

TELFORD & WREKIN COUNCIL

PLANNING COMMITTEE – 24 JULY 2013

INVEST IN TELFORD – PLANNING UPDATE

REPORT OF SERVICE DELIVERY MANAGER: DEVELOPMENT MANAGEMENT

1. SUMMARY OF MAIN PROPOSALS

1.1 The report provides an update to inform Planning Committee Members of the Planning team's performance over the past 12 months, in addition to the recent changes to the service area structure. The report also sets out the proposed national changes to performance indicators and the need to provide both timely and quality decisions. Consideration is given to Councils Priorities in addition to the service areas, and makes recommendations to achieve this when determining planning applications

2. RECOMMENDATIONS

- 2.1 That Planning Committee approve the officer/Planning Committee determination arrangements set out in paragraph 4.24 of the report
- 2.2 That Planning Committee delegate approval to the Development Management Manager, in consultation with the Chair of Planning Committee, to develop and implement a formal 'Call In' procedure to determine application at Planning Committee
- 2.3 That Planning Committee approve the introduction of the early notification of site visits as proposed in paragraph 4.25 of the report
- 2.4 That Planning Committee recommend to Full Council that the practices for public speaking at Planning Committee be brought in line with those of other Councils.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Business Winning, Business Supporting Council
	Will the proposals impact on specific groups of people?	
	No	No
TARGET COMPLETION/ DELIVERY DATE	August 2013	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The resource implications of the recommended changes to planning processes have been addressed through the restructure of the service and will be accommodated within existing budgets. Enhanced technical and administrative support has been resourced to facilitate determination of applications within the Planning Guarantee period of 26 weeks (paragraph 4.5), therefore the risk to local planning fee income as a result of this legislative change is considered to be low.
LEGAL ISSUES	Yes	The changes to the arrangements for referral of applications to Planning Committee, the suggested development of the "call-in" procedure and the proposals for early notification of site visits are local arrangements between Planning Committee and officers can be implemented with immediate effect if approved. Any recommended changes to the Public Speaking Scheme will need to be approved by full Council.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	The recommendations carry no inherent risks but seek to provide a more effective and efficient planning service.
IMPACT ON SPECIFIC WARDS	No	Borough wide impact.

4. INFORMATION

4.1 Applications

During 2012, a total of 1,004 applications, were validated, of which 87% were approved, 6% refused, and 7 % withdrawn, demonstrating that the Planning team has provided proactive

engagement with the customer aiming to achieve a suitable balance between the wishes of the applicant and the impact of the proposed development on the amenities of the surrounding environment and neighbours.

4.2 **Appeals**

Over the course of the last year only 18 appeals were received (excluding enforcement appeals); of these 41% of the appeals were allowed with 59% dismissed. Of the 18 appeals received, seven decisions related to Planning Committee decisions. Three of the seven appeals were refused by Planning Committee against officer recommendation and these three appeals were upheld resulting in costs being awarded against the Council.

4.3 **Planning Performance**

Planning performance figures are monitored April to March. The target period for determination of major applications is 13 weeks (increased to 16 weeks for any which require an environmental impact assessment) and 8 weeks for minor and other applications. At the present time 49% of majors, 54% of minor and 64% of other applications have been determined within the target periods.

4.4 The Growth and Infrastructure Bill recognises a need for development and growth and LPAs must help ensure its delivery. As a measure to ensure that LPAs perform, the Bill proposes that applicants should be able to apply directly to the Planning Inspectorate where an LPA has been designated as performing poorly. The 'Planning guarantee' proposed ensures no application, whatever scale takes more than a year to receive a decision including any appeal. There would be a 26 week limit to any local decision, and 26 weeks for any appeal. To ensure LPAs deliver the guarantee, a refund of any planning fee will be made for those applications which remain undecided in 26 weeks. To ensure this 'planning guarantee', a consultation document 'Planning performance and the planning guarantee' was published in November 2012; this set out the criteria that might be used to assess the performance of an LPA, what thresholds might be used, how designations would be made and its consequences. It also proposes a refund of the planning application fee in cases where the planning guarantee is not met.

4.5 Whilst this is a consultation document and changes may occur the principle of the document is likely to stand, with a need to deliver quality decisions in a timely manner. Failing LPAs could face decisions being made at a national level rather than locally, with a significant loss of fees. The response to the consultation is due in April 2013, and the legislation will be in place and initial designations made in October 2013.

