders regularly informed of and involved in the South West Devon Joint Local Plan’s progress recognising the benefits of maintaining an expeditious timeline for adoption</p>	<p>7.1 Current and future consultations to be undertaken in line with Engagement Strategy adopted by all three Local Planning Authorities (SH, WD, Plymouth). This includes involvement of all stakeholders.</p>	<p>A.14 Implement JLP Engagement Strategy. Review and update as necessary.</p>	<p>In line with JLP Programme</p>	<p>Lesley Crocker</p>
<p>8. Engender strong leadership of the Planning Committees through regular training and appropriate updates on planning policy (including</p>	<p>8.1 All Members receive training on Planning matters as part of their induction. Additional training is undertaken in advance of becoming a DM/P&amp;L Committee Member, and offered to other Members subject to availability.</p>	<p>A.15 Review and, where necessary, develop and implement a new training programme for planning committee members with wider membership invited and supported.</p>	<p>March 2017</p>	<p>Pat Whymer Darryl White</p>



<p>on the 5 year land supply for housing). General planning training should be made available to help non-planning committee members to be more effective local community leaders.</p>	<p>8.2 The Planning Advisory Service were engaged to deliver Member training during 2015/16.</p>			
<p>9. Report a suite of performance indicators directly to the Planning Committees and where necessary Cabinet and Hub, including productivity and performance of Planning Committee itself. KPIs including quality, value and customer focus and land supply, should be reported via a performance dashboard to demonstrate the Service's</p>	<p>9.1 A range of KPIs have been reported through to different Committees in the past, most recently through O&amp;S (Internal) at WD and O&amp;S at SH.</p>	<p>A.16 A suite of KPIs, covering the suggested areas, will be developed and reported to Development Management/Planning and Licensing Committee on a monthly basis. The KPI's will provide trends over time and be supported by narrative by exception.</p>	<p>September 2016</p>	<p>Drew Powell</p>

contribution to wider corporate objectives.				
<p>10. Ensure there are adequate resources to focus on economic growth and affordable housing. This should include reviewing the approach of viability assessments paid for by planning applicants, and developing a pool of knowledge about comparables including values and build rates across the relevant market areas.</p>	<p>10.1 It is considered that there is suitable in-house resource to manage affordable housing issues although there will be the need to engage external support on occasions.</p> <p>10.2 A Member working group has now been set up with responsibility for economic growth. The outcomes arising from this group will determine future resource provision.</p> <p>10.3 An initial assessment of how viability assessments are commissioned has been undertaken and harmonisation of approach between the two councils is being considered.</p> <p>10.4 An identified gap in in-house knowledge with regard to viability has been addressed during the recruitment of a Specialist into the Assets Community of Practice – an example of utilising transferable skills across the organisation in line with the key principles of the new operating model.</p>	<p>A.17 A review of our approach to viability and how we can ensure consistency and efficiency – in terms of cost and timeliness – will be undertaken</p>	<p>December 2016</p>	<p>Alex Rehaag</p>

<p>11. Review in 12 months' time the operation of the Schemes of Delegation to examine whether even greater harmonisation would be beneficial.</p>		<p>A.18 A review of the Scheme of Delegation will be undertaken in conjunction with the Chairs of Committee</p>	<p>July 2017</p>	<p>Pat Whymer</p>
<p>12. Further evaluate the risks at this time of moving to a Local Authority Controlled Company.</p>	<p>12.1 Since publication of the Report, the councils have received the Price Waterhouse Cooper Report evaluating the risks. Proposals are presently being reported to Members through Hub and Executive.</p>	<p>Pending decision by Members</p>	<p>TBC</p>	<p>TBC</p>
<p>13. Ensure sufficient focus, capacity and consistency in delivering a high quality pre application service to provide greater certainty to customers and allow more time for helping shape development to meet community needs. Enhanced pre application engagement should also include delivering informal pre planning briefings to</p>	<p>13.1 There has been a reduction in performance with regard to turn around times for pre-applications during transition. This has resulted in a reduction in volume.</p> <p>13.2 SHDC negotiated and agreed its first Planning Performance Agreement (PPA) in June 2016. PPA's offer a mutually beneficial way for applicants and the councils to secure timely development.</p>	<p>A.19 Review pre-application process and charges.</p> <p>A.20 Develop a Planning Performance Agreement protocol to include standard agreement template and charging policy.</p>	<p>October 2016</p> <p>November 2016</p>	<p>Pat Whymer</p> <p>Tom Jones</p>

<p>members of the Committees on significant major developments.</p>		<p>A.21 Develop a protocol to ensure early engagement of Members on major developments.</p>	<p>November 2016</p>	<p>Pat Whymer</p>
<p>14. Review Committee site visit protocols to ensure planning decision making is as efficient as possible.</p>		<p>A.22 Undertake a review of site visit protocols in conjunction with relevant Committees</p>	<p>September 2016</p>	<p>Pat Whymer</p>