

# DC.239

**MINUTES OF A MEETING  
OF THE DEVELOPMENT CONTROL  
COMMITTEE**

**HELD AT THE GUILDHALL, ABINGDON  
ON MONDAY, 31ST MARCH, 2008 AT  
6.30PM**

**Open to the Public, including the Press**

PRESENT:

MEMBERS: Councillors Terry Quinlan (Chair), John Woodford (Vice-Chair), Matthew Barber, Roger Cox, Tony de Vere, Richard Farrell, Richard Gibson, Jenny Hannaby, Angela Lawrence, Sue Marchant, Jerry Patterson, Val Shaw and Margaret Turner.

SUBSTITUTE MEMBERS: Councillor Reg Waite for Councillor Anthony Hayward.

OFFICERS: Martin Deans, Rodger Hood, Geraldine Le Cointe, Carole Nicholl and Tim Treuherz.

NUMBER OF MEMBERS OF THE PUBLIC: 14

DC.308 **NOTIFICATION OF SUBSTITUTES AND APOLOGIES FOR ABSENCE**

The attendance of a Substitute Member who had been authorised to attend in accordance with the provisions of Standing Order 17(1) was recorded as referred to above with an apology for absence having been received from Councillor Anthony Hayward. An apology for absence was received from Councillor Terry Cox.

DC.309 **DECLARATIONS OF INTEREST**

Members declared interest in report 178/07 as follows: -

<u>Councillor</u>	<u>Type of Interest</u>	<u>Item</u>	<u>Reason</u>	<u>Minute Ref</u>
Angela Lawrence	Personal	ABG/8053/2	She was a Member of Abingdon Town Council which had objected to the application. However she had not been involved in those considerations by the Town Council.	DC.319
Roger Cox	Personal	GFA/19649/2 - D	He was a member of the Town Council but had had no previous consideration of the application and also one of the objectors was known to him.	DC.320
Matthew Barber	Personal	GFA/19649/2 - D	Some of the objectors were known to him.	DC.320

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DC.310 URGENT BUSINESS AND CHAIR'S ANNOUNCEMENTS

The Chair asked Councillors and all members of the public to switch off their mobile telephones during the meeting.

The Chair highlighted the emergency exits which should be used in the event of needing to evacuate the building.

For the benefit of members of the public, the Chair explained that only Members of the Committee were able to vote on any matters and that local Members, whilst able to address the Committee, were not able to make propositions or vote. He reported that Officers were present at the meeting to present reports and give advice.

DC.311 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.312 QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER 32

None.

DC.313 STATEMENTS AND PETITIONS FROM THE PUBLIC UNDER STANDING ORDER 33

It was noted that 6 members of the public had each given notice that they wished to make a statement at the meeting. However, 3 members of the public declined to do so.

DC.314 MATERIALS

None.

DC.315 APPEALS

The Committee received and considered an agenda item which advised of one appeal which had been lodged with the Planning Inspectorate for determination and one which had been dismissed.

One of the local Members referred to the dismissed appeal in respect of a decision to refuse planning permission for the change of use from D2 to eight individual one bedroom flats on the first and second floors at 1 Newbury Street, Wantage (WAN/1960/16). She commented that she was pleased with the decision to dismiss the appeal explaining that many residents in Wantage would be happy with this outcome and she hoped that a cinema would be reinstated. She referred to a well attended public meeting explaining that local people supported retaining a cinema facility in the Town and many had been opposed to this application.

*RESOLVED*

*that the agenda report be received.*

DC.316 FORTHCOMING PUBLIC INQUIRIES AND HEARINGS

The Committee received and considered a list of forthcoming inquiries and hearings.

*RESOLVED*

*that the report be received.*

**PLANNING APPLICATIONS**

The Committee received and considered report 178/07 of the Deputy Director (Planning and Community Strategy) detailing planning applications, the decisions of which are set out below.

Applications where members of the public had given notice that they wished to speak were considered first.

DC.317 HAR/1123/10 RETROSPECTIVE APPLICATION FOR THE CONSTRUCTION OF TIMBER DECKING ACROSS STREAM AND ERECTION OF CLOSE BOARDED FENCING, BUMBLE BARN, CHURCH LANE, HARWELL, OX11 0EZ

Further to the report, the Committee received and considered advice from the Head of Legal Services in that it was considered that the question to be put to Members was whether the reasons drafted by the Officers accurately reflected the reasons specified at the meeting of the Committee held on 17 December 2007 when the decision to refuse the application had been agreed with the reasons to be formally endorsed.

