Facilitating Major Developments : The One Stop Approach To Development Consents

Purpose of Report:
To advise Committee of proposals to introduce a range of measures designed to improve the processes by which applications for planning, building warrants and road construction consents for major development are processed within the Council through introducing a ‘one stop shop’ and ‘streamlined’ approach for managing the statutory consents processes involved.

Recommendations:
It is recommended that the Committee:
1. notes that the reorganisation of Council services provides the basis for a more co-ordinated approach to managing the statutory consents process for new development within the city;
2. approves the proposals for the development of a ‘one stop shop’ approach to all of the consents needed for major developments; and
3. approves the actions proposed in the report to facilitate the statutory processes for major developments which are likely to bring significant economic and social benefits to the city.

Ward No(s):            X
Local member(s) advised:   Yes
Consulted:   Yes

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1. **INTRODUCTION**

1.1 Members will be aware that following the recent service restructuring DRS is now assuming responsibility for managing all of the Council’s statutory planning consent, building warrant, and the ‘customer end’ of the traffic regulation order functions. The way in which the Council manages these statutory ‘development’ related responsibilities is crucial to the future physical, economic and social development of the city, and it is vital therefore that an effective management system to facilitate key regeneration and development projects is in place.

1.2 This has already been recognised by the establishment of DRS as the ‘lead’ department for planning and development. The reorganisations within the Council over the last few years, and in particular the reorganisation currently underway, are intended to ensure that the service is ‘fit for purpose’ in meeting the statutory performance targets established by the Scottish Executive, the internal targets agreed within the Council, the needs of the development industry, and the interests of community groups.

1.3 This applies in particular to development management. While performance has improved considerably over recent years, there is scope for further improvement within the DRS ‘continuous improvement’ culture. This report proposes that the Council introduces revised arrangements which will ensure that Planning Applications, Building Warrants and Road Construction Consent applications for major developments which are of particular significance to the city and are in line with city plan policy are given priority, and that where possible these can be “streamlined” through the regulatory system without, of course compromising the quality of the decisions which are made. The overall aim is to ensure that the ‘users’ of the statutory services have confidence in its ability to deliver well justified decisions in as little a time as possible.

2. **BACKGROUND**

2.1 Members will be aware that the Council operates within a set of statutory performance indicators determined by the Scottish Executive. The rate at which planning applications are processed within the Council has increased year on year for the last 3 years. Against a background of reduced staffing levels, an annual increase in the number of planning applications submitted, an increase in the scale and complexity of many major applications, and departmental reorganisation, DRS has managed to secure a 24% increase in the number of planning applications approved within the statutory indicator period between 2004/05 and 2006/07.

2.2 Over the past two years, Glasgow City Council’s performance in dealing with planning applications has improved significantly. For example in 2006/07:

- 69% of all applications were dealt with within two months (against a target of 65%), and 77% within three months;
- for householder applications, 93% were processed within two months (against a target of 85%), exceeding the statutory performance indicator of 90%; and
- for non householder applications, 54% were processed within two months (against a target of 50%).

2.3 Glasgow’s performance in processing development applications, when compared to other authorities, is recognised as good and improving. The Council is now above the national target for processing householder applications and is now amongst the best performing Councils in Scotland, exceeding the internal targets agreed by the Council.
3. DEVELOPMENT MANAGEMENT IN DRS

3.1 DRS has reconfigured its services to ensure that it has the best chance of meeting its statutory performance indicator obligations. The current structure consists of:

   a) a “delegated” team which deals with the majority of non householder applications. In general, these are more straightforward projects which do not lead to objections being submitted, and which can therefore be approved under delegated authority;
   b) two integrated planning teams covering the ‘City Centre / River corridor’ and “neighbourhoods”, which provide an integrated planning service embracing development management and development planning;
   c) specialist services which provide advice on the range of issues which have to be taken account of in determining planning applications (and particularly major or complex applications). These include the West of Scotland Archaeology Service, heritage (listed buildings and conservation issues), land use policy issues (for applications which are contrary to the development plan), and design services etc.

3.2 Other services within the Council which have been involved in Development Management, have included EPS (Building Control functions) and Land Services (Roads Construction Consents. The transfer of the significant element of these functions to DRS provides the basis for a one-stop approach to securing development consents for all aspects of major development projects.

3.3 In addition, the Scottish Executive and government agencies often require to be consulted (see below) as ‘statutory consultees’.

