
CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: Delegation of Planning Call-In

Prepared by: Don McKee
Head Planner

Purpose:

To seek Members' agreement to arrangements to delegate responsibility to the Head Planner to take the majority of the call-in decisions under the terms set out in this report.

Recommendation

That Members of the Planning Committee agree to the arrangements to delegate responsibility to the Head Planner to take the majority of the call-in decisions as set out in this report and subject to a review of the effectiveness of the arrangements in 6 months.

Background

1. At the Board Meeting on 15 October 2010, Members agreed to test new arrangements for the Planning Committee to discharge the call-in function by taking part in a fortnightly on-line decision making process instead of holding a meeting. This was made permanent by the Planning Committee on 7 January 2011 and has been operating effectively since that time.
2. Since January 2011 there have been 50 call-in reports, 48 of them on-line. There have been 791 notified applications and of these there were 7 (0.9%) occasions where 2 or more members disagreed with the Officer recommendation. Of those 7 applications there was a single instance (0.1%) where the Planning Committee Convener and Vice-Convener, in exercising their delegated authority, agreed to call-in against the Officer recommendation.

3. The on-line arrangement has certainly been an improvement and has saved staff and Member time in travelling to fortnightly Planning Committee meetings, making presentations and taking decisions. However, it is still extremely time consuming for staff in terms of administration, preparation of the report and the presentation, and for Members in having to engage in the on-line process. This is a substantial collective endeavour for an essentially administrative process that does not determine applications and where there is consensus on the vast majority of occasions. Also, applicants, local authorities and other interested parties continue to have to wait for a Committee decision on whether an application has been called-in, even for the most obvious cases.
4. In June 2012 the Planning Committee agreed the Service Improvement Plan (SIP) for 2012-2014. A significant element of the context for the SIP was the continuing Scottish Government led drive on delivering planning reform with simplifying and streamlining processes one of the key priorities identified by Derek Mackay the Planning Minister in his statement in March this year.
5. The 2003 Designation Order had introduced the call-in function and by definition it adds a level of complexity to the development management process in the Cairngorms National Park which we have done our best to minimise. Nonetheless CNPA, as with other planning authorities, has to demonstrate that it is playing its part in delivering planning reform. Consequently, in line with the Minister's statement, one of the issues identified in the SIP under *Efficient and Effective Decision Making* is to *Simplify and Streamline the Call-In Process*. There is a specific action to *Delegate responsibility to the Head Planner to take the majority of the call-in decisions*.
6. This has subsequently been included as an action for the current year in the CNPA Planning Performance Framework Annual Report for 2011-12 agreed by the Planning Committee on 12 October 2012 and then submitted to Scottish Government.
7. It is therefore now necessary to set out and agree arrangements for the operation of this delegation.

Delegation Arrangements

8. Delegation to the Head Planner will mean that decisions on call-in need not be restricted to a formal fortnightly process. The 5 local authorities notify CNPA of applications on an ongoing basis and delegation would allow call-in decisions to be taken and fed back in a similar way with reasons given for those called-in and comments made, if necessary, on those not called-in, in line with the existing delegation to the Head Planner.
9. It is accepted by experience of the operation of the call-in function over the years that the majority of domestic and other small scale applications do not raise issues of significance to the aims of the National Park and will not be called-in. It is also accepted that large scale applications and those, for example, requiring Environmental Impact Assessment or affecting Natura sites or remote areas will be called-in. Although call-in decisions are taken on a case by case basis, it is a relatively straightforward technical assessment to make and it is considered that it can reasonably be delegated to the Head Planner.

10. There will occasionally be instances where the Head Planner will assess the significance of an application and conclude that it is a borderline case. For example, a single house in the countryside: increasingly since adoption of the Local Plan such applications have been left with the local authority, but in some instances there may be concern at the cumulative impact that could render it significant thereby justifying call-in. On these few occasions it is considered that the Head Planner should discuss the application with the Convener and Vice-Convener of the Planning Committee and they will take a decision on whether it should be called-in.
11. If these arrangements are accepted then it is proposed that a list of call-in decisions will be published on a fortnightly basis. This list will be made available on the CNPA website and sent to interested parties (e.g. the Community Council Association Planning Network) in the interests of transparency. The operation of the process will be monitored on an ongoing basis and there will be a formal report to the Planning Committee after 6 months so Members can discuss and consider its effectiveness.
12. In summary, the call-in process is essentially an administrative function arising from the 2003 Designation Order; it does not involve consideration of the merits of an application or a decision on its acceptability. The CNPA is unique amongst Scottish planning authorities in having this function, but along with the 33 other planning authorities it has to contribute to the delivering planning reform agenda and to simplify and streamline our processes as far as it is able. Delegation of call-in as set out in this report will demonstrate that CNPA takes its responsibilities seriously and that it supports the reform agenda and the provision of an effective and efficient planning service.

Recommendation

That Members of the Planning Committee agree to the arrangements to delegate responsibility to the Head Planner to take the majority of the call-in decisions as set out in this report and subject to a review of the effectiveness of the arrangements in 6 months.

Don McKee

planning@cairngorms.co.uk

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