Members were advised that they were being asked to agree that the reasons reflected the sentiments of the earlier meeting. It was explained that seeking to revoke an earlier decision might be challenged on the basis of irrationality in that nothing had changed. The circumstances were the same and there was no new information.

One Member commented that the decision had been made in principle and that the Officers had failed to come back with adequate reasons. He expressed surprise that the Committee was being advised not to reconsider the application. He referred to the "six month rule" and questioned whether it would be appropriate to defer consideration of the application for reconsideration at a later date.

In response the Officers advised that the applicant could make an appeal for non determination and the Council might be liable for costs.

One Member commented that occasionally the Committee had decided against the Officers' recommendations to approve applications. In these instances the Committee agreed the reasons for refusal but asked that the Officers draft those reasons in a way which reflected the view of the Committee but were in robust wording which would

stand up at appeal. To his knowledge, on considering the reasons coming back the Committee had never re-debated the merits or otherwise of an application but had agreed that the wording of the reasons reflected the views of the Committee. He drew Members' attention to the suggested reason commenting that in his view the wording of the reason reflected the concerns of Members. He reminded Members that they had been concerned regarding the possible inhibited access and the consequential flooding implications. He commented that if replicated this could be awful and cumulatively the impact of this and other similar proposals could be significant. Furthermore, he commented that as this application was retrospective, it could be seen that the built development was not what was being sought in this application in that the decking was across the whole of the stream.

For the avoidance of doubt the Officers read out the revised wording of the proposed reason for refusal.

One Member disagreed with the comments made regarding the Officers failing to come up with reasons. He advised that when the Committee decided to refuse this application and any other application Members know of the sort of reasons that they would use as the basis for refusal.

One Member whilst not supporting refusal of the application, agreed that the proposed wording of the reasons for refusal of the application did reflect the sentiments of the Committee. Other Members agreed with this view.

One Member commented that he was dissatisfied with the way in which this application had been dealt with. He commented that in his view there had been a change of circumstances in that between the December meeting when the Committee had resolved to refuse the application and the February meeting of the Committee when Members had not agreed the reason for refusal, comments had been received from the Council's drainage experts. The experts had advised that they were unable to confirm that they perceived there to be any problems associated with this application. He reiterated that he could not support refusal of the application having regard to that expert advice and the views of the Officers in the first instance. However, he suggested that if the Committee was minded to endorse the reason the word "and further up the stream" should be removed in that there was a grate with a smaller mesh further up the stream which would be worse and in addition further upstream there was another obstruction.

In response the Officers advised that any flooding problem associated with this application would be further up the stream and that in their view it was correct to keep those words in the reasons. Furthermore, it was noted that the Parish Council was concerned that the flooding would be backed up.

By 10 votes to 3 with 1 abstention (Councillor Richard Farrell voted against and in accordance with Standing Order 29(4) asked that this be so recorded in the Minutes) it was

*RESOLVED*

that application HAR/1123/10 be refused for the following reason: -

*"This is a retrospective application for the retention of decking across an existing watercourse to the rear of Bumble Barn. In the opinion of the District Planning Authority the decking as constructed could inhibit access to the watercourse beneath for necessary maintenance and the clearance of blockages. This could have consequential flooding implications within the vicinity of the site and further up the stream. As such, the construction of the decking is contrary to Policy DC13 of the adopted Vale of White Horse Local Plan 2011.*

DC.318      SHR/5532/8 – PARTIAL DEMOLITION AND REBUILDING OF DETACHED GARAGE BUILDING. PENNYHOOKS FARMHOUSE, PENNYHOOKS LANE, SHRIVENHAM, SN6 8EX

Neil Armstrong the applicant's agent had been due to make a statement in support of the application, but he declined to do so.

One Member sought clarification of planning guidance and policy in terms of new development in the open countryside outside of defined settlements. The Officers responded that such development were not uncommon, particularly when proposals were put forward relating to sites within an existing residential curtilage. It was explained that in this case the proposed building on the site was not dissimilar to the existing building in terms of scale and size. Therefore, the proposal was considered reasonable.

It was further explained that the proposal was for an ancillary building which could be controlled to prevent its use as a separate dwelling. The building was not for a two storey building which had been refused at appeal. That proposal had the character of a separate building whereas this proposal was of a scale which could reasonably be regarded as a scale which would be ancillary to the main house.

