

CLASSIFICATION: PUBLIC
DISTRIBUTION: PLANNING, ENVIRONMENT AND POLICY
DATE OF MEETING **Wednesday 13 July 2022**
AUTHOR Jonah Anthony, Town Clerk

PLANNING LIST REVIEW

1 Executive Summary

- 1.1 The attached at Appendix A set out a list of planning determinations made by Welwyn Hatfield Borough Council between 1 June 2021 and 1 June 2022, on which Hatfield Town Council submitted comments. The list sets out the nature of the Town Council's comments and the final determination made. This reports provides a basic analysis on the list.
- 1.2 Furthermore the report seeks to formalise the new arrangements that have been introduced.

2 Recommendation

- a) For the Committee to note Appendix A
- b) For the Committee to agree that in addition to the scheduled meetings in October and December, that extraordinary meetings will be called to discuss those planning applications which Members are likely to view as being a major development and/or subject to a major objection (with all other comments collated and agreed by email).
- c) For the Committee to formally delegate responsibilities to the Chair, and in their absence the Vice Chair, and through the Town Clerk and appropriate officers to finalise and submit comments and make representation on behalf of the committee on those occasions when a formal meeting of the Planning, Environment and Policy is not possible, impractical or undesirable.

3 Background and Explanation

Determinations made between 1 June 2022 and 1 June 2022

- 3.1 Firstly it should be noted that the list contained in Append A is unlikely to be a comprehensive list. This is because the information we want is not easily extracted from the planning portal hosted by the Borough Council.

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- 3.2 From the information we were able to extract, we can identify 87 planning determinations made between 1 June 2021 and 1 June 2022 which the Town Council submitted comments. In just over half of these cases (44 cases or 50.57%) the Town Council only submitted comments or, in two cases, declared a neutral no objection). In 27 cases (31.03%) the Town Council submitted an objection and in the remaining 16 cases (18.39%) the Town Council submitted major objections.
- 3.3 Of the 27 objections submitted, the Borough Council refused 10 planning applications (a 37.04% success rate); and of the 16 major objections submitted, the Borough Council refused (or the application was withdrawn in) 10 planning applications (a 62.50% success rate).

Process of reviewing and commenting on planning applications

- 3.4 Before arriving at the Town Council, the new Town Clerk noted that meetings of the Planning Committee were scheduled once a month independent of the timetable for reviewing and commenting on live application. This then led to some meetings having no substantive issues to discuss, whilst comments on several significant applications were not discussed and agreed at a meeting of the Committee as the deadline for the Town Council's submission fell before the scheduled planning meeting.
- 3.5 The proposal was therefore put forward at the Full Council meeting on 30 March 2022 that whilst there would be three scheduled meetings of the new Planning Committee, additional meetings would be called as and when they were required to discuss specific planning applications of sufficient size or concern. All other planning applications would be dealt with using the established practice of comments being sought and collated via email.
- 3.6 Going forward it is proposed that the Chair of the Planning, Environment and Policy Committee, the Town Clerk and the Office Manager will meet every Wednesday following the publication by the Borough Council of the latest planning application consultation list to draft initial comments for each of the application and determine whether or not any one particular application necessitates a meeting of the Committee. That would then be circulated to Members of the Committee to add to and agree. This should help maximise the contribution of the whole committee despite competing demands on Members time. This should also free up time for officers and councillors to develop the Neighbourhood plan, which would be a material consideration in planning terms once adopted.

4 Impacts

Legal

- 4.1 Schedule 1, paragraph 8, of the Town and Country Planning Act 1990, states that there is a statutory requirement for local planning authorities to notify Parish and Town Councils of planning applications if the Parish Council has requested that it be notified. However it is important to note that this does not say that the Parish and Town Council must be 'consulted', or that the comments provided by the Parish or Town Council carries more weight than an individual resident or business.
- 4.2 However under Welwyn Hatfield Borough Council's constitution, the relevant Parish or Town Councils for a particular development may "call-in" a planning application by making a major objection. This means that a planning decision which would normally be a delegated decision for officers would need to be considered by the Borough's Development Management Committee (DMC) if Officers are minded to grant planning permission. The Parish or Town Council would then be invited to provide a short statement at the DMC meeting ahead of Borough Members debating and determining the application.
- 4.3 From the initial notice of a new planning application, the Town Council has 21 days to submit comments. However Officers only circulate the weekly updates which are published on a Wednesday. This means the time to respond may be reduced to 14 days. Extensions to this deadline can be agreed with the relevant Planning Officer at Borough.
- 4.4 Under Hatfield Town Council's Standing Orders the Planning, Environment and Policy Committee has delegated authority to comment to the Local Planning Authority on planning applications. The proposal in this report seeks to formally recognise the practice of delegating this further to the Chair (or Vice Chair in their absence) should it be impractical or undesirable for a physical meeting to be called.

Finance

- 4.5 Whilst there are cost savings from the reduced number of meetings, this is negligible. However the ability of officers and councillors to utilise their time on more strategic issues is noticeable, and the new arrangements would seem more efficient.

Risk

- 4.6 More focused planning meetings should ensure that significant developments are reviewed sufficiently before the Committee decides what comments to submit to the Borough Council, especially with regards to any major objections. However the new

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arrangement is reliant on officers and councillors being able to schedule extraordinary meetings at short notice (usually within a two week period).