4. DEVELOPMENT MANAGEMENT ISSUES

4.1 In processing major applications, it is important to recognise there are a number of factors which have a bearing on processing time:

   • consultations are required not just within the City Council but, depending on the proposal, with a potentially wide range of organisations. These comprise, for example, Transport Scotland, Scottish Natural Heritage, Scottish Environmental Protection Agency, Sport Scotland, Architecture and Design Scotland, SPT, Network Rail, Health and Safety Executive and Historic Scotland, etc. In broad terms, the larger the development the more extensive the consultations required are likely to be. Securing prompt responses from these organisations is outwith the control of the Council.

   • some applications require to be referred to the Scottish Executive. These include proposals in which the local authority has a financial or land interest, those which involve a significant departure from the development plan and, occasionally, those which have attracted substantial objections. Again, securing prompt responses is outwith the control of the Council.

   • proposals involving listed buildings require to be referred to Historic Scotland once they have been determined by the City Council. This currently applies to 19% of all major applications processed by the City Council;

   • many applications are submitted with incomplete information. At present, 33% of all applications submitted to the City Council cannot be validated due to missing information or drawings;

   • the provisions of the recently introduced Planning Etc (Scotland) Act 2006 require more extensive public consultation and involvement in major applications.
4.2 The processing of planning applications requires to be undertaken timeously. However it is vital that the correct decision is arrived at, and that all appropriate factors relating to a proposal are properly assessed, if the Council is not to leave itself open to potential legal challenge. Balancing conflicting demands between, for example, developer/local communities, and between economic/environmental objectives is often far from straightforward. Moreover the current ‘target’ of processing applications within two months is not always helpful, and has recognised weaknesses in the context of an urban setting where the issues to be considered are generally more complex.

4.3 The Scottish Executive is considering introducing ‘processing agreements’, whereby the developer and local authority would agree a time limit within which a major proposal would be determined. Furthermore, in England and Wales, the Government is considering changing the target structure for planning applications to reflect the quality of decision, rather than the time it is made in.

5. IMPROVING THE PROCESSING OF MAJOR APPLICATIONS

5.1 The Planning Etc (Scotland) Act 2006 outlines the most significant modernisation of the planning system for 60 years. In terms of development management, it introduces a new hierarchy of decision making which prioritises consideration of more complex planning applications. It is intended, amongst other things, to improve the efficiency of the planning system by:

- increasing the range of “permitted development” which will remove the need for a range of developments to apply for planning consent;
- requiring earlier engagement with local communities on major applications;
- increasing the certainty for the promoters of major planning developments by allowing for authorities to enter into agreements with developers guaranteeing the period in which their applications will be considered;
- increasing transparency in decision making.

5.2 To improve the planning service and, in particular, the processing of major applications in Glasgow, it is intended to implement a 10 point improvement plan, as follows:

- identify and prioritise applications which are of particular economic significance through amended administrative procedures within DRS which ensure the relevant staff are allocated major development applications to process, and that the other sections which require to contribute to an application are ‘teed up’ for a quick response. An internal management group will be established to track progress. Developers will be notified on the ‘lead’ officer as soon as an application is validated.

- create a ‘one stop shop’ approach for all consents related to development. DRS is now responsible for planning, and building control. Under the new Council structure, responsibility for transport policy and planning will switch to DRS along with the associated staff delivering these functions. This will allow DRS to act as the first point of customer contact for road construction consents and certain other transport consents. The Director of Land Services will resource the necessary transport inputs from his area based structure to service the one stop shop approach. DRS will act as the sole point of contact for internal consultations within the Council and manage comments, for example, in relation to environmental health issues and planning proposals. For the development industry DRS will become the clear ‘single’ source of the major consents required for major developments;
- enter into processing agreements. The Council will introduce processing agreements in line with the Scottish Executive’s planning reform proposals. The Council already does this on an informal basis and planning applications for a number of major developments have already been determined within timescales agreed with developers. In consultation with the Scottish Executive, the Council will however seek to formalize this by being a pilot authority for the introduction of processing agreements. In the first instance, the Council will seek to enter into processing agreements in respect of the following 10 major developments, which cover a representative sample of major applications (current or anticipated):

- Phase 6 of the Anderston Centre redevelopment  (Taylor Woodrow)
- Standburn Road  (Wimpey)
- Collegelands development  (Dawn Developments)
- Atlantic Quay  (Dandara)
- Ruchill Hospital  (TBC)
- Cambuslang site 1 (Weirs Pumps).  (Clyde Blowers)
- Scottish Media Group site  (Ediston/IVG Atticus)
- Argyle International Tower and Apartments  (PPC Ltd)
- IFSD Development Programme  (Gladedale/others TBC)
- SECC Office, Hotel and Car Park  (McDonald Estates)