One Member commented that he had concerns regarding the footpath near the proposal and notwithstanding the merits of the application in terms of scale and size he considered that the views from the footpath should be safeguarded. The Officers responded that the plans did not show a footpath and that they would need to look into the matter. However, it was explained that the footprint of the proposed building was the same as the existing building. Furthermore, it was noted that the rear wall of the existing building was to be retained and therefore it was possible that the existing views from the footpath would not be different.

One Member commented that on visiting the site it appeared to him that what appeared to be a scaffolding rental business was carrying on and he requested that this be drawn to the attention of the Enforcement Officer for investigation. Furthermore, he expressed concern regarding the extent of building materials on site but he presumed these were in connection with this proposal. The Member went on to express concern regarding the proposal in terms of its intended use. He referred to an application in Kennington where a garage had been constructed with cavity walls and after a couple of years permission for a dwelling was sought which was refused but subsequently allowed on appeal. He raised concern regarding a similar situation on

this site, commenting that he was uncertain that the building would be used for a chicken house and he noted with concern that cavity walls were proposed.

The Officers advised this was a site in the countryside and the circumstances were probably different to the built up area of Kennington. It was explained that the proposal was much reduced in scale and size and that buildings within a curtilage were allowed.

By 13 vote to 1 it was

*RESOLVED*

- (a) *that the Deputy Director (Planning and Community Strategy) be delegated authority to approve application SHR/5532/8 subject to: -*
- (1) *the conditions set out in the report; and*
  - (2) *the Officers clarifying the position of the footpath and being satisfied that there is no encroachment of the footpath and not adverse impact.*
- (b) *that the Enforcement Officer be requested to investigate the alleged unauthorised scaffolding rental business on the site.*

DC.319 ABG/8053/2 FIRST FLOOR EXTENSION TO CREATE BEDROOM AND EN SUITE, 12 KENT CLOSE, ABINGDON, OX14 3XJ

(Councillor Angela Lawrence had declared a personal interest in this item and in accordance with Standing Order 34 she remained in the meeting during its consideration).

Further to the report, the Officer explained the amended design.

One of the local Members commented that he had no objection to the proposal.

By 14 votes to nil, it was

*RESOLVED*

*that application ABG/8053/2 be approved subject to the conditions set out in the report.*

DC.320 GFA/19649/2-D – COTSWOLD GATE RESERVED MATTERS APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH NEW ACCESS, LAND ADJOINING COXWELL HOUSE AND WINSLOW HOUSE, COXWELL ROAD, FARINGDON SN7 7EB

(Councillors Matthew Barber and Roger Cox had each declared a personal interest in this item and in accordance with Standing Order 34 they remained in the meeting during its consideration).

The Officers displayed the latest plan advising that the consultation period had not yet expired and therefore should the Committee be minded to approve the application it was asked to delegate authority to the Deputy Director in consultation with the Chair and / or Vice-Chair of the Development Control Committee subject to the expiry of the consultation period and to the receipt of no new matters.

Further to the report the Officers: -

- outlined the financial contributions;
- reported that there would be 40% affordable housing which equated to 13 units;
- advised of the receipt of massing drawings which were displayed at meeting;
- explained the amendments to plots 2 - 10, 20 - 25, and 31 - 35 which included reductions in height to plots and amendments to elevations and gables;
- explained the objections received notably objections to the rear passageway; The Officers commented that the Crime Prevention Officer had advised that he did not consider that the rear passageways would create a security risk and that there was less of a security hazard in this location than if the site was close to the town centre.
- outlined the changes to plot 30 in respect of the gable wall and repositioning of a bedroom window to a side wall in response the comments of the Consultant Architect; The Officers commented that the window to the dressing area on plot 30 could be made obscure glazing.
- described the amendments to plot 31 and advised that an additional plot had been included reflecting the Consultant Architect's comments;
- described in detailed the heights to ridge of the plots it being noted that concerns had been expressed locally in this regard; and
- Explained that the tall fir trees were all to be removed which it was noted the Inspector had supported.

Members were advised that concern had been expressed in terms adverse impact on neighbours. However the Officers asked Members to consider the likely harm having regard to there being no windows overlooking the neighbours which were detached dwellings some distance away.

The Committee noted that local residents had been concerned about the density of the development and height of the proposed buildings. However, Members were informed that the applicant had argued that the proposal was a traditional high density development reflecting the local distinct architecture in the Town. It was specifically commented that there were high houses on the edge of the Town in Church Street and the applicant had argued that the proposal was an improvement on existing development elsewhere in the Town in that the development was open.