4.6 **Enforcement**

In 2012 the Local Planning Authority received a total of 587 complaints regarding alleged breaches of Planning Management which were dealt with by our enforcement officers. 336 of the complaints were within the west team area and 251 were within the east team area with areas shown in **Appendix 1**.

4.7 Complaints are received regarding a variety of alleged breaches of planning control including unauthorised development, development carried out not in accordance with approved plans, unauthorised change of use, unauthorised works to listed buildings, untidy land, unauthorised tree works and high hedge complaints. Officers seek to negotiate with the parties involved to resolve the situation either through removing the breach, or through the submission of a planning application. Officers have demonstrated the success to resolve these issues without formal action which is evident through the number of formal notices served. Of the 587 complaints received in 2012 a total of 24 notices were served in which were broken down as follows:

- Enforcement Notice 6
- Breach of Condition Notice 6
- Section 215 Notice (untidy land) 5
- Listed Building Enforcement Notice 3
- Replacement Tree Notice 2
- Planning Contravention Notice 2

Only one notice was appealed, which has recently been dismissed through a public inquiry; an application for costs has been made and partially awarded. This notice has now been enforced and the dwelling that was not erected in accordance with the plans has now been demolished.

4.8 **Viability / Affordable housing**

Officers recognise that there are a number of schemes presented to Planning Committee with reduced amounts of affordable housing and financial obligations. Each case is judged on its own merits and considered by Planning Committee at that time. Only when it is supported by a detailed appraisal will viability justify the acceptance of a reduced planning obligation “package”. The Council employs officers with specialist skills to assess the viability submissions and comments are reported to Planning Committee.

4.9 There have been times when, without the LPA requesting affordable housing, a percentage is provided; in these cases officers have not discouraged the offer. There are also schemes which have gone beyond that of the S106 obligation which have not been reported to board as they have not required further board approval such as:

- Ercall Wood – reserve matters for 50 units currently being considered for 100% affordable housing scheme (approval only for 15%)
- Grove Road, Overdale – talks around 100% affordable housing scheme for 80 units (approval only 15%)
- Sutton Hill local centre – 47 units for 100%, not presented to Planning Committee as no S106 required.

4.10 **2012 Service area restructure**

During 2012 both Development Management and Housing & Development Planning have taken part in a restructuring programme. Firstly the alignment of Development Management and Development Plans & Housing with the Property and Facilities Management teams creating Development, Business & Housing service area. Following the Council wide restructure the Assistant Director of Development Business & Housing proposed a restructure in July 2012, and confirmed the new structure in November 2012.

4.11 A smaller restructure has taken place in July 2013 with the service area now becoming Development Business & Employment to improve links between unemployment, skills shortages and business need following the addition of the Skills Delivery, Lifelong Learning, Careers & Youth Employment Service Delivery Unit. The new structure recognises that the service area, in particular Development Management has to lead the change process to help investors, encourage investment and compete within the region and nationally; chasing investment and removing barriers. To enable this there are two primary changes to the Development Management structure. Firstly the creation of a Business Support Team, freeing up capacity within the planning teams, but also to create a front of house to provide a “Business Supporting, Business Winning Council” providing a one stop shop for business and investment enquiries. Secondly the reorganisation of the planning teams to fall within the two areas based teams covering East and West of the Borough. A plan showing the split across areas is included in **Appendix 1**

PROPOSED CHANGES

4.12 **Invest in Telford**

In April 2012, Cabinet approved a report entitled ‘Encouraging Growth - A New Way of Working’. This recognised the challenges facing businesses and developers wishing to invest in the Borough both from global economic conditions but also those identified by investors as local barriers. The Report launched a Business & Development Charter which pledged to ensure a more streamlined, consistent, personalised and supportive service to all our customers. Since its adoption in June 2012 these pledges have been embedded in new ways of working and new initiatives, including the opening on 4 February of a dedicated ‘Business & Planning First Point’ within the offices at Wellington. Staffed by Business Support Officers and Planning Customer Services Officers this provides a ‘one stop shop’ for all business and planning inquiries. Located in Wellington it gives access to Officers dealing with property, land, planning, development, funding for business and wide ranging business support advice.

4.13 A further Cabinet report entitled ‘Invest in Telford – A Programme for Change’ was approved on the 28 February 2013. This highlights the unique opportunities for investors and the interventions that are being taken to implement the Business & Development Charter; including changes to the development management process to speed up the determination of planning applications and

recognises the tough economic conditions which continue to impact on development viability. The report recommends the expansion of the business charter, and the introduction of a guidance note for planning obligations. Cabinet recommended to Planning Committee some alterations to the scheme of delegation covered below.

