

FAREHAM

BOROUGH COUNCIL

Report to Planning Committee

Date **25 January 2016**

Report of: **Director of Planning and Regulation**

Subject: **CHANGES TO THE SCHEME OF DELEGATION TO OFFICERS IN
RESPECT OF TELECOMMUNICATION MASTS**

SUMMARY

Under the current scheme of delegation to Officers, all applications for new masts (including those submitted under General Permitted Development Orders) need to be determined by the Planning Committee whether they are to be approved or refused, and irrespective of whether any representations have been received or not.

Officers consider it would be appropriate to apply the same criteria to masts as all other applications, in determining when they should be considered by the Planning Committee.

RECOMMENDATION

That the Planning Committee delegate authority to officers to determine planning applications and prior approval applications, including those relating to telecommunications masts as set out in Paragraphs 6 and 7 of the report, to make the approach consistent with other application types dealt with by this Council and to authorise the Council's Monitoring Officer to reflect this amended change in the Constitution (Scheme of delegation to Officers) accordingly.

INTRODUCTION

1. At four of the last five Planning Committee meetings, applications have been considered relating to the erection of telecommunication masts. On each occasion no representations had been received and no deputations were made. Officers believe it is appropriate for Members of the Planning Committee to consider whether the criteria for mast applications coming before the Planning Committee should be consistent with other types of applications

COMMENTS

2. At their meeting on the 28th January, 2015, Members of the Planning Committee recommended a number of changes to the Scheme of Delegation to Officers and the Planning Committee Deputation Scheme. These changes were considered by the Audit and Governance Committee on the 9th February, before being approved by Council on the 20th February 2015.
3. The changes to the Scheme of Delegation mean that applications are normally reported to the Planning Committee only where either:
 - a) More than 5 representations are received from different households raising material planning issues contrary to the recommendation of Officers;
 - b) More than 5 representations are received and some are in support and some raise objection;
 - c) The application has been submitted by or on behalf of a Member or an Officer of the Council or their respective spouses, partners or close relative;
 - d) The application is called in for determination by any Member of the Council.
4. In the case of masts, the current Scheme of Delegation to Officers at paragraph 2.9 states that Officers have:

‘Authority to determine applications, power to make determinations and the granting or refusal of prior approval under the General Permitted Development Order 1995, except in the case of applications for new masts under Part 24 of the Order.’
5. The effect of this current Delegation is that all mast applications must be reported to the Planning Committee for decision.
6. If Members of the Planning Committee are happy to make the criteria for reporting mast applications to the Planning Committee consistent with other application types, Officers believe that a new delegation replacing the existing paragraph 2.9 of the Scheme of Delegation to Officers should be granted as follows:

‘Authority to determine applications, power to make determinations and the granting or refusal of prior approval under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order.’
7. The Monitoring Officer can be authorised to reflect the new delegation granted by the Planning Committee in the Scheme of Delegation to Officer and its inclusion will become permanent at the next Constitutional update. The change proposed at

paragraphs 6 and 7 above will mean that mast applications will normally only be reported to the Planning Committee when any of the circumstances set out at paragraph 3 apply.

RISK ASSESSMENT

8. If the recommended changes are not supported applicants will have to wait longer to get decisions on mast proposals.
9. Development Management Officers will continue to invest time and resources on producing reports for the Planning Committee on mast proposals, many of which the Planning Committee does not wish to discuss.

CONCLUSION

10. That the delegation to officers to determine planning applications and consequential updates to the Officers Scheme of Delegation set out within paragraphs 6 and 7 of this report be agreed by the Planning Committee to take immediate effect.

Enquiries:

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