

## **REPORT OF THE CORPORATE DIRECTOR, PLACE**

### **RESPONSES TO PLANNING CONSULTATIONS**

#### **Purpose of the Report**

1. To seek endorsement of an updated protocol on Councillor involvement and approval of comments issued on behalf of the County Council on:
  - Planning applications;
  - Local plans, Neighbourhood Plans and other related strategies;
  - Government consultations on planning matters.

#### **Information**

2. The Planning Policy Team co-ordinate the Councils response to planning applications, emerging Local Plans, Neighbourhood Plans and Government consultations on planning and related matters. This involves collating comments on proposals and plans from the following County Council service areas:
  - a. Adult Social Care and Supported Housing
  - b. Early Years
  - c. Economic development
  - d. Education
  - e. Historic environment
  - f. Landscape & reclamation (dependant on scheme)
  - g. Libraries (Inspire)
  - h. Minerals and Waste Planning
  - i. Nature conservation
  - j. Property
  - k. Public health
  - l. Public transport
  - m. Rights of way
  - n. Strategic Transport
  - o. Energy Management and Sustainability
  - p. Waste management
3. The Planning Obligations Officer supports County Council service areas in providing detail on what planning obligations are required to make development acceptable. The comments of the Council on planning proposals as Highway Authority and Lead Local Flood Authority are made separately.

4. A Protocol was agreed by the former Environment and Sustainability Committee in 2013 and revised in 2017 by the Communities and Place Committee to set out thresholds for responses to proposals which should be subject to Councillor approval, based on the strategic significance or concern raised by the proposal or plan. This area of work now falls into the remit of the Transport and Environment Committee.
5. The Transport and Environment Committee will approve consultation responses where officers and Chairs consider this necessary, but in light of the need to meet external response deadlines, planning responses over the thresholds appended to this report will normally be agreed by the Chair or Vice Chair of the Committee.
6. For the proposals meeting the thresholds in the appendix:
  - a) The Chair, Vice Chair, Opposition spokesperson/s and Divisional Councillors for the site will be notified of the proposals sent for consultation and be asked for any comment;
  - b) Copies of the Draft response will be circulated to The Chair, Vice Chair, Opposition spokesperson/s and Divisional Councillors for the site;
  - c) The final response will be approved by the Chair before being submitted.
7. Councillors may ask that a proposal meeting the threshold should be considered by the Committee. Officers may also consider that a specific consultation response should be approved by the Committee. In both cases Officers will liaise with the Chair/Vice Chair to determine if a consultation response should be brought to the Committee for approval, taking into account external deadlines for making responses.
8. As a separate exercise, consultations received by the County Council as Highways Authority are notified to Councillors through a weekly list compiled by the Highways Development Control team which is circulated to all Groups.

### **Other Options Considered**

9. To not have an agreed protocol on Councillor involvement in developing and submitting comments to the relevant Local Authorities and statutory bodies. This would result in an arbitrary approach to how Councillors are involved in consultation responses, resulting in difficulties in operational work and potential delays in responding to consultations which would be unsatisfactory.

### **Reason for Recommendation**

10. To ensure that the County Council has an agreed approach to securing agreement on responses made on planning applications, local plans and other planning publications.

### **Statutory and Policy Implications**

11. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

- 1) That Committee approve the Protocol as appended to this report for dealing with comments on planning applications and other planning proposals.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:** Stephen Pointer, Team Manager Planning Policy, Tel: 0115 993 9388

### **Constitutional Comments (RHC 03/08/2021)**

12. Transport and Environment Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

### **Financial Comments (SES 16/07/2021)**

13. There are no specific financial implications arising directly from this report.

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None.

### **Electoral Division(s) and Member(s) Affected**

- All.