East Suffolk Planning Survey

INITIAL REPORT

Background

- Through the East Suffolk Local Forums, SALC became aware that there was:
  - A significant level of dissatisfaction among both Towns & Parishes with the way in which East Suffolk District Council planning processes operated
  - A potential "disconnect" between the experience of Parishes and Towns in East Suffolk with those in West & Mid Suffolk (in particular the experience in West Suffolk appeared anecdotally much more positive)

- A group of Parishes in East Suffolk created a survey to gauge the level of dissatisfaction, but it was felt that this did not have a wide enough evidence base to able to engage with ESDC in a constructive way

- SALC therefore co-ordinated the creation and distribution of a wider survey to all Towns, Parishes and Parish Meetings
  - SALC's role was purely one of co-ordination; no opinions in this Survey were submitted by SALC and none of the content of this presentation should be taken to represent the views of SALC itself

Methodology

- A working party from the East Suffolk Joint Forum was created consisting of representatives of eight different Parishes/Towns + two members of the SALC board (CEO & Chair)

- The ESDC planning process was split into 10 sequential process steps for the purposes of survey, and based on a cluster analysis of examples raised at area forums, seven themes emerged: communication, transparency, consistency, accuracy, timing, in line with policy and in line with good practice,

- A 38 question "Survey Monkey" survey was sent to all Towns, Parishes and Parish Meetings in East Suffolk, asking about their experience with each of the 10 process steps

- 8 Towns, 46 Parishes and 5 Parish Meetings responded (after removal of duplicates, blank responses, etc), which equates to a circa. 40% response rate
  - The survey was designed to draw out issues arising at each process step by testing them against the seven themes.

- Percentages shown in the analysis represent the % of respondents to that particular process step stating they have issues related to one or more of the criteria above

- No questions were compulsory, meaning that some questions elicited much greater response levels than others

- Analysis of the responses was done by the working party

- This current presentation represents a draft of final conclusions and proposed next steps

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EXECUTIVE SUMMARY

Executive Summary

- The response rate for the survey was impressive - 8 Towns, 46 Parishes and 5 Parish Meetings submitted their impressions of how the process was working for them

- A large evidence base was received for the views of the councils who were reporting issues (both free as text comments and some specific planning cases)

- Issues - there are three clear themes that run throughout the responses where significant improvements might be made:
  - Communication
  - Transparency
  - Consistency

- There are some positives for the ESDC planning team in the findings:
  - Accuracy of working and being in line with policy never appeared in the top three issues on any topic
  - Timing and being in line with perceived good practice only cropped up in the top three issues twice during the survey
  - The three themes that are an obvious concern (Communication, Transparency & Consistency) are all ones that could be significantly improved relatively easily

- The survey evidences a wide variation in knowledge between Councils with significant mis-understandings of the process in some – this would point to the need/desirability for training materials & support to be available

- Consistency issues indicated by the survey relate to consistency between Planning Officers, not the consistency of particular individuals; this suggests that work on establishing common ways of working between Planning Officers should be very beneficial

- With goodwill, it should be relatively easy to agree a way forward with ESDC to significantly improve the perceptions of the planning process among many Councils

Next Steps

- Forward the finalised report to interested parties at ESDC

- Approach ESDC with a view to discussing the issues arising

- Try to find common ground on how to improve the areas where issues clearly exist

- Think about training materials and who/how to both engage with Councils on this and how best to present the training materials

East Suffolk Planning Survey

FINDINGS

Process Step 1 – Pre-application advice

- Communication is by far the biggest issue raised (86%) with this process step, followed by transparency (49%) then consistency (31%)

- Most Councils have experienced the pre-application process. There is a strange split over whether pre-application advice is being shared. Most Councils do not know if pre-application advice has been given to an applicant. Most Councils think that pre-application advice is not made publicly available

- The survey reveals a lack of understanding; ESDC input required on defined process as comparator

- Sample free text comments:

"It appears that communication from the Planning Officers seems to be biased towards the applicant, with important developments/changes often not communicated to the PC. A small PC like ours does not have the resources to constantly check the portal or try and contact the relevant officer. Publication of material on the portal is often published with a delay that affects efficient workings of the PC"

"We are aware of how we can determine when Pre-Application Advice has been given but it is not always available to us to see. There have also been occasions when advice has been 'edited' by the applicant, to make it look more in their favour"

Process Step 2 – Validation

- Communication is by far the biggest issue raised (73%) with this process step, followed by consistency (43%) then transparency (37%)

- Most Councils believe there is a validation document, but have never seen one

- Sample free text comments:

"If we try to correct errors, our responses are usually ignored. Sometimes they're contested by the applicant"

"We recently found that an application was filed though legally it should not have been accepted, as certain - legally relevant - detail was missing. We are puzzled why this is the case and it leaves a huge question mark re the efficiency and the - supposedly- unbiased approach of officers/department. Querying such events do not seem to get an appropriate response"

Process Step 3 – Uploads

▪ Communication is by far the biggest issue raised (68%) with this process step, followed by consistency (64%) then transparency (55%)

▪ The survey shows this stage of the process to be working well for most councils, other than not being aware of the criteria that the District Council uses to select people and bodies who receive notice of an application, so a small piece of education would resolve this

▪ The backlog of time to upload inputs is a major concern for a number of Councils, due to deadlines for responses

▪ Sample free text comments:

"The loading of comments has become sporadic recently and as a Clerk I have to double check our comments have been posted. We have seen occasions where documents have been posted and then removed"

"We have to check to see if our response is posted on the portal as sometimes it is not. Sometimes documents are posted and then removed and sometimes the wrong document is posted on to the portal. A timetable is usually set but this can be deceiving as the public notice is usually not published until the following weeks so perhaps the timetable should not be published until the notice is up?"

