

Report to	Planning Committee
Date	8 August 2011
By	Head of Planning
Title of Report	Determination of Planning and Related Applications: Delegation to Director of Planning
Purpose of Report	To agree a process for SDNPA Members to refer applications to the Planning Committee which would otherwise be delegated to the Director of Planning for determination; and to agree the criteria to be used by the Head of Planning for identifying those planning applications which have significant and material third party representations so that there are safeguards for the process of delegation.

Recommendation: The Committee is recommended to:

- 1) Agree the procedure set out in section 2 of the report for SDPA Members to refer applications to the Planning Committee that are delegated to the Director of Planning for determination.**
 - 2) Approve the criteria set out in section 3 of the report for identifying significant and material third party representations to planning applications.**
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1. Introduction

- 1.1 This report sets out the proposed a process for SDNPA Members to refer applications to the Planning Committee which would otherwise be delegated to the Director of Planning for determination and to agree the criteria to be used by the Head of Planning for identifying those planning applications which have significant and material third party representations so that there are safeguards for the process of delegation.

2. Background

- 2.1 At the South Downs National Park Authority meeting on 21 June The Director of Planning was authorised to make all decisions required and take all actions necessary in the discharge of the functions of the Authority falling within the terms of reference of the Planning Committee, with certain exceptions. In relation to planning applications these are:
- i. planning applications which are contrary to the approved or draft development plan or other planning policies but which are recommended for approval;
 - ii. applications which are requested for referral to the Planning Committee by any Member of the South Downs National Park Authority, in writing or email to the Director of Planning and with specified reasons;
 - iii. applications which, in the opinion of the Director of Planning, have generated significant and material third party representations which are contrary to the officer recommendation;
 - iv. applications from South Downs National Park Authority Members or employees;
 - v. applications submitted by or on behalf of the South Downs National Park Authority for its own developments, except for the approval of minor developments;
 - vi. applications which, at the discretion of the Director of Planning, have potential significant impact or could set an important precedent.

3. Process for SDNPA Member referral to the Planning Committee

3.1 Where an application is proposed to be delegated to the Director of Planning for determination a report will be prepared by the case officer and approved by the Director of Planning setting out:

- The site description and proposal;
- Consultation responses;
- The number of representations received and a summary of the responses received;
- The relevant planning history;
- The planning policy context;
- A planning assessment;
- A conclusion and reasons for the recommendation; and
- The recommendation with reasons for permission of refusal and appropriate conditions.

3.2 A schedule of reports (or, if no applications are proposed to be delegated, a notice that this is the case) will be circulated each week (Thursday) to all Members of the South Downs National Park Authority. Members will have 5 working days from the date the Schedule is circulated to request the Director of Planning to refer the application to the Planning Committee. Such request must be made with reasons. If no such request has been received by 5.00 pm on the fifth working day following the date the schedule was circulated the delegation report will be signed off by the Director of Planning and the Decision Notice issued. A valid request will be a veto to the delegation to the Director of Planning and the matter must be considered by the Planning Committee.

4. Representation criteria for identification of significant and material third party objections

4.1 In order to safeguard the process of delegation it is proposed that in the following circumstances a planning application will be referred to the Planning Committee for determination:-

- all applications (whether recommended for permission or refusal) with a contrary written response of a statutory consultee (including Parish Councils).
- a refusal of a 'major application' (10 or more dwellings or more than 1000 metres of floor space) that has generated more than a total of 10 letters/written representations of representation regardless of whether they are supporting or objecting to the proposal;
- a refusal of any application (other than a major application) that has generated more than 10 letters in support;
- Permission for any application other than a major application for a proposal which is in accordance with the Development Plan and National Policy which has generated more than 10 letters of objection.

5. Conclusion

5.1 Applications which do not meet the criteria proposed in section 3 (other than those applications which are exceptions set out in (i), (iv), (v), and (vi) of section 1 of this report) will be 'proposed to be delegated' and reports will be circulated to members of the SDNPA in accordance with the procedure set out in section 2 of this report.

6. Resources

6.1 There will be no additional costs or need for additional resources as a result of this process as reports would be prepared and circulated if the planning applications were not delegated to the Director of Planning.

6.2 There is a potential to reduce costs and use of resources through reducing the length of time required for Planning Committee meetings.

7. Risk management

7.1 The process of circulating reports on applications that are proposed to be delegated

reduces the risk of an application being determined by the Director of Planning before Members have an opportunity to call it in.

8. Human Rights, Equalities, Health and Safety

8.1 This process has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

9. External Consultees

9.1 None.

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Appendices	None
SDNPA Consultees	Head of Planning, and , Monitoring Officer & Senior Solicitor.
Background Documents	Report to SDNPA meeting 21 June 2011