

Notes of the SLDC/ LDNP/ CALC Planning meetings

Windermere Marchesi Centre, 29 July

and

Kirkby Lonsdale, Lunesdale Hall 6 July 2015

Officers: Mark Shipman (MS) – SLDC, Mark Loughran (ML) – SLDC, Paul Haggin (PH) – LDNP, David Claxton (DC), and Amanda McCleery (AMC) – CALC.

SLDC planning committee:

1. SLDC Members visit the proposed site a week in advance.
2. The public can register to speak before the planning meeting and have 3 minutes (for an individual) or 5 minutes (for a group/ parish council) to speak. Applicant gets the right of reply. Public can speak in blocks but not engage in debate/ discussion. Planning officer describes proposal and clarifies what is to be considered. Planning officer sets out planning considerations and recommendations. Members engage in Q&A and then debate.
3. Do public have to speak in the order they register? A group may have different consecutive points to make. ACTION: Mark Shipman to discuss with the committee section regarding allowance for a specific order a parish wants to speak in.
4. SLDC: It's what is said, not how many people say it, which is taken into account in planning decisions.

SLDC Planning process:

5. Major applications (more than 10 houses, big commercial) = 28 days to turn round. 21 days for smaller applications. SLDC can still consider comments up to when the decision is made. SLDC have 56 days (small)/ 13 weeks (major) and developer has right to appeal if SLDC don't meet those targets. After statutory period the decision can be made and the case officer can sign off the report.
6. SLDC site visits: If parishes attend site visits they would have to become formally part of the assessment process (so would have to invite developer along). Site visit is for SLDC members to aid decision making. Currently they don't want to overcomplicate this process so not part of the assessment process.
7. SLDC notify parish and town councils in the event of major applications received.
8. Planning reports are addressed to planning committee members/ or planning officers, so level of technical jargon is accepted. Some words need to be there for legal reasons.
9. However a member of SLDC planning staff is looking to apply plain English to SLDC templates. There is training available for all officers in use of plain English.

10. Controversial or significant planning applications can be heard at SLDC Full Planning Committee. District councillors can ask to go to Full Committee (they have 21 days to do this).
11. SLDC: [Link to Planning applications online](#). Parishes don't need to have formal planning terminology for their replies. They just need to say why they like or don't like it, why it fits in with their parish plan/ or not etc. After planning submission you can [keep track online](#).
12. The archaeological and environmental information on planning applications can also inform your parish plan.
13. SLDC: Planning is regulating land in the public interest. Decisions are not based on volume of support or objections. Rather in accordance with the local Development Plan policy, unless there is a material consideration (design, layout, impact on residences or impact on traffic).
14. SLDC councillors can overrule planning officers and overturn a planning recommendation.
15. SLDC Committee reports are addressed to Members and will have planning terms in them. Not produced primarily for public although available for them. SLDC: to review and clarify correspondence for clarity and plain English.
16. LDNP: The Parishes have formally 28 days to respond to a consultation on a planning application but we are obliged to consider any representations received right up to the time we make a decision. (sometimes this can be several weeks after expiry of the consultation period). 10% of all applications go to LDNP Planning committee with 90% determined by delegation (Planning officer).

Lake District National Park:

17. LDNP: Looking for clarity of view from parishes. Need planning reasons why it's a good or bad development. If it is, and contrary to LDNP planning recommendations, it will go to committee. Bear in mind your Neighbourhood Plan when making a recommendation.
18. LDNP: Parish Council representatives are free to attend Development Control Committee and providing that they give the requisite notice they can register to speak at Committee.

Points from parishes:

19. The 21 day rule can be hard for parishes who meet monthly. Lower Allithwaite have an appointed councillor who works with the clerk.
20. SLDC: 21 days is from the date of the letter to PC's.
21. Planning archaeological/ environmental reports etc are copyright. You can't reproduce the paper but can use the information.

Cumbria Association of Local Councils (CALC, David Claxton and Amanda McCleery):

22. The following must, by law, happen:
23. Parish Councils (PC's) must consider planning applications either at full council or committee or sub-committee. Exceptionally the clerk can respond, after consultation with Chair, if there are time constraints and provision for this is made in the council's standing orders.
24. Planning meetings must be open to the public.
25. Must be listed on council agenda (at least 3 days in advance) and parishes can't add items after agenda published. Special meeting must be called if a new application is received or the clerk could respond (see 1 above).
26. PC can have a small advisory group to provide information to the council – this doesn't have to be open to the public.
27. Parishes can influence the way the proposal goes ahead, via pre-app consultation.
28. If PC response is not lawful their comments cannot be taken into account. Developers are aware of the process and will challenge if parishes have not complied with the law.
29. PC's can invite the planning officer and applicant to a PCmtg.
30. Public participation in PC meetings: Views can be taken at beginning of meeting, or when the planning application is being considered. When individuals have spoken they cannot further interrupt.
31. Public comments are not part of a referendum: it's for the PC to come to a decision even if it is claimed that the majority of village or parish disagree.
32. SLDC/ LDNP are interested in the corporate view of parish council. CLAC planning advice (CALC members will have to sign in):
http://www.calc.org.uk/members/advice_guidance/planning.asp

