



# WNDC Board Report

## Report by Director of Planning Services

Paper Reference: 2010-06-07-02

Agenda Item: 7

21 September 2010

**Subject:** Arrangements for the transition of planning powers to the local planning authorities pursuant to the quinquennial review of the WNDC.

**Advice:**

That the Board:

1. Note the report, and
2. Agree to the amendments to The West Northamptonshire Development Corporation (Planning Functions) Order 2006 as set out in the second column of the schedule attached in Appendix A for the purposes of advising CLG for consideration in their formulation of the revised Order.

## **1. Outcome of the quinquennial review of the WNDC**

- 1.1 The outcome of the review was published by CLG in January of this year. In relation to planning responsibilities it recognised that WNDC 'has had a significant role in making planning decisions in West Northamptonshire' but that the time was 'now right to start to return these to local planning authorities'. It recognised that this needs to be done in a 'proper and managed process'. It identified the first stage as raising the threshold for residential applications handled by WNDC from 50 homes to 200; to return other applications in the Northampton Central Planning Area to Northampton Borough Council and return waste and minerals applications to Northampton County Council. The effective date for this transfer of powers was stated as April 2011.
- 1.2 The programme moving forward is that Northamptonshire County Council (NCC), Northampton Borough Council (NBC), Daventry District Council (DDC) and South Northamptonshire District Council (SNDC) are all looking to take reports of this nature to their respective Cabinets/Committees in September/October. CLG will then be advised of the position of each authority and that of the Corporation. This position will then inform the progression the revision of the Order which will include the laying of the revised document before Parliament which CLG is looking to do in January 2011 with a view to it taking effect on April 6<sup>th</sup> 2011.

## **2. Partnership working**

- 2.1 Discussions have been ongoing primarily with NBC who have been acting as spokesperson on behalf of DDC, SNC and NCC. The outcome of these discussions has resulted in an agreed position which is set out in the schedule in Appendix A although DDC officers have yet to finally confirm their agreement to the amendments.
- 2.2 The schedule focuses on the changes to the thresholds which set out the type of development WNDC will continue to determine after the effective date of the amended Order.

2.3 The changes arguably go beyond what was envisaged by the stated outcome of the review. The opportunity has been taken to simplify and make it clear as to the types of development WNDP will continue to determine and at the same time seeking to ensure it retains control over more strategic development.

2.4 The key changes that would result from the proposed revisions are:

- The planning functions unique to the Northampton Central Area are removed. The revised thresholds will be applicable across the whole of NBC as well as SNC and DDC.
- Increase the threshold of the number of dwellinghouses from 50 to 200 to be dealt with by WNDP as set in the Review. This will result in all live and determined applications for 199 dwellinghouses or less being returned to the LPAs on the 6<sup>th</sup> April (to be confirmed). WNDP will then determine all applications and associated submissions of 200 dwellinghouses and above after this date. There are also associated revisions to the Order to reflect this increase in the threshold (e.g. development which is likely to result in the net loss of more than 200 dwellinghouses)
- Rationalisation and simplification of the thresholds for commercial development as a number of them say the same thing and also by making the floor area threshold consistent at 2,500 sqm (currently there are two thresholds for different types of development),
- Revision of other criteria/thresholds such as the building height threshold of 15m or more and the car parking threshold of 50 spaces or more, to exclude non-strategic development (i.e. commercial development below 2,500 sqm and residential development below 200 dwellinghouses)
- The removal of all matters relating to waste disposal and minerals and their return to NCC.

### 3. Resources and Risks

3.1 This is anticipated to reduce the number of applications received per annum by the Corporation. The Corporation will in going forward post April 2011 determine large scale and strategic applications only. There are a number of such applications

currently under consideration and these will be progressed to agreed project programmes. Pre-application discussions are also ongoing on a number of major development proposals which it is anticipated will form the basis of planning applications over the next 6 to 12 months.

- 3.2 Following a restructuring exercise we now have a fit for purpose development management service. This has left a structure of 12 staff made up of 8 planning professionals and 4 technical and support officers. This resourcing would not take account of any planning appeals that could be pursued against any refusals of planning permission or the non determination of an application. Such appeals are resource intensive in manpower terms and very costly. The risk is being carefully managed and monitored at all times.

#### **4. Consultation with CLG**

- 4.1 CLG have also had sight of the appended schedule and offered general agreement to the principles behind the proposed amendments but have indicated they make further changes in drafting the final revised Order

#### **5. Appendices**

**Appendix A:** The West Northamptonshire Development Corporation (Planning Functions) Order 2006 – Proposed amendments to the Planning Functions of the Development Corporation pursuant to the outcome of the quinquennial review.