4.14 **Business Charter:**

It is proposed that the business charter (**Appendix 2**) is updated, the key elements in relation to planning matters include:

1. Free planning advice prior to submitting a formal planning application including a Planning Advice Workshop for all schemes whatever size tailored for the projects needs. This is something our neighbouring authorities do not provide.
2. A meeting with the agent or applicant within 14 days of submitting their request for advice, to ensure a timely proactive response.
3. A fast track validation process with applicants and agents able to book an appointment with a validation officer as a checking service, provided free of charge.
4. Validation of a planning application within 3 working days of it being lodged. If inadequate information is received then a list of requirements will be sent to the applicant within 3 working days to provide an efficient service which is open and fair.
5. Providing template S106 agreements via the website and a proactive approach to the submission of a draft agreement prior to sending an application to Planning Committee or taking a delegated decision with a commitment to process the approval within 1 month of Planning Committee or delegated decision, to reduce the significant timely delays which all parties contribute to.
6. Any indexation on financial contributions in a S106 agreement to be removed if the contribution is paid within 12 months of the date of the agreement, to encourage the delivery of development.
7. Limiting the use of pre-commencement conditions, through frontloading of applications to ensure they are still adequately controlled. This will reduce some timely administrative processes, and provide clear parameters for development.

4.15 **Development Management Guidance Note**

Under current policy for sites of 15 or more units or 0.5 ha + developers are required to provide 38% affordable housing in Telford, 35% in Newport and 40% in the Rural area. The Telford figure has been revised to 20% for the Central Telford area following adoption of the Central Telford Area Action Plan (CTAAP) reflecting an updated viability assessment.

- 4.16 It is recognised that national levels of affordable housing delivered via S106 have been impacted by the recession. Locally while in Newport and the Rural Area schemes have generally met the affordable requirements, in Telford the average was closer to 25% pre 2008 and circa 15% in more recent years with specific sites on occasion attracting 0% due to extreme abnormal ground conditions. While viability has led to a reduction in affordable homes delivered via S106, this has ensured the continued delivery of housing development locally. It also compares with Shropshire Council who use a model which currently has a 13% requirement and Herefordshire Council who require between 25 and 40% depending on market area.

- 4.17.1 Whilst the Council is reviewing the issues around Community Infrastructure Levy (CIL) in the immediate term it is considered the Council needs to be proactive to encourage the delivery of investment, and can do so by publishing a Development Management Guidance Note relating to planning obligations, demonstrating the Councils commitment to considering viability of schemes to achieve the delivery of growth. It proposes:

- The formalisation of the process for undertaking viability assessments for any development where there is a concern that the required level of planning obligations cannot be met. Developers will submit their assessment using a standard template and the Council will review and respond to the submission of a formal viability assessment within 10 working days.
- While on-site provision remains the preference, for schemes in Telford of less than 50 units, where robust evidence through viability assessment indicates it acceptable, a commuted sum may be accepted in respect of all or part of the In affordable housing requirement
- Provision on the website of schedules of rates and agreed formula in relation to contributions particularly in relation to drainage, open space, leisure and education to enable investors to calculate anticipated obligation

- Dedicated Development Management Project Manager for every scheme to lead on negotiations on behalf of the Council

4.18 A copy of the proposed development guidance note is found in **Appendix 3**.

4.19 **Scheme of Delegation and Planning Committee**

Planning applications are determined either by officers under delegated powers or by Planning Committee. Part 12 of the Council's Constitution provides a Table indicating what Committee/Board or officers are authorised to exercise what powers/functions. Part 12 indicates that certain senior planning officers have power to determine planning applications and enter into S106 planning agreements. In accordance with the arrangement approved by Development Control and Licensing Sub-Committee on 6th October 1993, applications have been brought to Planning Committee in the following circumstances:

1. The application is "called-in" by a Councillor (previously referred to as 'green card')
2. Planning Officer considers that the application should be considered by Board
3. The application is a departure from Policy and the Officer recommendation is to grant
4. The proposal involves the Council either as applicant or landowner
5. Applicant or agent is either a Councillor or a Council employee or the land belongs to a Councillor or Council employee

4.20 The Council has also operated a call in scheme which allows Parish Councils as well as Councillors to apply to have an application determined by Planning Committee rather than by officers under delegated powers.