Furthermore, the Officers reported that there was some concern regarding the road type and in particular a shared surface. This meant that there was shared use of the road way and footway by vehicles and pedestrians However, the Committee noted that the County Council was prepared to adopt this type of road for this site.

Further to the report, the Committee noted that 5 additional letters of concerns raising concerns relating to matters already covered in the report had been received. In particular concerns were raised regarding the increase in the number of units from 35 to 36 thus causing further harm; adverse impact on the character and appearance of

the area; impact on the rural entrance to the Town; road levels; the need for a bund to screen the development which it was reported had been a requirement on the opposite development site; and alleged errors made by the Inspector in terms of the site he was considering.

The Officers reminded the Committee that an informative had been added to the outline consent regarding the need for a high quality design that represented its edge of town setting and overlooking of neighbours. It was noted that the distances between the proposed and existing housing more than exceeded the minimum requirements and therefore harm could not be argued on the basis of adverse impact on the amenity of neighbours. Furthermore, in terms of design, it was noted that the Consultant Architect and the Architects Panel supported the scheme. The Committee was advised that the Officers therefore considered that any argument in terms of harm could not be sustained.

Dr Mike Wise made a statement on behalf of the Town Council objecting to the application raising concerns regarding the location of the three storey buildings being out of character with this part of the Town and with adjacent properties which were mainly two storey houses and bungalows on large plots; the development being located on rising ground; the height of the three storey dwellings on the ridge which would be greater than that of the existing screen of trees thereby dominating the skyline and changing the appearance of Faringdon from the South and West in an area of high landscape value; the need to preserve the countryside; the loss of trees which provided a windbreak; the proposed buildings creating wind vortices potentially resulting in damage it being noted that this was a windy area; the number of proposed dwellings; the high density being out of keeping in this rural area; design in terms of living rooms being on the second floors overlooking the rear of the dwellings in Carters Crescent, Tollington Court and Coxwell House; overlooking generally; loss of privacy; fenestration namely 21 windows overlooking neighbours; access through the site in that the long thin spine road would provide for a roadway only 4.25 metres wide which would result in a restriction in the ability for vehicles to pass each other without larger vehicles encroaching on the footpath, hence causing a hazard to pedestrians; lack of on-street parking; access and egress to the site leading to the likelihood that vehicles would need to back on to Coxwell Road; inadequate parking provision; access at the junction with Coxwell Road which was on a brow and blind corner on the edge of a 30 mph speed limit zone; vehicle speeds being higher than 30 mph resulting in a considerable risk of collision for vehicles entering and exiting the site; traffic movements possibly being in excess of 200 per day; the costs involved in the re-orientation of Coxwell Road because of the relative heights of the roadway and footpaths, the relocation of drainage ditches and the overall length required; the footpath being lower than the roadway and maintenance being an issue of concern; potential problems of sewerage and water supply in this part of Faringdon where there were already instances of low water pressure; the lack of arrangements with the Town Council regarding Section 106 agreements and the general over-development of this inappropriate site.

Mr D Belcher representing the residents of Carters Crescent and Tollington Court made a statement objecting to the application raising concerns regarding gross overdevelopment of the site; the proposal being out of keeping with the nearby large detached properties; the scheme being out of character with this part of Faringdon; the



need to have regard to the Informative attached to the outline consent in terms of a high quality design; three storey properties with lounge areas on the first floor resulting in over looking and loss of privacy; adverse impact in terms of visual outlook to the residents of 4 and 5 Tollington Court who would view a complete row of houses; loss of sunlight; fenestration; proximity of the proposed buildings to existing houses; density and a view that there should be a maximum of 31 units on this site; the shared use of the roadway and footpath in terms of safety; and the security concerns associated with the passageway. He urged the Committee to refuse the application which he considered would have a harmful affect on a number of existing residents in nearby houses.

One of the local Members made the following comments: -

- Residents had been concerned that the Committee would determine the application before the expiry of the consultation period.
- The informative on the outline permission referred to a high quality sensitive design to avoid overlooking on this edge of town site.
- The residents of Coxwell House had claimed that they had not been consulted on the application.
- The proposal was mainly for terraced houses.
- The area was close to other existing houses and the design should be compatible with those houses.
- The height of some of the proposed buildings would be similar to the existing trees on the site.
- Great Coxwell Parish Council had expressed concern regarding the impact on views from the countryside into the Town.
- The existing entrance and access to the site would be difficult.
- The views of the Consultant Architect and the Architects' Panel in support were noted but in his view this proposal was overdevelopment on the site.
- The design and style were not suitable for this edge of town site.

