

<b>Subject:</b>	Delegation of Decisions to the Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	21 <sup>st</sup> March 2019
<b>Report of:</b>	Director of Economic Development	<b>Portfolio Holder:</b>	Regulatory Services
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That the Development Control Committee delegates the decision making relating to Development Control Committee matters to the Planning Manager in consultation with the Chair and Opposition Group Spokespersons for all applications / matters to be determined within the period 22 <sup>nd</sup> March 2019 until 17 <sup>th</sup> May 2019.
1.2	That the Development Control Committee recommend the Governance Working Group to consider adding these delegations to the Council's Constitution (at Part 3 – Delegations to Specific Officers) from the date of the last Development Control Committee in March to the date of the election for all future years.

## 2. PURPOSE OF REPORT

- 2.1 Under the current scheme of delegation certain matters cannot be decided by the Planning Manager. Owing to there not being a planning committee during April due to the elections, it is proposed that the Development Control Committee delegates the decision making on such matters to the Planning Manager in consultation with the Chair and Opposition Group Spokesperson, in order to maintain targets for determining planning applications and meet required customer service standards.
- 2.2 For future years it is proposed that the delegations be added to the Council's Constitution, rather than take a report to each March Development Control Committee. The delegations would need to run from the date of the last meeting in March to the election date.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A Proud, Healthy and Vibrant Rossendale:** This priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit. We celebrate the health, vitality and enterprise of the people who live in, do business in, and visit Rossendale. We are proud of our Borough and the success that happens here.
  - **A Connected and Successful Rossendale that Welcomes Sustainable Growth:** This priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us. A key part of this involves developing new and existing economic and commercial

opportunities in the Borough. This will eventually help us become a more dynamic and sustainable Council, that is able to deliver successful, quality services for our residents and visitors.

- **Clean Green Rossendale:** Our priority is to keep Rossendale clean and green for all of Rossendale's residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.

#### 4. RISK ASSESSMENT IMPLICATIONS

4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- The Government has set targets for local planning authorities to determine a certain level of planning applications within set timelines. Failure to do this would result in failure to meet both national targets and the Council's own Business Plan target.

#### 5. BACKGROUND AND OPTIONS

5.1 Under the current scheme of delegation the following matters cannot be decided by the Planning Manager:

- Planning applications relating to strategic applications which include:-
  - a) the provision of dwelling houses where:-
    - i) 15 or more dwellings are to be provided; or
    - ii) the site area is 0.5 hectare or more; or
  - b) buildings are to be provided with a floor space of 1000 square metres or more; or
  - c) the site to be developed is 1 hectare or more; or
  - d) developments which require an environmental statement.
- Applications or notifications which have received three or more material planning objections and which are recommended by Officers for approval.
- Confirmation of Tree Preservation Orders in cases which have received objections.

Owing to the purdah period and there being no planning committee during April due to the elections and in order to maintain the current planning performance on determining minor (8 weeks) and major applications (13 weeks), it is necessary to request that the Development Control Committee delegates the decision making relating to the above matters to the Planning Manager in consultation with the Chair and Opposition Group Spokesperson.

5.2 It is important that Rossendale maintains its improvement in its figures for the determination of planning applications and this is linked to maintaining our customer care standards.

5.3 Members "call in" of decisions would not be affected by the proposed arrangements nor would planning applications on Council owned land or applications made by the Councillors or their spouses or partners or members of staff.

5.4 As the same report comes before members on a yearly basis, it is proposed that the delegations be added to the Council's Constitution going forward and to ask the Governance Working Group to consider adding the following to Part 3 – Delegations to Specific Officers:

##### ***Planning Manager***

*Decision making relating to Development Control Committee matters are delegated to the Planning Manager in consultation with the Chair and Opposition Group Spokespersons for all applications/matters to be determined from the date of the last Development Control Committee in March until after the date of the election held that year. Decision making includes:*

- *Planning applications relating to strategic applications which include:-*

a) *the provision of dwelling houses where:-*

i) *15 or more dwellings are to be provided; or*

ii) *the site area is 0.5 hectare or more; or*

b) *buildings are to be provided with a floor space of 1000 square metres or more; or*

c) *the site to be developed is 1 hectare or more; or*

d) *developments which require an environmental statement.*

- *Applications or notifications which have received three or more material planning objections and which are recommended by Officers for approval.*
- *Confirmation of Tree Preservation Orders in cases which have received objections.*

*Members "call in" of decisions would not be affected by these arrangements nor would planning applications on Council owned land or applications made by the Councillors or their spouses or partners or members of staff.*

## **COMMENTS FROM STATUTORY OFFICERS:**

### **6. SECTION 151 OFFICER**

6.1 Planning decisions have a direct impact on Council's financial resources.

### **7. MONITORING OFFICER**

7.1 Comments are included in the body of the report.

### **8. POLICY IMPLICATIONS AND CONSULTATIONS CARRIED OUT**

8.1 There are no material implications or consultations carried out.

### **9. CONCLUSION**

9.1 In order to maintain the Council's performance targets it is considered expedient to ask the Development Control Committee to delegate the decision making on such matters to the Planning Manager in consultation with the Chair and an Opposition Group Spokesperson.