
Development Control Panel

**Report of the meetings held on 15th December 2008
and 19th January 2009**

Matters for Information

19. SCHEME OF DELEGATED POWERS IN RESPECT OF DEVELOPMENT CONTROL

The Panel has regularly reviewed its scheme of delegation to ensure that performance levels are being sustained, applications determined within prescribed timescales and that Members are focusing on those applications considered to be of major significance or of a controversial nature. The use of delegated powers has enabled Development Control Services to meet Government Standards in accordance with national performance indicators and timescales.

To continue to meet these challenges and to sustain performance levels, the Panel has considered several minor areas of change which, if delegated to Officers, would make better use of resources but still retain Members' involvement in major applications.

In respect of those sections of the current arrangement where changes are proposed, it is suggested that the scheme be extended to authorise Officers to enter into Section 106 Agreements in relation to affordable housing providing the offer is in accordance with adopted policy and follows consultation with the relevant Ward Member. Other changes are targeted at relatively minor types of proposals such as applications for means of access or for the installation of satellite dishes and antennae. In addition, the Panel has reaffirmed the operational arrangement whereby any Member can request in writing, to the Head of Planning Services, within 21 days of the publication of the weekly list or such longer period as may be determined, the submission of a relevant application for determination by the Panel.

The proposed amendments to the scheme of delegation will be implemented with immediate effect and the scheme reviewed again after a reasonable period of operation.

20. NEIGHBOUR NOTIFICATION

The Panel has reviewed the practice of neighbour notification, first established in 1992, and has endorsed current arrangements which are far beyond those required by legislation. Under the Town and Country Planning (General Development Procedure) Order 1995 all

planning applications are subject to some form of mandatory notification and/or advertisement. This can be satisfied by advertisement in a local newspaper, signs or notices or by notification to owners and/or occupiers of adjoining properties by post. In addition to the legislative requirements, the Council consults neighbours on -

- ◆ receipt of any application for planning permission;
- ◆ the approval of reserved matters;
- ◆ listed building consent;
- ◆ consent for demolition in a Conservation Area;
- ◆ prior notice applications for telecommunications; and
- ◆ receipt of an application where objections or representations are raised to an earlier related application.

Practical experience of the process also has resulted in an extension to this procedure which involves notifying the owner/occupiers of all neighbouring land by letter and by site notice if owners cannot be easily identified.

21. ENFORCEMENT ACTION: HARTFORD MARINA

In Item No. 27 of the Report of its meeting to the Council held 16th April 2008, the Panel reported that it had endorsed a general approach to investigate and address alleged breaches of planning control at Hartford Marina to seek to resolve the question of possible unauthorised occupation of the various units accommodation as sole or main residences.

The Panel has now received a progress report on action taken thus far and, in the light of the various representations made at the meeting, has agreed to establish a Member Working Group comprising Councillors J D Ablewhite, P A Swales, G S E Thorpe and R J West to consider existing relevant policies and the preparation of supplementary planning guidance on marinas, to seek to determine a way forward for enforcement action by obtaining improved information on the various individual circumstances prevailing at the marina and given the need for additional enquiries, to hold any enforcement action in abeyance for six months.

22. SUMMARY OF ENFORCEMENT ACTIVITY FOR 2008

The Panel has noted the extent of enforcement activity undertaken by the enforcement team in the Planning Division during 2008 and has endorsed seven key objectives identified for the service in 2009.

Of those identified, the Panel has requested that priority be accorded to the production of a leaflet on the enforcement process for town and parish councils and to the continuation of the investigations at Hartford Marina (see Item No. 21 ante).

**23. DEVELOPMENT CONTROL:
PROGRESS REPORT - 1ST JULY - 30TH SEPTEMBER 2008**

In receiving a statistical report on the performance of the Development Control Section over the period 1st July - 30th September 2008, the Panel has observed that whilst there had been a reduction in the number of applications submitted during the quarter in comparison with the same period last year, the quarterly income appears to have increased. In explanation, the Panel has noted that the complex nature and size of applications currently being submitted command a higher level of fee which does not necessarily correspond with the number of applications received.

24. DEVELOPMENT APPLICATIONS

Over two meetings, the Panel has determined a total of 22 applications, of which 14 were approved and 8 refused.

Of interest to the Council will be the decision to approve an application to develop a 480 place prison for 18 - 21 year old male prisoners at Littlehey Prison, Perry for which approval was given subject to the completion of a Section 106 Agreement which will secure the upgrading of the cycle route through Perry and the continuation and extension of a visitor mini-bus service from Huntingdon to the prison.

P G Mitchell
Chairman