WEST OXFORDSHIRE DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE:
THURSDAY 18TH SEPTEMBER 2014

INTRODUCTION OF NEW PLANNING AND BUILDING CONTROL SYSTEM

REPORT OF THE HEAD OF PLANNING & STRATEGIC HOUSING

(Contact: Giles Hughes, Tel: (01993) 861658)

(The decisions on this matter will be resolutions, with the exception of (g), which will be a recommendation to Cabinet).

1. PURPOSE

To brief members about the introduction of a new computer system for planning and building control, and to gain guidance from members on the best ways to engage parishes and the public through the planning application process.

2. RECOMMENDATIONS

(a) That the current system of neighbour notification be replaced by a new approach which combines the use of site notices in all cases, with the notification of those individual neighbouring properties particularly affected by a proposal;

(b) That the Council promote the capabilities of 'My West Oxfordshire' and public access to allow groups or individuals to register for email alerts on planning applications;

(c) That the Council replace the current hard copy notification of planning applications to Parish Councils with a new system based upon email alerts, with the implementation phased over a six month period and with a programme of support for Parish Councils;

(d) That a fund of £5,000 be established from savings in printing and distribution to offer grant funding towards IT equipment and service upgrades for Parish Councils required as a consequence of the introduction of email notification on planning applications, with authority delegated to the Head of Planning and Strategic Housing to implement and administer the scheme;

(e) That a session be organised to brief all members on the improvements in the computer system and how to access planning information;

(f) That the implementation of the new notification and engagement arrangements commence in October, and that a report on the effectiveness of the arrangements be reported to the Development Control Committee at a suitable date after six months of operation; and

(g) That Cabinet be recommended to amend the Council's Statement of Community Involvement to reflect the Committee's decisions on neighbour notification and parish engagement.

3. BACKGROUND

New Computer System

3.1. The Council is in the process of introducing a new computer system for planning and building control. The decision to select Idox as the supplier of the new system was taken by Cabinet on the 25th July 2012. The driver behind the exercise was the expiry

of licences for the current Northgate system, which was originally installed in 2003. The licences had already been extended 3 times so there was a need to re-tender in order to remain compliant with procurement law.

3.2.   The Idox system is also used by Cotswold District Council, Cherwell District Council, Oxford City Council, and many other local planning and building control authorities. Idox were selected after a joint procurement exercise with Cotswold District Council.

3.3.   The Idox system will improve the capabilities of the Council in handling the electronic submission of applications, and in their subsequent processing, consultation and correspondence management. It will allow the submission of on-line comments on current applications, and the viewing of decisions and plans easily online.

3.4.   Web-users are able to access a range of information for their area, including some planning information, using the 'My West Oxfordshire' part of the Council's website. Users can register for email alerts on new planning applications in their area. To date approximately 2,000 users have registered with 'My West Oxfordshire'. Further marketing, alongside the launch of the new computer system, could make more local residents aware of its capabilities.

Public Consultation Requirements for Planning Applications

3.5.   Local planning authorities are required by regulation to undertake a formal period of public consultation prior to deciding planning applications. Public consultation is also required for listed building and conservation area consent applications. All applications need to be published on a website. In addition, for relatively minor planning applications, which are the majority of applications, local planning authorities are required to either post a site notice advertising the planning application, or alternatively notify neighbouring properties by letter. For more significant applications there is also a requirement to publish a newspaper advertisement. A summary of the requirements is included in Appendix 1 (page 8). It is important to recognise that these are minimum requirements and that local planning authorities can choose to go beyond them.

3.6.   The Council has an adopted Statement of Community Involvement. Planning legislation requires all local authorities to produce a Statement of Community Involvement explaining how when and where local communities will be engaged on planning matters. The current adopted Statement of Community Involvement, goes beyond the minimum statutory requirements, and states that the Council will use both neighbour notification letters and site notices for all planning applications. In addition newspaper advertisements in the Oxford Times will also be used for non-domestic/ householder planning applications. An extract from the Statement of Community Involvement is included in Appendix 2 (page 9).

3.7.   The Council is currently updating its Statement of Community Involvement, and the Council's Cabinet in July approved public consultation on a revised Statement of Community Involvement. The revised draft mentions that the system of engagement on planning applications is under review in light of the new back-office computer system, and recent Government guidance. It states that a further update to the statement will be made in due course. Therefore, it is open to the Development Control Committee to consider the matter and make recommendations to Cabinet on the content of the Statement of Community Involvement.

