

Planning Aid Wales

Consultation response to 'Planning committees, delegation and joint planning boards'

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

Date: 16th January 2015

1. About Planning Aid Wales

1.1 Planning Aid Wales is a not-for-profit charity which is core funded by Welsh Government. We work to help the communities of Wales to understand and engage effectively with the land use planning system.

1.2 Planning Aid Wales provides information, advice and training services to help local communities engage more effectively with planning. We also work with local planning authorities and Welsh Government to encourage more effective community involvement in the planning process.

1.3 When responding to consultations on emerging national planning policy, Planning Aid Wales aims to identify and remove potential barriers which might prevent effective or manageable public involvement in planning.

2. Consultation response

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 ?
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2.1 Yes.

Q2	Do you agree that where wards have more than one elected member, only one should sit on the planning committee ?
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2.2 Yes.

Q3 Do you agree with introducing a quorum of 50% (rounded up where the total committee size is an odd number) for decision-making ?

2.3 Whilst agreeing with the principle of introducing a quorum, Planning Aid Wales believes that the main criterion that should determine the level of quorum is that which has been found to work best at the local level. In our view, within the parameters of the numbers referred to in question 1 above, in order to ensure sufficient numbers for consistency of decision making and debate it may be more appropriate to insist on a numerical minimum - say 7.

Q4 Do you agree that the use of substitute members on the planning committee should be prohibited ?

2.4 Yes.

Q5 Do you agree with the development management role of the planning committee outlined above ?

2.5 No. Whilst agreeing with the general principle that planning committees should not be concerned with small-scale development proposals, in some cases such proposals involve weighing one policy objective against another. The input and guidance of planning committee members can prove useful in such cases.

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.

2.6 No. Planning Aid Wales supports the findings of the RTPI study on this point (described in para. 5.16) in that it is important that some level of local discretion is retained as to what is not delegated, albeit within the scope of a mandatory national scheme of 'by exception' delegation.

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.

2.7 Yes.

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.

2.8 Yes.

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.

2.9 No. Planning Aid Wales believes that the development threshold should be determined at the local level in accordance with what is appropriate for that locality. At a minimum the development thresholds should differentiate between more urban planning authorities and more rural planning authorities. We consider that the DMPW Order threshold may be too high for more rural authorities.

Q10 Do you agree that LPAs should have the choice of two development thresholds ?

2.10. No. Please see response to Question 9 above.

Q11 Do you agree that the national scheme of delegation should include an exception based on an objection threshold ?

2.11 Yes. Planning Aid Wales agrees in principle with this proposal.

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 ?

2.12 No. It would be more appropriate for the level of community-wide interest to be set at the local level within the minimum national standard.

Q13 Is it necessary to limit member call-in ? If not, please specify the reasons.

2.13 Yes.

Q14 Should delegation panels be introduced as a measure to validate member call-in requests ?

2.14 Yes.

Q15 Should member call-in be linked to another exception ? If not, please specify the reasons and provide a suggested alternative measure.

2.15 No.

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.

2.16 Yes.

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 ?

2.17 Yes.

Q18 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 ?

2.18 No.

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:

2.19 Planning Aid Wales has concerns about the proposal made in para. 6.15 in relation to the appointment of nominated members of Strategic Planning Panels. The process of determining the list of bodies published by Welsh Ministers to reflect economic, social and environmental partners needs to be transparent in the interest of fairness.