4.21 It is considered appropriate to update the existing practices to ensure that they meet the expectations which are being placed on the Council as LPA. In addition Planning Committee meetings have recently relocated from the Councils own internal facilities to externally managed venues. The main venue is Abraham Darby School, which is accessed from 5pm and must be vacated by 9pm. Consequently there is a need to consider ways to provide efficient meetings which do not impact on cost, and that do not result in the deferral of applications.

4.22 It is considered that while approximately 93% of applications are determined under delegated powers the current arrangements still result in a number of applications, mainly submitted by the Council, being presented to board which are considered relatively non controversial and which could be more efficiently be dealt with by officers under delegated powers. It is recognised that any changes to the arrangements should not undermine the transparency of and public faith in the planning process, especially when the Council is the applicant and/or the owner or otherwise interested in the determination. However, the LPA needs to make adjustments to practices which are having an unnecessary impact on the length of the process, and implications on time for all those involved, from the applicant, the neighbours, the officer and the members. The proposed changes regarding the Council submissions would bring their consideration in line with applications of a similar scale and nature that are submitted by developers and currently are determined under delegated powers.

4.23 It is also recommended that for a more effective use of Member time that the scheme for public speaking is brought in line with the practices adopted by other LPAs with regard to 3 minute representations. The Chair would still have discretion to exceed the time limits when there are particular applications which require longer presentations. The Parish Charter Monitoring Group have consulted all the Parish/Town Councils on this proposed change and the findings are shown in **Appendix 5**. Of the 17 responses received 9 Councils preferred 3 minutes (including 1 Parish that still wanted 5 minutes to be available when requested) with 4 Councils requesting 5 minutes. A total of 4 Councils had no opinion. Given the support from the majority of the Parish Councils it is proposed that Planning Committee recommend to the Council (as the scheme for public speaking is a Full Council initiative) that the time for public speaking be set at 3 minutes. The existing Public Speaking Leaflet is included at **Appendix 4**.

4.24 In addition it is also proposed that all applications can be dealt with under delegated approval by the Service Delivery Manager: Development Management and/or Area Planning Officer unless:

- A proposal that involves the Council as either applicant or landowner (or has a financial interest) and the proposal is a Major application i.e. residential – 10 or more units /

development over 0.5 ha and non residential - creation of 1,000m² gross floor area/
development over 1ha excluding reserved matters applications

- If submitted by or on behalf of Assistant Director or above or an Elected member
- If formally requested by the relevant Ward Member or relevant Parish Council
- If a departure from policy and officers are recommending approval
- If a S106 relating to new financial contributions/ affordable housing provision
- The number and nature of representations from the public against officer recommendation is, in the opinion of the Service Delivery Manager: Development Management and/or Area Planning Officer, sufficient to require that the application should be determined by Board

4.25 **Site visits**

In addition to the amendments to the scheme of delegation it is also recognised that the deferral of applications for site visits can hold the process up for a further three weeks. Currently applications are reported to Planning Committee, and later deferred for a site visit. Where the more strategic applications are presented the Planning Committee date is normally scheduled and we have advised members of the need for a site visit three weeks prior to its presentation; however where the more smaller and sometimes more sensitive applications are presented to members, we have not scheduled a site visit in advance which frequently leads to site visits and applications being deferred until the following meeting. Delays and deferrals can be costly and upsetting to interested parties and applicants wishing to hear the debate and have the application determined. It is therefore recommended a Parish or Town Council should request a site visit, when they believe it to be necessary, as part its initial objection during the consultation process, this will enable the Planning Officer to advise the Chairman and Vice Chairman of Planning Committee to suggest that this takes place before the Planning Committee Meeting. With approval of the Chair site visits would then take place on the same evening as Planning Committee determination which means that the application is dealt with (having got all the information and the results of the visit) on the first visit to Planning Committee rather than deferring to the next meeting. This does not take away the ability to request a site visit on the night of Planning Committee and if Members then believe it would be advantageous the existing process of voting on a site visit will continue This will provide a more effective and efficient service, without unnecessarily wasting resources or causing undue concern to applicants or neighbours.