Engagement with Parishes

3.8. Legislation requires local planning authorities to provide details of any planning applications received in a Parish to the relevant Parish Council or Parish Meeting if requested. Currently the Council sends a single hard copy of the planning application to a named parish contact. The Council is not required to provide hard copies of planning applications to Parishes and can if it chooses charge the costs involved in printing and distribution.

3.9. Parishes are given 21 days to comment on a planning application, and the Council is not allowed to determine a planning application until after the expiry of this period.

3.10. The current reliance on a single hard copy means that Parishes are not given updates as planning applications proceed through the planning process. The printing and distribution of hard copies to Parishes is a significant cost. It also involves significant staff time to administer. The current arrangements can be confusing for Parishes, particularly on large schemes, as applications are amended through the planning process.

Analysis and Costs

3.11. Currently the Council sends out 15,000 to 20,000 neighbour notification letters per year. We only receive a response from those notified on approximately 25% of all planning applications. Overall, 16% of those notified respond. For most applications the response rate is lower, the overall rate is skewed by a higher response rate on a few larger and more controversial applications.

3.12. The cost of local advertisements is approximately £3,000 per month (£36,000 annually). Neighbour notification for planning applications costs between £7,500 and £9,500 per year to cover postage and stationery. Approximately 15 hours a week of staff time is spent on neighbour notification at present (value £9,750 per annum). The cost of printing and distributing hard copy plans to Parishes is approximately £800 per annum on materials and £19,500 in staff time (30 hours a week). Therefore the total cost to the Council of sending notices to neighbours, placing advertisements, and copying plans to Parishes is £75,550.

Arrangements made in neighbouring Councils

3.13. It is useful to compare the approach in West Oxfordshire with that of neighbouring Councils. The following table summarises the notification and engagement techniques used by Cotswold District and District Councils in Oxfordshire. There is significant variation in practice between the authorities, with some authorities placing greater emphasis on site notices whilst others notify neighbours directly. West Oxfordshire District Council is the only Council to use local advertisements in circumstances where they are not specifically required by regulation.

	Site Notice	Neighbour Notification Letters	Local Advertisement	Parish Council Engagement
West Oxfordshire District Council	Yes	Yes	Most applications	Hard copy only

	Site Notice	Neighbour Notification Letters	Local Advertisement	Parish Council Engagement
Cotswold District	Yes	Affected neighbours only	Not in most cases – only when required by regulation	Electronic – with hard copies in exceptional circumstances
Cherwell District	Yes	Yes	Not in most cases – only when required by regulation	Hard copy only currently – but under review to save costs
Oxford City	Yes	Only in exceptional circumstances	Not in most cases – only when required by regulation	n/a
South Oxfordshire	Not in most cases – only when required by regulation	Yes	Not in most cases – only when required by regulation	Hard copy only
Vale of White Horse	Not in most cases – only when required by regulation	Yes	Not in most cases – only when required by regulation	Hard copy only

Review Arrangements

3.14. At present there is limited data on how people who respond to planning applications find out about them. The introduction of the new computer system will allow online responses to planning applications, and the online form could include a question on how people became aware of an application. This would help the Council accurately assess the effectiveness of the new arrangements.

3.15. It is suggested that the new arrangements are trialled for six months. Further changes could then be made to the arrangements if required after analysis of their effectiveness.

4. ALTERNATIVES/OPTIONS

Key Issues

4.1. The introduction of the new computer system for planning and building control provides an opportunity to review the arrangements for parish council and community engagement on planning applications. The current arrangements have been in place for many years and are routed in pre-internet technology. There is the potential to achieve the following objectives through a change in arrangements:

- Reduce printing, publication and postage costs

- Streamline administrative processes

- Improve the extent and timeliness of information on planning applications

- Make it easier for local communities and neighbours to input on planning applications

- Increase opportunities for customers to self-serve online

4.2.   There are options for the Council on the following aspects of the administrative procedures that will sit alongside the new computer system:

- The use of site notices and neighbour notification letters, and the extent to which the Council publishes local advertisements

- How the Council provides information to Parishes

Options for Neighbour Notification and Local Advertisements

4.3.   Status quo – the current arrangements go beyond the minimum statutory requirements. Both site notices and neighbour notification letters are used for the vast majority of planning applications. Neighbour notification letters are sent to all properties that adjoin an application site. This means that letters are sent to many properties that are unaffected by proposed developments, because, for example, they may be neighbours who back onto the rear of a site and a side extension is proposed with no impact upon them. In addition the Council publishes local advertisements for a significantly higher number of planning applications than required.