Process Step 4 – Site Visits

- Communication (78%) followed by transparency (64%) are the two large issues and the survey evidences that this is all around knowing when a case officer will visit and the chance to be there

- While the posting of notices etc seems to work well, a large majority of Councils do not know when case officer will visit and are not given the opportunity to attend

- Potentially also important for other stakeholders (e.g. neighbours)

- Sample free text comments:

"Some notices are posted very late"

"we are not made aware of such visits"

"ESDC do not involve local Councils in site visits, and do not always post notices"

Process Step 5 – Route for determination

- Communication (77%) and transparency (73%) are the largest issues, followed by timing (53%) and consistency (53%)

- The survey shows this is a pivotal point in the process, with the majority of Councils having no insight into the opinions of the case officer or having any interaction with the officer as the application comes towards decision.

- Timing for amendments to plans is evidenced by the survey to be an issue

- The survey reveals inconsistency between planners and Councils, the latter feel "unwelcomed" in the process from here on – it would help a lot if Councils were at least made aware of how the planners are minded

- Sample free text comments:

"Where a proposal is controversial or receives many objections we often find it goes in to a dormant state and then, all of a sudden, new plans are posted and a decision is made. This means you have to watch all major applications at least once a week for new plans and documents"

"It appears that we often have to chase rather than being pro-actively informed by officers. We are certainly not informed re changes in time frame. If comments are made, most often we do not receive a comment back from officers/department"

Process Step 6 – Recommended Route

- Communication (76%) and transparency (80%) are by far the largest issues

- Councils don't know when a "minded to" report will be prepared

- Councils should be able to have an agreed timeline for most applications

- Sample free text comments:

"We only hear about cases that have gone to the Referral Panel and been refused permission to go on to the Committee, once this has happened. We feel we should be consulted at this stage and given a chance to speak to the Referral Panel"

"The Parish Council is not privy to the route proposed by the case officer and we are not aware of how we may find out, short of contacting the case officer every week for every planning application which would be counter productive"

Process Step 7 – Review

- Communication (79%) and transparency (63%) are the two stand-out issues with this stage of the process

- The survey reveals the review process is largely opaque to Councils and the majority said they are not pro-actively informed if an application is going to committee

- Sample free text comments:

"If the officer is minded to go against the wishes of the PC it would be nice to be told"

"The Planning process is a public process except for the work of the Planning Panel, which is held in private; who they are and how they reach a decision on whether to refer or not is a mystery"

"District Councillors' power: Very little. Planning Officers are in control as they control the interpretation of planning law"

Process Step 8 – Planning Committee

- Communication (84%) and transparency (64%) are the two stand-out issues with this stage of the process

- In general Councils seem content with the working of the Planning Committee itself, it is the process by which applications do, (or most often do not), get there that is the source of frustration

- Sample free text comments:

"When a proposal is decided at Committee I feel the process is very good. It is open, transparent, and usually people who wish to speak are permitted to. The Chair keeps good order"

"There is no consistency in applications that get to go to Committee"

"We know little of the planning authority's internal decision making"

"Planning is not a democratic process as it is controlled by a few appointed planning officers. Many decisions are delegated. This is the general situation so most questions are irrelevant as the questions assume we are dealing with a democratic process. Where local influence is acknowledged developers can use the ministerial route to reverse local decisions"

"Despite raising a number of material concerns in my 13 page submission to the Planning Committee there was little evidence that most of them had read it and I was unable to voice all of these issues in the 3 minutes I was allocated to speak at the planning meeting. I was not permitted to ask any direct questions or otherwise raise material issues at the meeting"

Process Step 9 – Decision

- Communication (72%) is the biggest single issue identified, followed by transparency (56%) then consistency (44%)

- It is unclear whose responsibility it is to inform Councils of outcomes; Councils feel the process is largely "find out for yourself"

- While Councils view that decisions are uploaded in a timely fashion, pro-active communication of them to Councils is evidenced to be lacking, along with any amends made

- The survey reveals there is frustration around knowing what process was used to arrive at a decision (i.e. delegation, referral, committee) and this could (presumably) be easily advised to Councils

- 2:1 those that have an approved NDP believe they are taken into account, but only 25% of respondents have one

- *Sample free text comments:*

"We are in the process of developing our NDP. However, we have seen a number of occasions where decisions have gone against existing NDPs and more recently where decisions have been in line with NDPs"

"The planning officers interpret Neighbourhood plans as they think fit"

Process Step 10 – Community Involvement

- Communication (75%) is the biggest single issue identified, followed by transparency (50%) then consistency (50%)

- The survey evidences the appeals process is largely opaque to Councils

- Sample free text comments:

"Regularly frustrated, as serious concerns seem often not to be taken into consideration. That seem to apply especially to larger projects"

"Communication a problem with scarce staff and timescale for dealing with applications, but the more informed we are the more transparent the process"

"Unpaid, lay members of the Council are expected to read and understand large documents of specialised technical data. In the absence of assurances from 'experts' (the Planning Officers?) that they have validated or challenged data as put forward we have no choice but to take up the gauntlet if we are to properly represent and support our residents"

"Breach of conditions; It is my opinion that ESC has neither the appetite nor resources to carry out effective enforcement"