4.26 **Planning Committee 'Call Ins'**

The Council currently operates an adopted procedure known as "Green Carding" for requests by Ward Members and Parish Councils for applications to be considered by Planning Committee rather than by officers under delegated powers. Over a number of years the process has become informal, without some Members / Parish Councils always giving valid planning reasons for their request. Furthermore since the introduction of public speaking some Members / Parish Councils whilst having requested that applications have gone to Board have not taken up the ability to make verbal representations to Board. It is therefore recommended that this system is formalised and the name changed to create a 'Call In' procedure. With regards to the Call-In (green card) system once an application has been called in by a Councillor or Parish / Town Council, the application will be determined by Planning Committee providing there are planning reasons for the request. These planning reasons will be set out by the Member/Parish Council by completing the call-in request. Officers and the Chairman of Planning Committee will discuss each Call-In, check that the information provided is relevant and it will be included on the next available Planning Committee agenda once the application is in a position to be determined. If there is insufficient or irrelevant information, the planning team will discuss this with the Parish or Town Council to ensure that the information is complete so that the application can go forward to the Board. It is anticipated that this will ensure the delivery of an effective service reducing the unnecessary delay to some planning applications.

4.27 **Conclusion**

Taking account of both local and national priorities it is necessary for the planning service to be more effective, making quality decisions in a timely manner; this is evident from the Governments announcements to take direct action by considering certain schemes themselves. The Council must therefore determine applications within a timely manner, and the manner in which they are conducted must be appropriate, fair and proactive, in order to retain control of developments within the Borough in addition to the planning fees. It is therefore considered a number of changes must occur to ensure this quality delivery, in line with the department's new structure and priorities of the

Council the report has set out ways of achieving a streamlined service which meets the Cooperative Values of the Council.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

5.1 LEGAL COMMENT

The paragraph 4.24 changes to the arrangements for referral of applications to Planning Committee rather than having them determined by officers under delegated powers will require a change to the Table at Part 12 of the Constitution. This will be referred to the Council Constitution Committee in due course for approval. In the meantime, the changes can be implemented with immediate effect if approved. The suggested development of the “call-in” procedure and the proposals for early notification of site visits are local arrangements between Planning Committee and officers and can be implemented without reference elsewhere. As the Public Speaking Scheme was originally approved by full Council, any changes to it will also need to be approved by full Council.

6.1 FINANCE COMMENT

The risk to planning application fee income as a result of these legislative changes is considered to be low as the resource implications of the recommended changes to planning processes have been addressed through the restructure of the service and will be accommodated within existing budgets. Enhanced technical and administrative support has been resourced to facilitate determination of applications within the Planning Guarantee period of 26 weeks (paragraph 4.4),

7. PREVIOUS MINUTES

7.1 Meeting of the Environment & Development Policy Board on 4th December 1997

8. BACKGROUND PAPERS

Appendix 1	Plan for Area Teams
Appendix 2	Business Charter
Appendix 3	Proposed Development Management Guidance note
Appendix 4	Public Speaking Leaflet
Appendix 5	Parish Charter Monitoring Group survey results

Report prepared by David Fletcher, Service Delivery Manager Development Management.

Map of East and West Areas of Telford by Parish



Email: planning.west@telford.gov.uk

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West Area (by District/Village)	
Bratton	Arleston
Waters Upton	Doseley
Rodington	Crudgington
Eyton Upon the Weald Moors	Dawley
Wellington	High Ercall
Wrockwardine	Great Bolas
Little Wenlock	Aston
The Gorge	Allscott
Dawley	Longdon Upon Tern
Madeley	Roden
Lightmoor	Sugden
Shawburch	Rushmoor
Aqueduct	Elerdine Heath
Rodington	Walcot
Halesfield	Coalmoor
Malinslee	Horsehay
Admaston	

East Area (by District/Village)	
Lilleshall	Hadley
Chetwynd	Leegomery
Newport	Ketley
Chetwynd Aston	Oakengates
Woodcote	St Georges
Church Aston	Priorslee
Tibbeton	Lawley
Kynnersley	Overdale
Preston Upon the Weald Moors	Randlay
Donnington	Hollinswood
Wrockwardine Wood	Stirchley
Trench	Brookside
Snedshill	The Rock
Muxton	Horton Wood
Apley	Wombridge
Cherrington	Stafford Park
Town Centre	

Business & Development Charter

Invest in Telford... What we can do for you

‘One Stop Shop’ - Open for business

Through our Business & Planning First Point we offer a range of services tailored to suit your business needs. Whether you are thinking of starting up your own business, expanding your business or developing in the Borough, our team of experts in inward investment, property, regeneration, housing delivery, planning, building control, recruitment, funding, procurement, legal and marketing can help, support and advise you.