4.4.   Site notice based approach – this is the most cost effective way of meeting statutory requirements. Under this option the Council would cease the use of neighbour notification letters, and the use of local advertisements except when specifically required by regulation. Promotion of 'My West Oxfordshire' and public access would increase the numbers of people being informed about new developments through email alerts. A QR code (Quick Response Code – a commonly used matrix barcode) could be used on the site notice to allow instant access to planning information for smart phone users. This approach would lead to significant cost savings and savings in staff time. This would match the approach adopted by Oxford City Council. To implement this new approach the Council will need to amend the Statement of Community Involvement.

4.5.   Targeted approach – this option would combine focussed neighbour notification in addition to site notices, and email alerts. The case officer would assess the impact of the proposal and notify all those properties particularly affected by a proposal. This notification would include all the information on site notices including QR codes. For example, with a proposed side extension this approach would limit direct notification to the neighbour on that side of the property. The Council would also cease the use of local advertisements, except when specifically required by regulation. Promotion of 'My West Oxfordshire' and public access would increase the numbers of people being informed about new developments through electronic means. This would lead to cost savings and savings in staff time. This approach would also match the approach adopted by Cotswold District Council. To implement this new approach fully, and limit the use of local advertisements, the Council will need to amend the Statement of Community Involvement.

Options for Local Parish Engagement

4.6. Status quo – the Council provides parishes with paper copies of all planning applications in their area. This creates a delay in the receipt of information and only provides Parishes with a single hard copy. The printing and distribution costs for planning drawings are significant. Some Parishes value this approach as it fits their existing ways of working. However, others have expressed frustration at the time delays and lack of updates as applications progress.

4.7. Electronic communication – with this option the Council would provide parishes with an electronic email notification and link to the relevant planning case on public access. This would eliminate communication delays and provide up to date information. For example Parishes would be able to access amended plans and consultee comments. It will also make it easier for Parishes to share planning information with all Parish Councillors and other interested parties. Under this option the Council will not provide hard copies to Parishes. There would be a significant saving in printing and distribution costs. However it will impose a change of practice on Parishes and some may find it difficult to adapt.

4.8. Phased implementation of electronic communication with support – this option is similar to the previous option except that there would be further discussion with parishes and a phased implementation over a six month period. This would allow Parishes keen to take advantage of the new approach to implement early, while allowing other Parishes time to adapt with support. Hard copies of plans would still be provided in exceptional circumstances, for example with very large complex applications. The projected savings from this option would be used to establish a support package of £5,000 which would provide grant funding towards IT equipment and service upgrades for Parish Councils. This grant funding could be provided up to a maximum contribution of 50% of the additional costs and capped at £150 per Parish. This option is similar to the approach adopted by Cotswold District Council.

Conclusions

4.9. The effectiveness of the Council's arrangements for neighbour notification and parish engagement is an important issue. The planning process makes decisions on important local matters which have the ability to affect neighbours and local residents. The introduction of the new computer system provides an opportunity for the Council to review its arrangements and provide greater public access to information whilst achieving cost savings.

4.10. The Council's current neighbour notification and parish engagement arrangements are costly and do not take advantage of technology. A revised approach can take advantage of technology to make information on planning applications more widely available and also deliver significant savings to the Council. A new focussed approach to neighbour notification will not lead to any significant reduction of service. The potential savings from a change in approach are significant.

4.11. The new arrangements should be trialled for six months and then reviewed by the Development Control Committee.

5. FINANCIAL IMPLICATIONS

5.1. The recommendations in this report would lead to annual savings of up to £19,300 in publicity, printing and distribution.   £9,000 of these savings would come from a

reduction in the use and size of local advertisements. A one off support package of £5,000 would be established to help Parishes adapt to the new arrangements.

5.2.   The staffing structure will be reviewed after the implementation of the new computer system, and it is expected that there will be scope to delete some existing vacant posts and achieve additional savings of up to £29,250. Therefore the total savings could be up to £48,550.

