

TO: PLANNING & REGULATORY COMMITTEE
PLANNING DEVELOPMENT CONTROL TEAM
BY: MANAGER

DATE: 20 April 2016

PURPOSE: FOR INFORMATION

TITLE: **PLANNING REVIEW – IMPLEMENTATION PLAN TASK:
REVIEW OF COMMITTEE/DELEGATED REPORT FORMAT**

SUMMARY REPORT

The 2013 review of Surrey County Council's Planning Service resulted in a number of areas being identified for improvement with the aim of ensuring the Planning Service was able to meet the challenges it faced and was as effective and efficient as possible. One area identified for improvement was the Planning and Regulatory Committee decision making process with the aim of making it more efficient and to reduce costs. The review recommended the format of committee reports be reviewed whilst ensuring the quality of information is retained.

Those determining planning applications need accurate and informative material to assist in making their decisions and reports need to contain all the necessary information and detail to enable lawful decisions to be made. The purpose of the officer report on a planning application is to set out the facts and arguments to decide a planning application and make a recommendation for the decision maker.

The current Surrey committee and delegated report templates which have been in use since 2001 have been reviewed and changes identified which aim to help reduce the time and resources involved in preparation of reports by officers and consideration by those making decisions on planning applications.

Although the basic report structure has not altered the changes proposed are aimed at improving the readability of reports and reducing the length of reports, but not at the expense of quality. The changes aim to improve efficiency and reduce costs involved in the decision making process.

The recommendation is that the Planning and Regulatory Committee note the contents of the report and outcome of the review of the report format and endorse the revised committee/delegated report format.

Introduction

- 1 The 2013 review of Surrey County Council's Planning Service aimed to ensure the service was fit for purpose in the face of ever growing expectations for speedy, transparent and judicious decision making processes, and that it provides an enhanced experience for all users. The Planning Review resulted in a number of areas being identified for improvement with the aim of ensuring the Planning Service was able to meet the challenges it faced and was as effective and efficient as possible. The areas for improvement were carried forward into an implementation plan to take forward.

- 2 One area identified for improvement was the Planning and Regulatory Committee decision making process with the aim of making it more efficient and to reduce costs. A range of actions were identified which have already been implemented including a review of the scheme of delegation¹ and case officers presenting to committee.
- 3 The Planning Review identified that officer reports were thorough but in some instances may be too thorough which increased the length of reports, with some noted as being up to 200 pages long. Surrey County Council practice is for a report to be prepared for all planning applications whether determined by the Planning and Regulatory Committee or under delegated powers. This report deals with the review of all officer reports on planning applications.
- 4 The Planning Review recommended the format of committee reports be reviewed whilst ensuring the quality of information is retained. Suggestions for this included:
 - A report template that enables shorter reports to go to committee, eg by annexing policies, having standardised text/paragraphs on issues such as Green Belt;
 - Reviewing the arrangements for displaying site information in reports to committee and the public;
 - Training for all report writers as to what makes a good committee report;
 - Getting feedback from the committee on what they would like to see improved.

Background to and purpose of officer reports on planning applications

- 5 In determining planning applications the County Council has a duty under section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine an application in accordance with the Development Plan unless material considerations indicate otherwise. The purpose of the officer report on a planning application is to set out the facts and arguments to decide a planning application and make a recommendation for the decision maker.
- 6 The content and format of officer reports is not set out in legislation² or government guidance. Case law and Ombudsman advice has determined that reports should be appropriate to the audience they are aimed at, which in the case of the committee is elected members who would have a degree of local knowledge and understanding of the planning system.
- 7 Those determining planning applications need accurate and informative material to assist in making their decisions and reports need to contain all the necessary information and detail to enable lawful decisions to be made. The style of reports will be a product of local culture and best practice. Across the country there is a wide range of practice among local planning authorities with respect to committee and delegated reports. In county councils the practice tends to be to write fuller reports.

¹ See report to 25 September 2013 Planning and Regulatory Committee (Item 10)

² The Housing and Planning Bill 2015 proposes introducing a requirement for planning reports to record details of the financial benefits which are local finance considerations (as listed in Section 70 of the Town and Country Planning Act 1990) and other finance benefits beyond local finance considerations to be listed in the planning report if they are likely to be obtained as a result of the proposed development. Government is currently consulting on proposals for the range of benefits to be listed in planning reports (DCLG Technical consultation on implementation of planning changes, February 2016).

This will be due to the smaller number of applications determined by county councils and the generally more complex type of proposals, though reports by other authorities for larger scale major development proposals can also be long and detailed.

- 8 Over time in response to the Government's Modernising Agenda which aims for greater openness and transparency in decision making and for greater public participation in planning, and legislative developments such as the Human Rights Act 1998, reports on planning applications have become more comprehensive. In addition applicants and third parties favour comprehensive written coverage of their arguments. As a result there has been a greater need for reports to be easy to read, and identify the key issues.
- 9 The 2009 Local Government Association (LGA) Probity in planning (update) guidance states reports should also have regard to the following points:
 - reports should be accurate and cover, amongst other things, the substance of any objections and the views of those consulted;
 - relevant information should include a clear exposition of the development plan; site or related history; and any other material considerations;
 - reports should have a written recommendation of action. Oral reporting (except to update a report) should be avoided and carefully minuted when it does occur;
 - reports should contain technical appraisals which clearly justify a recommendation;
 - if the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify the departure must be clearly stated.