■ **Personal Service**

We will provide you with a dedicated point of contact to cover all your needs so as to ensure a seamless and quick response.

■ **Accessing Finance**

We will provide you with an in house bid writing and advisory service, as well as access to a range of funding streams, to help start up and develop your business.

■ **Business to Business**

We offer a regular programme of business events and introductions to networks, run by businesses for businesses to provide support, advice and networking opportunities to new and existing companies.



■ **Spend Local**

We will develop and host a database of business services covering all business in Telford which will be a free of charge facility to encourage local procurement.

■ **Development Planning**

We will maintain an up to date Development Plan that gives you certainty on development opportunities and supports investment and growth.

■ **Free and Timely Pre Planning Advice**

We will provide you with free planning advice as well as a free development viability appraisal prior to you submitting a formal planning application.

■ **Getting Your Application Validated and Registered Quickly**

We will check your planning application prior to submission and then validate it within three working days.

■ **Speeding up the Decision Making Process**

We will delegate the decision on as many planning applications as possible in order to speed up the decision making process.

■ **Cost Certainty Regarding Planning Obligations**

We will publish a clear, transparent and viable system of planning obligations and can provide S106 template to ensure we complete the S106 agreement within six weeks of planning approval.

■ **Relief on Indexation**

We will waive indexation on financial contributions in a S106 agreement if development commences within 12 months of the date of the agreement.

■ **Speeding up the Discharge of Conditions**

We will reduce the number of onerous planning conditions, especially pre commencement conditions which can undermine funding agreements.

■ **Support with Building Control**

We will actively encourage early engagement with our team of experienced building control officers and will offer 15% discount on Building Regulations where this is sought at the same time as planning.

■ **Responsive Property Service**

We will arrange property viewings within 24 hours of your initial enquiry and will, upon request and subject to other consents, get you into the property within 48 hours.

■ **Flexible Property Terms**

We will offer flexible lease terms to suit your business and property needs and adapt these in response to your expansion plan whilst being transparent at all times in the costs and charges due under a lease/licence.

Appendix 3 - Development Management Guidance Note - Planning Obligations

Responding to the economic downturn and creating the conditions for the continued growth and regeneration of the Borough is a top priority for the Authority. Planning has a key role to play in achieving these ambitions guiding development, creating attractive places to live, work and visit and enabling the provision of infrastructure to support growth. The Council is committed to providing the conditions for growth including ensuring the viability of development. For circa 5 years the Authority has successfully addressed investors concerns with the viability of delivery of sites through the use of viability appraisal. This has maintained the delivery of housing schemes in the Borough. Although this flexible approach has been in place for some time, given the continued economic downturn and reflecting the requirements of the National Planning Policy Framework (NPPF), the Authority is now formalising its approach to viability.

In addition the Council recognise the need to provide investors with as much cost certainty regarding planning obligations, at as an early stage as possible and to ensure negotiations with the Council are coordinated and decision-making is timely.

Telford & Wrekin Council is currently preparing a revised Local Plan – ‘Shaping Places’ that is anticipated to be adopted in early 2015. The introduction of a Community Infrastructure Levy remains under review. The Local Plan and any related CIL will recommend appropriate changes to policy in relation to planning obligations and affordable housing considering the viability of development. In the interim this ‘Guidance Note’ provides advice on planning obligations usually contained within a Section 106 Agreement. The guidance does not establish new planning policy. Adopted policy is set out in the Core Strategy, Central Telford Area Action Plan (CTAAP) and saved policies from the Wrekin Local Plan.

Affordable Housing

In line with adopted policy the following % of affordable housing will be sought:

- Telford – 38% or 20% for sites within CTAAP
- Newport – 35%
- Rural Area – 40%

Where viability is identified as a concern in achieving the Policy position, a viability statement will need to be provided. Information must be submitted using a standard template (Note A detailed below) and the Council will review and respond to appraisals within 10 working days.

While on-site provision remains the preference, for schemes in Telford of less than 50 units, where robust evidence through viability assessment indicates it acceptable, a commuted sum may be accepted in respect of all or part of the affordable housing requirement

Other Planning Obligations

Developers are encouraged at an early stage to access our schedule of rates and agreed formula which will be available on our web page and as part of pre application advice in order to assist with calculating anticipated obligations and to maximise cost certainty, they will cover:

- Drainage
- Open Space
- Recreation
- Education

In relation to Highways contributions these will be calculated on an open book basis. Sites within the CTAAP area will continue to have contributions determined by the adopted formula model.