As part of processing agreements, the Council will work with the ‘statutory consultees’ to agree a robust code of ‘response times’ for major applications;

- encourage pre-application discussions. These are held in high regard by developers and their agents. Many authorities do not provide this service and, in England and Wales, there is frequently a charge for it. The City Council will continue to pro-actively promote the pre-application service. It will ensure appropriate planning inputs are provided as early as possible while projects are at the developmental or formative stage, and that the necessary input from other services is drawn on as required. As part of this process, developers will, where possible, be given a ‘guarantee’ of the amount of time it will take for their proposal to be processed;

- pursue e-planning. Arrangements for this are at an advanced stage and will enable developers and their agents to submit proposals online, and facilitate consultations being undertaken electronically. The Council’s Development Management system is scheduled to go online this summer. The use of the City Model for city centre applications will be encouraged to facilitate consideration of design issues.

- improve the quality of applications. Work with the Scottish Executive and the development industry to improve the completeness of proposals submitted to the Council. Incomplete applications from agents currently not only slow down the proposal which is the subject of the application, but also divert resources from other proposals;

- establish a cross discipline ‘major applications review group’ in DRS to ensure effective progress chasing of major applications;
• **set the context for development.** The Council will keep the statutory planning framework used to assess development proposals up to date. This involves reviewing and updating the Glasgow and Clyde Valley Joint Structure Plan through the joint Structure Plan Committee and preparing City Plan 2 currently in finalised draft form. The Council will also prepare more detailed development guidance in key areas of change, including Local Development Strategies and Town Centre Action Plans. It will also work with major land owners and developers to put in place masterplans and campus plans to guide development proposals following the approach developed, for example, at Buchanan Galleries, Pacific Quay, Robroyston and Strathclyde University. All of these mechanisms will allow quicker decision making;

• **review the use of planning conditions** with a view to having fewer conditions, which are more enforceable;

• **prioritise the filling of vacancies** with a view to ensuring that those dealing with development proposals are filled as quickly as possible. As more guidance on changes to permitted development are announced by the Scottish Executive more resources may be freed up to deal with major applications. It may however require a proportion of any national planning or building warrant fee increases to be allocated to increased staffing rather than general income.

In addition to the above, the Council will seek to work with the Executive to pilot the proposed changes in the planning inquiry system which are designed to ensure inquiries and hearings become more efficient and result in quicker decisions. Furthermore, it will negotiate with Historic Scotland to secure delegated listed building powers to improve the processing of proposals involving minor works to listed buildings. The Council will seek to pilot a scheme whereby the approval of these works can be delegated to the local authority, with a view to speeding up processing times.

### 6. ACHIEVING THE BENEFITS OF REGENERATION: SOCIAL RENEWAL AND SUSTAINABILITY

6.1 To ensure the Council’s wider concerns in relation to development and regeneration are taken on board, DRS will continue to work with developers to secure local training and employment agreements, and local procurement, in major development proposals. This opportunity exists in relation to both construction jobs during development and in jobs created by the end uses. This opportunity has already been taken up by a number of developers such as Tesco, Glasgow Harbour, Glasgow Fort and Silverburn.

6.2 This approach will be developed within DRS working with the local economic development organisations etc to match employers’ requirements with potential employees assisted with appropriate skills training. In relation to construction, the opportunities for apprenticeships through the City Building LLP will be pursued while this company may also wish to tender for construction contracts resulting from major applications.

6.3 The Council is also keen to encourage the development of Glasgow as a sustainable city and will discuss with developers how, for example, the enhanced requirements of Scottish Planning Policy 6 in relation to carbon footprints will be met. The Council will seek to ensure that the construction and operation of new buildings is undertaken in a sustainable way and, where possible, through agreements in line with the Council’s sustainable construction policy. This will include the layout and design of buildings, the materials used for construction and their source, the energy efficiency of the building, and green travel plans detailing access arrangements to commercial buildings.
6.4 In addition to the above, contributions required from developers will continue to be sought, for example, for infrastructure needed to facilitate a proposal and through established policies such as RES 3.

7. CONCLUSION

The Council has already made significant changes in securing major improvements in development application processing rates relative to other local authorities and the Scottish average. The measures contained in this report will further focus the expertise of the service to ensure that applications for major development are managed through the planning system as efficiently and expeditiously as possible.

Development and Regeneration Services
JB/Sl
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