

Consultation Response Form

Planning committees, delegation and joint planning boards

We want your views on our proposals to prescribe the size and make-up of planning committees and the introduction of a national scheme of delegation. Your views on the membership of joint planning boards under section 2 of the Town and Country Planning Act 1990 are also sought.

Please submit your comments by 16 January 2015.

If you have any queries on this consultation, please email: planconsultations-e@wales.gsi.gov.uk or telephone Luke Seaborne on 029 2082 1573.

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Planning committees, delegation and joint planning boards		
Date of consultation period: 06 October 2014 – 16 January 2015		
Name	George Ashworth	
Organisation	Monmouthshire County Council	
Address	The Rhadyr USK NP15 1GA	
E-mail address	planning@monmouthshire.gov.uk	
Type <i>(please select one from the following)</i>	Businesses/Planning Consultants	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

Planning Committees

Q1	Do you agree that the size of the planning committee should be limited to a minimum of 11 members and a maximum of 21 members?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q2	Do you agree that where wards have more than one elected member only one should sit on the planning committee?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q3	Do you agree with introducing a quorum of 50% (rounded up where the total committee size is an odd number) for decision-making?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q4	Do you agree that the use of substitute members on the planning committee should be prohibited?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: It is agreed that this will ensure only Members who are properly trained make decisions and there will be consistency in decision-making should applications be deferred.				

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The role of the planning committee

Q5	Do you agree with the development management role of the planning committee outlined above?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: Smaller or non-contentious applications are more appropriately considered under officer delegated powers.				

National Scheme of Delegation

Q6	Do you agree with the inclusion of an exception that requires all applications that are contrary to the adopted development plan which are being recommended for approval to be determined by the planning committee? If not, please explain the reasons.	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q7	Do you agree with the inclusion of an exception that requires all applications involving an EIA to be determined by the planning committee? If not, please explain the reasons.	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q8	Do you agree with the inclusion of an exception relating to applications made by members, LPA staff and their spouses, partners and close relatives? If not, please explain the reasons.	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q9	Do you agree that the development threshold should be 'major development' as prescribed in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012? If not, please explain the reasons and suggest an alternative threshold.	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: Some major development e.g. larger industrial buildings on established employment sites, can be non-contentious and do not necessarily have to be subject to committee scrutiny if there are no objections to them. We apply an impact based approach which is dependent on whether material objections have been received to a scheme, either by a statutory consultee or by neighbours (the latter have to meet a minimum threshold in terms of numbers of objections made). In saying this, householder applications and some other applications such as Advertisements are not generally considered by MCC's Planning Committee.				

Q10	Do you agree that LPAs should have the choice of two development thresholds?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: This would be confusing. It is considered that if thresholds for applications for Committee consideration are to be introduced, they should be simple and consistent.				

Q11	Do you agree that the national scheme of delegation should include an exception based on an objection threshold?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: This is what we base our current scheme of Delegation.				

Q12	If yes, is 20 letters from different people in different addresses and/or a petition with 30 signatures appropriate to establish that there is a genuine community-wide interest in the development?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: For rural locations this threshold is set a little too high. MCC uses a threshold of five (not including householder and other applications).				

Q13	Is it necessary to limit member call-in? If not, please specific the reasons.	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: The Member should provide a material planning reason for call-in and householder applications should be exempt as they will not raise issues that would go beyond impacting on the interests of one person or a small group of people, and thus would not be of community-wide interest.				

Q14	Should delegation panels be introduced as measure to validate member call-in requests?	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

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Q15	Should member call-in be linked to another exception? If not, please specific the reasons and provide a suggested alternative measure.	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments:				

Joint Planning Boards

Q16	Do you agree that the Welsh Ministers should have the authority to determine the size of the joint planning board membership, providing that size is consistent with that for planning committees?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments:				
<p>The consultation recognises that size and composition are the key aspects of Joint Planning Board membership. The Welsh Government's prescribed role in determining membership size will also have a significant impact on the ability of local authorities to then determine composition.</p> <p>The emerging proposals for local government reform should be established prior to the consideration of the establishment of Joint Planning Boards. To consider their establishment in advance of reform is considered premature.</p>				

Q17	Do you agree with the proposed population formula for establishing the numbers of members from contributing planning authorities to form the joint planning board?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments:				
<p>The proposed population formula may disadvantage rural areas against their urban counterparts in terms of proportionate representation on a Joint Planning Board. For example, using the population formula it has been estimated that a Joint Planning Board between Monmouthshire and Newport would comprise 8 Monmouthshire Members and 13 Newport Members.</p> <p>It would be useful if the Welsh Government could provide alternative formulae</p>				

for establishing the numbers of members from contributing planning authorities to form a Joint Planning Board on which to comment.

Financial Impacts

Q18	<p>Do you have any comments to make about the partial Regulatory Impact Assessment at Annex 1? Are the assumptions made realistic? If not, what figures would be more appropriate?</p>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p>				

General

We have asked a number of specific questions. If you have any related issues or comments which we have not specifically addressed, please use this space to report them:

Strategic Planning Panels -
 The Report outlines that one third of each Panel will be appointed by the Panel, following nomination by a body of a list published by the Welsh Ministers, reflecting social, economic and environmental interests. This non elected section of the Panel will have equal voting rights to the other elected Member Panel representatives with a democratic mandate. The Panel will be able to call upon specialist social, economic and environmental bodies for technical advice as necessary and such specialists do not therefore need to be Panel members. It is considered that all members of a Strategic Panel should be fully democratically accountable elected Members

Strategic Development Plans (SDPs) -
 Further detailed guidance is necessary on the geographical basis of SDPs, the process of plan preparation and its alignment to LDPs. It is unclear from the consultation document as to the plan preparation process, timescale and role of officers in plan preparation.

In some authorities a situation could arise where the adoption of a Strategic Development Plan would trigger a review of an LDP where the LDP may only recently have been adopted. The preparation of an LDP is a significant undertaking for local authorities and this scenario will have additional impacts on resources. This could be perceived by stakeholders as a questionable use of scarce resources.

The introduction of Strategic Development Plans is intended to lead to the preparation of 'light touch' LDPs. Historically the former County Structure Plans provided the strategic planning context for local plans. However the local plans

prepared under this two tier system remained detailed documents. It is at the local level where there is increasing level of interest and scrutiny from the public and other stakeholders and this is likely to remain unchanged in any reversion to a two tier system of plans.

I do not want my name/or address published with my response (please tick)

How to Respond

Please submit your comments in any of the following ways:

Email

Please complete the consultation form and send it to :

planconsultations-e@wales.gsi.gov.uk

[Please include '*Planning Committees, Delegation and Joint Planning Boards – WG23070*' in the subject line]

Post

Please complete the consultation form and send it to:

**Planning Committees, Delegation and Joint Planning Boards
Development Management Branch
Planning Division
Welsh Government
Cathays Park
Cardiff
CF10 3 NQ**

Additional information

If you have any queries on this consultation, please

Email: planconsultations-e@wales.gsi.gov.uk

Telephone: Luke Seaborne on 029 2082 1573