SLDC Pre-application (pre-app) consultation

33. SLDC: Advice aimed at the developer. SLDC are trying to make process open and transparent and get early consultation to parishes. The [Statement of Community Involvement](#) (under review) sets out how the planning service interacts with the community.
34. The validation checklist sets out where developers have taken pre-app discussion and how it has influenced their design. Developers planning applications online need to be clear and comprehensive. Validation list enforces this.
35. SLDC plan to consult on the pre-application advice service documents in Autumn 2015.
36. The developer's consultation must include local comments - in part this will be required by the validation checklist. If Parishes feel consultation has been inadequate they can raise this in their consultation replies.
37. SLDC have developed a template (which will be forwarded to all parish clerks) for parishes to upload data for developers to understand parish concerns/

points. Sets out the things that are important to your community: Design, infrastructure, site specific matters, CLP/ NP. The more consultation the better. Intended as guidance/ influence for developers and to aid parish council responses.

38. Sometimes SLDC re-consult. No statutory guidance on this. If significant new issues come in will re-consult (eg Highways/ environment/ flood risk).

LDNP:

39. The pre- app stage is good way of ensuring successful planning applications. Reduces risk to the developer and stops bad applications. Also increases public awareness on what scheme is about.
40. A Planning performance agreement is where the developer works with LDNP to progress the application. This process includes parish councils and can include an open day.
41. Legally developers don't need to supply much information. LDNP ask for more information than is required legally.
42. Consider at what point the parish council is brought in? To influence developers plan early on is better as hard to shift when developers have a plan.

Parish points:

43. Developers can come to speak to the PC on their proposal. There should be no problem in speaking to developers providing you agree the rules of engagement (ie confidentiality and no final view of PC).
44. For Parish meetings with no clerk they can email the parish meeting and ask for comments. Chair/ representative can then respond to local authority. If significant application the Chair can call a special mtg.
45. Parishes: support for an application can be conditional.

SLDC: Digital by default:

46. SLDC are trying to streamline consultations straight to the web. However still need to check content for legality / discrimination etc.
47. Going fully digital is an 18 month process for SLDC with significant postage savings. It is recognised there are issues for those who don't have the technology.
48. Procurement process in place looking at software companies.
49. Parishes are recommended to prepare for this and purchase the technical equipment required or sharing arrangements with neighbouring parishes.
50. Some paper copies may be available in designated hubs. MS to feedback to the Customer Connect project.
51. It needs to be easy for parishes etc to look at plans online. The format needs to be right. Suggest liaison with CALC on progress on this initiative. (MS to feedback to)

the Customer Connect project). Need to think about exclusion.
Dependent on broadband access.

52. Site notices (small developments) will still appear, as will notices in press (for major developments).
53. It costs LDNP £16,500 per year in officer time to print and post out plans.
54. LDNP: 6 years ago 20% of planning comments were via email, now 80%. All parish communications are via email. LDNP help fund large screen TV's etc for parishes.

Parish issues:

55. Poor download speed.
56. Bundles of planning documents mean parishes need to open every one which is very time consuming.
57. Electronic version of plans very difficult to read. Can't open plans on a tablet. SLDC to check this. Need to work on the website to look at components of the plan – make it easy. MS to feedback to Customer Connect project.
58. SLDC need to group things on one file for parishes. MS to feedback to Customer Connect.
59. Some village halls don't have broadband access.
60. There is a risk of cutting off members of the public if digital only service.
61. Pushing the cost down the chain. Reading paperwork is far faster than downloading and reading one at a time. 10 applications can take 1 day to download.
62. SLDC: Will still be able to view a paper plan if make an appointment.

Parish suggestions:

63. Local Authorities need to make it easy. They need to accept democracy is expensive and they cannot end up discriminating against people who are not online.
64. Use libraries to support people to view plans? Create fully equipped points where you can view them ie hubs like libraries.
65. SLDC choice based letting service is online. SLDC need to listen and provide back- ups.
66. Parish request SLDC to investigate using hubs.
67. Funding information: [£1,000 for each SLDC Councillor](#) (Member Locality Budgets Scheme) for use for local projects in their ward areas. Cumbria County Council: The [Community Grants](#) funds are for community projects that require capital funding within this area: Contact Carol Last, Area Engagement Officer, Cumbria County Council, T: 01539 713 180