

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held at 7.30 pm on 28 January 2020

Present:

Councillor Alexa Michael (Chairman)
Councillor Yvonne Bear (Vice-Chairman)
Councillors Vanessa Allen, Katy Boughey, Mark Brock,
Kevin Brooks, Peter Dean, Simon Fawthrop, Christine Harris,
William Huntington-Thresher, Charles Joel, Russell Mellor,
Tony Owen, Angela Page, Richard Scoates, Melanie Stevens
and Michael Turner

56 PLANNING SERVICE IMPROVEMENTS

In respect of continuous service improvements to the Planning Service, Members considered the new committee report template to be used for planning applications submitted to future Plans Sub-Committee and Development Control Committee meetings.

Consideration was also given to the draft Local Planning Protocol for referral of reports to General Purposes and Licensing Committee, Executive and Full Council for adoption as part of the Council's Constitution.

Members were requested to ensure that full planning reasons were given when requesting call-in of planning applications.

Following consultation with the Chief Legal Officer, the Assistant Director, Planning reported that recommendation 2 set out on page 175 of the report be amended to read:

'Members are asked to agree the draft Local Planning Protocol for referral on to meetings of the Standards Committee on 12 March 2020, Development Control Committee on 18 March 2020 and Full Council on 27 April 2020 for adoption as part of the Council's Constitution.'

Members were advised that having reviewed paragraph 4.5 of the Protocol with legal officers, it was agreed the wording be amended to read:

'4.5 It may be useful for committee members to visit a site to familiarise themselves without prior to consideration of an application at committee. Any informal visit should be carried out discreetly and if Members do encounter an applicant or neighbour, they should ensure there is no risk of this leading to the perception that they were no longer impartial i.e. by expressing a particular view.'

Referring to detailed conditions attached to an application, Councillor Fawthrop requested that a standard set of conditions be provided to the

Committee and that the full text of any non-standard conditions be included in future reports.

Councillor Owen was pleased with the new report template which was helpful to all Members whether or not they sat on Planning Sub-Committees or DCC.

Councillor Joel asked if Members were able to contact case officers if they had any queries in regard to planning applications. The Assistant Director, Planning confirmed that case officers would always make themselves available for that purpose.

Recommendation 19 relating to training proposals was currently a work in progress and further information should be available before the next DCC meeting.

It was reported that not all Members call-in requests included clear planning reasons. Councillor Huntington-Thresher requested guidance be circulated to Members on how to make a call-in request without being seen as pre-determining an application. The Assistant Director, Planning advised that a resident contacting a Member about particular aspects of an application was a good enough, clear reason. Another way was to set out the planning issue without giving a view on it i.e. 'design or density issue'.

Councillor Fawthrop asked if planning officers contacted Members who failed to give clear reasons, to remind them to do so as just simply accepting the call-in would likely lead to more of the same. He suggested that a gentle reminder from officers would be helpful. The Assistant Director, Planning confirmed that officers did contact Members.

It was agreed that the above matter would be looked at in further detail and brought to Committee for consideration at a future date.

Councillor Joel asked if the Planning Department could notify Ward Members and invite them to pre-application meetings. The Assistant Director, Planning would welcome input from Members at that stage and suggested meetings be arranged to take place following DCC Committee meetings.

Members were invited to submit comments on the draft Planning Protocol to the Planning Department. The Protocol would be submitted for further considered at the DCC meeting in March 2020.

Councillor Bear requested that a direct reference be made to the new Probity in Planning guidance to state explicitly that the Council's Planning Protocol reflected the key principles and practices as advocated.

It was suggested that a call-in form be designed to ensure that clear reasons were included when Members submitted call-in requests.

Councillor Owen referred to page 187 of the Probity in Planning document relating to Councillor and Officer Conduct and in particular the section on

integrity which stated that ‘holders of public office should not act or take decisions in order to gain financial or other material benefits for themselves.’ Councillor Owen asked whether any Member had transgressed in this regard and if so, what was the penalty. The Legal officer advised that it would be a criminal offence should a pecuniary interest in a contract (for example) not be declared by a Member.

Councillor Allen reported that complaints re Councillor conduct were dealt with by Officers and the Standards Committee was given a report. When she attempted to raise issues in regard to call-ins etc., she was told this was a DCC matter and yet DCC were now saying it was a matter for the Standards Committee. The Legal Officer confirmed he would raise this issue with the Director of Resources.

Following further discussion and a subsequent vote, Members agreed it was not necessary for a simple form to be designed for use by Councillors when calling in applications.

RESOLVED that:

- 1) the new committee report template for planning applications to be used for all Plans Sub-Committee and Development Control Committee meetings be approved subject to a standard set of conditions being provided to the Committee and the full text of any non-standard conditions being included in future reports;**
- 2) the draft Local Planning Protocol for referral on to meetings of the Standards Committee on 12 March 2020, Development Control Committee on 18 March 2020 and Full Council on 27 April 2020 for adoption as part of the Council’s Constitution be agreed subject to the amendment of paragraph 4.5 as reported above. It was further resolved that a direct reference be made back to the new Probity in Planning to explicitly state that the Council’s Planning Protocol reflected the key principles and practices as advocated; and**
- 3) full planning reasons be given by Members when requesting call-in of planning applications.**

The meeting ended at 9.21 pm

Chairman