6. RISKS

6.1.   A key risk for the change in arrangements concerns the effective implementation of the new computer system. This implementation is being monitored carefully to mitigate this risk. There is a risk of reaction from Parishes and local residents about a change in arrangements which have been in place for many years. This risk can be mitigated through a programme of support for Parishes and through publicity of the new opportunities for people to become aware of planning applications and to respond to them.

7. REASONS

7.1.   The Council needs to have cost effective arrangements in place for engaging with parishes and local residents on planning applications.

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Background Papers:
Statement of Community Involvement – 'Your say on planning in West Oxfordshire' (January 2007)

Statutory Publicity Requirements for Planning and Heritage Applications (extract from National Planning Practice Guidance 6/3/2014)

Type of development	Site notice	Site notice or neighbour notification letter	Newspaper advertisement	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order		X	X	X
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	X		X	X
Applications which do not accord with the development plan in force in the area	X		X	X
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	X		X	X
Applications for planning permission not covered in the entries above eg non-major development		X		X
Applications for listed building consent where works to the exterior of the building are proposed	X		X	X
Applications to vary or discharge conditions attached to a listed building consent or conservation area consent, or involving exterior works to a listed building.	X		X	X

Note: the Environment Impact Assessment guidance sets out further publicity and consultation requirements for applicants where this is relevant.

Extract From West Oxfordshire Statement of Community Involvement (2007)

3. Planning Applications

Anyone can make comments on a planning application. In some cases the local community may be able to have a more active role in the development of proposals before an application is submitted. This section sets out how the community can get involved in planning applications if they want to - from finding out about a planning application, to finding out how to get involved and comment on an application, to finding out what decision is made and how decisions are made.

3.1 Finding out about a Planning Application

The Council already meets the publicity and consultation requirements for planning applications, including the erection of site notices, neighbour notification, notifying statutory consultees (such as the Environment Agency) and local advertisement for major[3] or more sensitive applications. The following table indicates the publicity appropriate for different types of planning applications, incorporating the legal requirements. Where an application is of wider community interest it may be appropriate to go further than the legal requirements and guidelines for when and how is presented below in Section 3.4.

We encourage applicants to consult their neighbours before submitting an application and to get informal views from the Council before an application is submitted.

Get information from our website:

www.westoxon.gov.uk/planning

The Council's website has a range of information on the Development Control process and guidance notes on how to make an application. The Planning Explorer allows users to search for planning applications, view details and decisions.

Web-users are able to access a range of information for their area, including selected planning information, using My West Oxfordshire part of the Council's website. Free web access is available at public libraries.

Planning Reception:

01993 861420

Elmfield
New Yatt Road
Witney
Oxon OX28 1PB

Planning Reception is open:
Monday - Thursday 8.30am to 5.30pm
Friday 8.30am to 5.00pm

My West Oxfordshire
Find out local information

Publicity and Consultation for Planning Applications

Online Planning Explorer via Council website	✓
Neighbour notification letters sent*	✓
Consult statutory organisations**	✓
Consult Town or Parish Council	✓
Display of site notice	✓
Weekly list of applications	✓
Local Advertisement (Oxford Times)	✓ ***
Planning applications available to view at the Planning Reception	✓

* Site notices may be erected where the neighbouring owners or occupiers are difficult to identify. Minimum statutory requirements are to either erect a site notice or to notify any adjoining owner or occupier

** The Council must consult statutory bodies relevant to the proposal. These statutory bodies may include organisations such as the County Highways Authority, the Environment Agency, English Heritage or Natural England.

*** Most applications are advertised locally. Domestic/Householder applications which do not affect the character and appearance of a Conservation Area, the setting of a Listed Building, the setting of a Public Right of Way or are not a departure from the development plan do not require local advertisement.

[3] Major planning applications are defined as a development that involves 10 or more dwellings, or retail, commercial or industrial development with a gross floor area of 1000m[2] or more.

Planning Reception is an important source of information. Customers can obtain a weekly list of planning applications, view plans and access a range of guidance notes. You may even grab a coffee from the Brasserie whilst visiting!

More information on the Planning Application Process is available on the Council's website and leaflets.

The Planning Service operates a Duty Officer system whereby an officer from one of the teams will be available to answer general planning enquiries whether they are received by telephone or visitors to the office. The Duty Officer is, however, unable to deal with most site specific enquiries as they may need thorough research, consultation and a site visit. Such enquiries should be made in writing and ideally contain a sketch.