Template S106 Agreements will be available on our website and through pre application discussions. Applications and the level of contributions will vary in scale, location, ground conditions and a range of other factors. All potential applicants and investors are encouraged to approach the Development Management Team at the earliest opportunity to seek free pre application advice. From pre application stage a dedicated Development Management Project Manager will be allocated who will lead on behalf of the Council in relation to all aspects of negotiation of S106 Agreements. The Project Manager will coordinate a team approach ensuring all relevant issues are addressed at the outset.

Note A - VIABILITY APPRAISAL SUMMARY - Residual Model

Site Name.....

1. REVENUE or SALES
Gross Development Value (GDV) of all units

2. TOTAL COSTS
 - 2.1 Acquisition Costs inc Land or Site value, Stamp Duty, legal fees, etc
 - 2.2 Construction costs including Contingency, Abnormals, S106, etc
 - 2.3 Professional Fees
 - 2.4 Marketing and Letting including Disposal Fees of legal & agents
 - 2.5 Finance Costs

3. PROFIT (GDV less TOTAL COSTS)
 - 3.1 Profit on Total Costs %
 - 3.2 Profit on GDV %

Appraisal Models available:

1. Commercial software such as Argus Developer Version

2. Planning Advisory Service guidance on Viability with suggested models
<http://www.pas.gov.uk/pas/core/page.do?pageld=575110>

3. HCA Development Appraisal Tool (free to download from HCA website)
<http://www.homesandcommunities.co.uk/ourwork/development-appraisal-tool>

Public Speaking at Plans Board



The Council is responsible for determining applications for planning permission. The majority of planning applications are dealt with under delegated powers by Officers and are not considered by the Plans Board. However, major, complex and contentious proposals will be determined by elected Councillors at Plans Board meetings. Public speaking applies only to applications which are heard at a public meeting of the Plans Board.

Public speaking at Plans Board meetings is not a legal requirement. The purpose of this scheme is to give the public, Parish Councils and applicants an opportunity to make their views known in person to the Plans Board. Letters of support or objection will also continue to be taken into account.

Plans Board meetings are normally held on Wednesdays. Venue details can be obtained from Democratic Services. Wherever possible, items on which the public wish to speak will normally be considered early on the agenda and, therefore, the order of business may differ from the published schedule. Any speaker not present when the application they are concerned with falls to be considered will lose the opportunity to speak.

If you wish to speak at the meeting you **must** register in advance in accordance with the procedure set out below.

Can I speak on any planning application?

Only on those which are due to be determined by the Plans Board.

How will I know when a particular application will be heard at Plans Board?

Development Management will be able to advise whether an application is likely to be considered by the Board and when. Registrations for public speaking are not accepted until the relevant Plans Board agenda has been published. Agendas are published five clear working days before the date of the meeting.

Who can speak at Plans Board Meetings?

- The person applying for planning permission (or his or her agent or other representative) is entitled to speak in support of their application.
- Any other member of the public (or his or her agent or other representative) is entitled to speak either in favour or against the application.*
- A representative of a Parish or Town Council is entitled to speak either in favour or against the application, providing that the property is situated within that Parish or Town Council area, or in certain circumstances when the property is in an adjoining Parish or Town Council area.
- Borough Ward Councillors, providing that the property is located within their ward, or in certain circumstances when the property is located in an adjoining Borough ward.. A Borough Councillor may also speak as a 'stand in' for the Ward Councillor.

An applicant in favour of the application can speak even though an objector does not and vice-versa.

* What if more than one person wishes to speak in each category?

In the event of more than one objector or one applicant/supporter wishing to speak either:

- Prior to the meeting, a spokesperson may be appointed on behalf of all those wishing to speak in the same category. This should normally be the first person who registered to speak but if an alternative is subsequently agreed, details must be provided to the Democratic Services Team before the day of the meeting. If the objectors or applicant/supporters cannot reach agreement about who will speak, then the person who registered first will be given the opportunity to speak.
- In some cases, for example when there are just two objectors wishing to speak, individuals may agree to share the allocated time.

Names and contact details of all those who register to speak will be publicly available from Democratic Services.

In the case of multi member Borough Wards, the Chairman may, at his discretion, allow more than one Borough Ward Member to speak.

How long is allowed for speaking?

