

<b>Title of Report</b>	<b>PROPOSED ALTERATIONS TO USE OF DELEGATED POWERS IN RESPECT OF RESERVED MATTERS APPLICATIONS AT SOUTH EAST COALVILLE</b>	
<b>Presented by</b>	Chris Elston Head of Planning and Infrastructure	
<b>Background Papers</b>	<a href="#">Planning Committee on 2 December 2014 - Public Report Pack and Printed Minutes</a>	<b>Public Report</b> Yes
<b>Financial Implications</b>	No financial implications.	
<b>Staffing and Corporate Implications</b>	No staffing or corporate implications.	
	<b>Signed off by the Director:</b> Yes	
<b>Legal Implications</b>	No legal implications, this proposal would bring these reserved matters application in line with the delegated arrangements as set out in the Council's Constitution.	
	<b>Signed off by the Legal Advisor:</b> Yes	
<b>Purpose of Report</b>	To consider changes to the existing arrangements for determination of reserved matters applications in the South East Coalville consortium site.	
<b>Recommendation</b>	<b>TO REVOKE THE ORIGINALLY APPROVED RESOLUTION OF PLANNING COMMITTEE ON 2 DECEMBER 2014 ONLY IN RESPECT OF THE REFERRAL OF ALL RESERVED MATTERS APPLICATIONS TO THE PLANNING COMMITTEE</b>	

## 1.0 BACKGROUND

- 1.1 The South East Coalville development comprises a number of sites, together forming an area identified in the adopted North West Leicestershire Local Plan as a site with planning permission for 3,500 dwellings (site H1h). The planning application for the largest of these sites was considered by the District Council's Planning Committee on 2 December 2014 which resolved to grant outline planning permission subject to Section 106 obligations for mixed use development (and including up to 2,700 dwellings (planning permission ref. 13/00956/OUTM)).
- 1.2 In addition to recommending approval of the application (the resolution in respect of which is not impacted by the current recommendation to the Planning Committee), the officer recommendation also proposed that any subsequent reserved matters applications submitted in respect of the outline planning permission be reserved for determination by the Planning Committee. The resolution of the Planning Committee was made in accordance with this recommendation.
- 1.3 However, the implementation of this recommendation has resulted in a number of applications being referred to the Planning Committee for a decision where, under normal circumstances, they would be determined under delegated authority in accordance with the Council's Constitution.

- 1.4 The current delegated authority arrangements set out within the Council's Constitution allow for the ward member (or adjoining ward member if the adjoining ward is materially affected by the application proposals) to request that an application be referred to Planning Committee for determination at the discretion of the Chair where that request is supported by material planning grounds, and relates to a matter of local concern.

## **2.0 CURRENT ISSUES WITH THE PROCESS**

- 2.1 Whilst officers originally took the view that recommending such an arrangement would provide comfort to members of the Committee over future development of this Sustainable Urban Extension, the process has resulted in applications being referred to Committee that would, under normal circumstances, be dealt with under delegated powers. Officers accept that the previous recommendation has had unintended consequences and, as a result, now consider that some applications are being unnecessarily referred to members for a decision.

- 2.2 For example, a number of relatively straightforward applications have recently been submitted which have already (or will need to be) referred to Planning Committee for determination, and in respect of which there has been limited public interest from local residents. These include:

- Reserved matters applications for pre-development infrastructure works (such as plateau formation for housing plots) (19/00747/REMM and 20/01638/REMM);
- A revised reserved matters scheme seeking approval of amended details to an existing approved scheme (20/01436/REMM); and
- A reserved matters application for the detailed layout of play areas and a landscaped buffer (20/02028/REMM).

- 2.3 Officers are of the view that future reserved matters applications on the wider site which may seek to reduce the number of dwellings on a site, impact on a small number of plots or have minimal changes to house types without impacting on layout and access should not need to be considered by Planning Committee.

- 2.4 It is also noted that similar arrangements do not apply in respect of other large-scale schemes elsewhere in the District (nor indeed in respect of other sites within the wider South East Coalville development). The current arrangements also only apply in respect of reserved matters applications made pursuant to outline planning permission ref. 13/00956/OUTM and, where applications are submitted as full applications rather than as reserved matters, they are not subject to the automatic Planning Committee referral and are dealt with under the normal Constitution procedures. As such, there is an element of inconsistency with the current arrangements.

- 2.5 The automatic referral of all such reserved matters applications also has implications on efficiency and performance, with not only the issues of increased officer and member time being spent dealing with applications at Planning Committee, but also the speed at which applications can be determined (and the ability for housing development to be delivered in a timely manner).

- 2.6 This matter was discussed at the Planning Cross Party Working Group in March 2021 where it was agreed that members would take the proposal back to their groups and report back to the Planning Committee for a decision to revoke the approved recommendation that all reserved matters applications pursuant to outline planning permission 13/00956/OUTM be reported to Planning Committee.

## **3.0 PROPOSED ALTERNATIVE PROCESS**

- 3.1 Officers accept that major reserved matters applications which are controversial should normally be considered at Planning Committee and the existing constitution allows for "call-in" requests to be made by Ward Members.

- 3.2 In effect, officers consider that all applications at South East Coalville pursuant to outline approval ref. 13/00956/OUTM should be dealt with no differently than other reserved

matters applications around the District. This process would mean that the Ward Member would be notified in the usual manner and given an opportunity to make a call-in request within 28 days, which will then be subsequently discussed with the Chair as set out within the Council's Constitution.

- 3.3 This would also apply to existing, undetermined, reserved matters applications already submitted (other than those under consideration on this agenda, by the Planning Committee on 3 August 2021); the relevant Ward Member will be provided with an additional opportunity to request referral to Planning Committee, within an additional 28 day time period, which will then be subsequently discussed with the Chair as set out within the Council's Constitution.

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>• Supporting Coalville to be a more vibrant, family-friendly town</li> <li>• Our communities are safe, healthy and connected</li> <li>• Local people live in high quality, affordable homes</li> <li>• Supporting businesses and helping people into local jobs</li> <li>• Developing a clean and green district</li> </ul>
Policy Considerations:	None identified
Safeguarding:	None identified
Equalities/Diversity:	None identified
Customer Impact:	All customers including applicants for planning permission will be treated consistently across the district
Economic and Social Impact:	None identified
Environment and Climate Change:	None identified
Consultation/Community Engagement:	Discussed at the Planning Cross Party Working Group in March 2021
Risks:	No risks identified. Could reduce the risk of appeal against non-determination of reserved matters applications.
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