Current report format and review

- 10 The current Surrey committee report template which has been in use since 2001 is attached as **Annex 1**. The current report template includes a description of the site and surroundings; the proposal; relevant policies; material considerations; results of consultations; third party representations; evaluation of key issues setting out the pros and cons of the development; conclusion; recommendations; and relevant conditions or legal agreements/or reasons for refusal.
- 11 Delegated reports follow the same format minus the summary report, summary of planning issues table and illustrative material sections. Each delegated report includes Human Rights Guidance, which for committee items forms part of the Agenda frontsheet/preamble for each meeting.
- 12 Officers consider the current Surrey report templates and reports on planning applications adhere to the LGA guidance and contain all the necessary information and detail to enable lawful decisions to be made. However, as identified by the Planning Review, the length of reports and time and resources involved in preparing the reports and consideration by the decision maker warrant review to ensure greater efficiency in the process, but not at the expense of quality.
- 13 A project team was set up to review the report format. A survey was sent out to 601 people seeking views on the format and quality of committee reports on planning applications, see table 1 below. Those surveyed included 29 members (the committee including substitutes and local members who had addressed the

committee), applicants, agents, planning officers in District and Borough Councils, Parish and Town Councils.

Table 1 - Survey Questions

1	If you were interested in a particular Committee Report or Planning Application please specify which one in the box below.
2	Which section(s) of the report(s) did you find helpful or unhelpful?
3	Please could you explain why you found the above sections helpful or unhelpful?
4	What are your thoughts on the length of the report(s)?
5	Were the report(s) well structured and did the various sections of the report(s) follow a logical sequence?
6	Was the language used in the report(s) clear and easy to understand?
7	Did the report(s) properly represent any views and/or concerns you may have had about the development(s)?
8	Do you have any further comments or ideas on how we could further improve the reports?

- 14 Thirteen responses were received, of which five were from members. The responses are summarised in **Annex 2**.

Proposed changes to the report format

- 15 Officers do not consider it appropriate to set limits on the length of reports, but instead to seek to manage the length of the main report by using set formats and annexes/appendices. The length and detail of the officer report will be determined by the complexity of the case.
- 16 The revised committee report template is attached at **Annex 3**. The basic report structure has not altered but a number of changes made which aim to reduce the length of reports and improve the readability of report. The changes are to help reduce the time and resources involved in preparation of report and consideration by the committee. The changes should enable slightly shorter reports to be prepared and a saving in resource involved in the preparation and consideration of reports.
- 17 The main changes are:
- deletion of the summary report from committee reports.
 - planning history section - use of tables/lists and footnotes rather than text. Where relevant text to be used to expand on the detail.
 - standardise the names and roles of statutory and non statutory consultees to ensure consistency between reports.
 - standardise how views are reported (No objection/object and summarise grounds for support/objection where a consultee has made detailed comments/No comments to make/No views received (where no response has been received).
 - use of standard paragraphs in the Planning Considerations section. This comprises removing the standard introductory paragraphs from the body of committee reports which instead will form part of the Agenda preamble/frontsheet (in the way the Human Rights Guidance currently is) with standard paragraphs in the report (see **Annex 3**). Where appropriate standard paragraphs will be introduced on other issues such as Green Belt. Each individual committee report should contain all the necessary detail relevant to the planning application under consideration.
 - policy references – continue to list development plans and relevant policies but have hyperlinks to the documents in the background papers section of the report.

- informatives – review consultee requirements and references to letters and documents.
- background papers – make use of hyperlinks where possible.

CONCLUSION

- 18 The purpose of the officer report on a planning application is to set out the facts and arguments to decide a planning application and make a recommendation for the decision maker. The current Surrey committee and delegated report templates which have been in use since 2001 have been reviewed and changes identified which aim to help reduce the time and resources involved in preparation of reports by officers and consideration by those making decisions on planning applications.
- 19 Although the basic report structure has not altered a number of changes are proposed which are aimed at improving the readability of reports and reducing the length of reports, but not at the expense of quality. The changes aim to improve efficiency and reduce costs involved in the decision making process. The revised report format will be introduced at the 8 June 2016 meeting for committee reports and from 1 June 2016 for delegated reports.

RECOMMENDATION

The recommendation is that the Planning and Regulatory Committee NOTE the contents of the report and outcome of the review of the report format and ENDORSE the revised committee/delegated report format.

CONTACTS

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BACKGROUND PAPERS

- Review of Scheme of Delegation report to 25 September 2013 Planning and Regulatory Committee (Item 10)
<http://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=122&MId=3081&Ver=4>)
- Planning Review Close Report to the 6 January 2016 Planning and Regulatory Committee (Item 10)
<http://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=122&MId=4312&Ver=4>)
- The Surrey Code Of Best Practice In Planning Procedures - Surrey County Council Constitution Part 6 – Codes and Protocols Part 6 (11)
<http://mycouncil.surreycc.gov.uk/documents/s26868/Part%20611%20Code%20of%20Best%20Practice%20Planning.pdf>)
- Planning Permission, Chapter 8 (sections 8.18 to 8.23), Richard Harwood OBE QC, ISBN: 978 1 78043 491 9
- Local Government Association Probity in planning (update): the role of councillors and officers – revised guidance note on good planning practice for councillors and officers dealing with planning matters, May 2009, ISBN 978-1-84049-682-6
http://www.local.gov.uk/c/document_library/get_file?uuid=1e064236-6ba6-4ea5-8e96-db4a07c226f7&groupId=10180)

- Department for Communities and Local Government (DCLG) Technical consultation on implementation of planning changes, February 2016
(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507019/160310_planning_consultation.pdf)

Annexes

- Annex 1 Current committee report template**
- Annex 2 Summary of survey responses**
- Annex 3 Proposed committee report template and guidance for agenda
frontsheet**