A maximum of 5 minutes is allocated to each of the following categories of speaker:

- The authorised Parish or Town Council Representative for the area
- The Borough Ward Councillor (if not a member of Plans Board).
- Those wishing to speak in favour of the application
- Those wishing to speak opposing the application

These time limits will be strictly adhered to. In certain circumstances the Chairman may agree to extend these time limits in the interests of a balanced debate. Speakers will not be allowed to complete presentations if the allocated time limit expires.

What is the Procedure for speaking?

The Chairman will announce the application and speakers will then be invited to address the Board in the following order:

1. Parish/Town Council representative
2. Borough Ward Councillor
3. Objector (or agent/spokesperson on behalf of objectors)
4. Applicant or their agent/spokesperson

The Chairman will have the discretion to halt the Speaker should they begin to stray from the discussion of planning grounds or make inappropriate or offensive comments.

Speakers may read from prepared statements.

Once speakers have finished they will be asked to retake their seats in the public gallery and may take no further part in the meeting.

Following this, a Planning Officer will present the written report and respond to any questions raised by members of the Plans Board before the Board debates and makes a decision on the application.

What can I say?

Comments must be based on planning issues, for example: overlooking/loss of privacy, loss of light, adequacy of parking, highway safety and/or traffic generation, noise or disturbance resulting from use, layout and density, design, character and appearance, conservation, sustainability and planning policy. Issues such as boundary or property disputes, land ownership, restrictive covenants, property values, commercial competition and the developer's character or motives are not material planning considerations.

Speakers must not:

- Make statements of a personal or slanderous nature; or
- Be abusive; or
- Interrupt other Speakers or the debate of the Plans Board.

Can I provide additional information to present at the meeting?

Additional material, such as plans or photographs cannot be handed out at the meeting but must be provided to the Democratic Services Team at least 48 hours before the meeting.

What happens if an application is deferred?

If the Plans Board Members decide to defer the application (either before or after hearing the speakers) there will be a further public speaking session at the meeting to which the application is brought back for consideration but the registration requirements will still apply and the onus is on speakers to re-register.

What happens if an application is withdrawn prior to being heard?

Applications are seldom withdrawn, however, if the application is withdrawn before being presented at the meeting, those who have already expressed a wish to speak will be notified before the meeting, providing that sufficient time has been given for Officers to notify those involved of the withdrawal.

Where can I get further information or advice?

Public Speaking & Meeting Procedure Queries:
Democratic Services
☎ 01952 383215 ✉ publicspeaking@telford.gov.uk

Planning Application Queries:
Development Management
☎ 01952 380380 ✉ planning.control@telford.gov.uk

How do I arrange to speak at the Plans Board?

Borough Councillors, objectors, applicants/supporters must register to speak as below. Parish or Town Council representatives will be entitled to speak subject to the Clerk of their Council notifying Democratic Services in writing or by email of the nominated speaker(s) and the application(s) they will be speaking on in accordance with the process below.

Please contact the Democratic Services team by **no later than 5pm, two working days before the meeting** using one of the following methods:

✉ publicspeaking@telford.gov.uk
☎ 01952 383215
✉ Democratic Services
Telford & Wrekin Council
Addenbrooke House
Ironmasters Way
Telford
TF3 4NT

As part of the registration process, individuals should disclose whether they wish to speak for or against an application and in which category. In addition, email or telephone contact details must be provided.

Names and contact details of all those who register to speak will be publicly available from Democratic Services.

**CONSULTATION PARISH CHARTER MONITORING GROUP
REGARDING REDUCTION FROM 5MINS TO 3 MINS FOR SPEAKERS AT PLANNING
COMMITTEE**

Church Aston	
Chetwynd Aston & Woodcote	5 minutes
Chetwynd	3 minutes
Dawley Hamlets	No opinion
Edgmond	3 minutes
Ercall Magna	
Eyton Parish Meeting	
Great Dawley	
Hadley & Leegomery	3 minutes
Hollinswood & Randlay	3 minutes
Ketley	5 minutes
Kynnersley	
Lawley & Overdale	5 minutes plus other comments
Lilleshall & Donnington	15 th July
Little Wenlock	
Madeley	
Newport	No opinion as yet
Oakengates	
Preston on the Wealdmoors Parish Meeting	3 minutes, as long as 5 available when requested
Rodington	5 minutes
St Georges & Priorslee	3 minutes
Stirchley & Brookside	
The Gorge	3 minutes
Tibberton & Cherrington	No opinion
Waters Upton	3 minutes
Wellington	3 minutes
Wrockwardine	No opinion
Wrockwardine Wood & Trench	