

Meeting: Council

Date: Wednesday 21 July 2010

Subject: Delivering planning services in the South Downs National Park

Report of: Councillor Wallis on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 14 July 2010 as set out below.

Further copies of the report to Cabinet are available on request – please see end of this report. Copies may be seen on the Council’s website at:

<http://www.eastbourne.gov.uk/council/meetings/cabinet/>

The Council is recommended to:-

(1) Support the delegation of planning application decisions from the South Downs National Park Authority back to the Borough Council from the 1st April 2011.

(2) Give authority for the constitution to be amended with appropriate provisions to allow the Council through its Planning Committee and officer delegation scheme to make decisions on behalf of the South Downs National Park Authority.

**Minute Extract
CABINET 14 July 2010**

***29 Delivering planning services in the South Downs National Park**

- 29.1 Cabinet considered the report of the Senior Head of Development and Environment. The South Downs National Park Authority (SDNPA) came into being on the 31 March 2010 and was operating as a “shadow” authority for one year with its full powers being adopted on 1 April 2011. Approval was sought for the Council to continue to partner the SDNPA in setting up their planning function for the receipt, administration and professional consideration of planning applications that fell within the boundaries of the park. After 1 April 2011 the Council would no longer be the planning authority for applications in the park.
- 29.2 The park authority had considered the options of creating their own in-house planning service or delegating the function to the district and borough councils in the park area. Given that the vast majority of these

applications would not have any major implications on the character, form and function of the park they had decided to seek a scheme of delegation whereby local authorities would determine the planning applications for and on behalf of the authority. Appendix 1 set out the proposed funding arrangements.

29.3 An outline of the proposed delegation arrangements were as set out below:

Scheme of delegation	Preferred approach
SDNPA to determine significant applications All non significant applications will be delegated to local authorities	Use major/minor definition in the legislation identify in broad terms which applications will be retained by the SDNPA. They will retain control over 'significant' minor applications and also that a liaison link officer from the SDNPA will shadow and support the planning officers within the local authorities
Local plan policies	Local authority plans to be used for determining applications until the SDNPA have fully adopted their development plan
Pre-application discussions	Held by local authority or SDNPA depending on level of decision
EIA screening	Local authority role
Validation of application	Local authority role
Online posting	Local authority & SDNPA role
Consultation on application	Local authority role using minimum standards to be agreed by SDNPA
Processing of applications (professional assessment)	Local authority & SDNPA role depending on determination level
S106 agreements	Local authority & SDNPA role depending on determination level
Officer report	Local authority & SDNPA role depending on determination level
Appeals	Local authority & SDNPA role depending on determination level
Compliance (enforcement)	Local authority to take the lead SDNPA providing overview and consistency
Decision making	Appropriate branding of decisions and documents. Local authority committee profile and function yet to be established. "Cooling-off" period to be agreed where local authority overturns officer recommendation (used in exceptional circumstances).

*29.4 **Resolved (key decision):** (1) That full Council be recommended to support the delegation of planning application decisions from the South Downs National Park Authority back to the Borough Council from the 1st April 2011.

(2) That full Council give authority for the constitution to be amended with appropriate provisions to allow the Council through its Planning Committee and officer delegation scheme to make decisions on behalf of the South Downs National Park Authority.

For a copy of the report please contact Local Democracy at the Town Hall, Eastbourne, BN21 4UG. Tel. (01323) 415022 or 415023.
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