Another local Member made the following comments: -

- Comparing the density and style of the development to properties in Church Street was misleading. He explained that Church Street was part of the town centre which was located to the north east. He considered that Church Street was completely different to the site being considered.
- Gravel Walk was also not a fair comparison.
- Coleshill Drive was the nearest development and extensive boundary treatment had been required for that site. He commented that this demonstrated how important the Committee had considered the views into Faringdon at that time.
- The proposal was out of keeping.
- There would be adverse impact in terms of visual appearance when entering the town.
- He referred to the decision to locate the public open space on the southern boundary, commenting that the housing was pushed to the back of the site which impacted on the neighbouring properties. He considered that this layout did not soften the view of the development in that views would be straight through to the 3 storey houses.

- He noted that the Crime Prevention Officer regarding the passageway but commented that it would become enclosed as residents would erect fences along their boundaries.
- There would be overlooking and loss of privacy.
- He had concerns regarding parking and road layout, including the lack of on-street parking within the site.
- The 3 storey element would be clearly visible and he asked whether the development could be rotated on the site to reduce the impact on the amenity of the existing houses.

Some Members spoke in support of the application making the following comments: -

- The site was an allocated site for development. The Council had not wished to develop this site but the principle of development had been agreed by the Inspector.
- There were no grounds to refuse the application
- The applicant's arguments regarding the views into Faringdon from Radcot Road were acceptable. It was not disputed that Church Street was the centre of the town, but it was also the approach into Faringdon.
- The bund on the opposite site should not be repeated for this development.
- The heights of the buildings were not consistent and therefore the appearance would not be that of a whole row of houses. There would be 11 metre high peaks.
- The distances of the proposed buildings to existing houses exceeded minimum requirements.
- In terms of design and style, the Consultant Architect and Architects Panel were supportive.
- The development was for a higher density than neighbouring developments but this was what the Government was encouraging.
- The access and roadway was supported by the County Engineer who was the expert in these concerns. Furthermore, the County Council had indicated that it would adopt the roadway.
- As much planting as possible to screen the development should be provided to address concerns regarding views and to soften the views on the edge of the town.
- The 3 storey elements would be partially hidden by the larger blocks.
- Parking would be adequate it being noted that concerns had been raised regarding similar road proposals elsewhere but these concerns had subsequently been unfounded. However, one Member disagreed with this comment reporting that the development referred to was not similar in that it related to a retired persons development.
- Access had been approved at the outline stage.
- The affordable housing was welcomed.
- The distances of 36 and 37 metres exceeded the 21 metres minimum standard. The nearest property was in Tollington Court with a window to window distance of 23 metres.

It was proposed by Councillor Matthew Barber and seconded by Councillor Roger Cox that consideration of application GFA/19649/2-D be deferred to enable the expiry of the consultation period and to seek amendment to the scheme to address the

concerns raised. On being put to the vote this was lost by 7 for and 8 votes against with the Chair having exercised his casting vote.

Some Members spoke against the application making the following comments: -

- The proposal amounted to over development of the site.
- The buildings would be overcrowded.
- The design was out of keeping.
- Parking was inadequate which would lead to neighbour disputes.
- There was concern regarding pedestrian safety.
- There was concern regarding the adequacy of footpaths in terms of safety.
- Not withstanding with the comments of the Crime Prevention Officers there were concerns regarding the passageway in terms on noise, security and nuisance.

One Member commented that a condition should be added to require bollards to prevent the public open space being used as a parking area. Furthermore, it was suggested a condition to address slab levels and bin and cycle stores for the flats.

One Member noted the concerns raised by the speaker regarding the area being windy and he asked that these concerns be brought to the attention of the developer.

One Member commented that there were a number of gable walls in the scheme which might look very bland. It was suggested that some detailing should be provided and the Officers undertook to discuss this with the applicant.

By 13 votes to nil with 1 abstention it was

## *RESOLVED*

- (a) *that, subject to the outcome of further discussions concerning the design detail and safety of the proposal, it is recommended that authority to grant approval of reserved matters of application GFA/19649/2-D is delegated to the Deputy Director (Planning and Community Strategy) in consultation with the Chair and/or Vice-Chair of the Development Control Committee and Local Members subject to: -*
- (1) *the expiry of the consultation period on the amended plans and the consideration of issues raised in any further representations that are received;*
  - (2) *the conditions set out in the report;*
  - (3) *further conditions to require bollards to prevent the public open space being used as a parking area and to address slab levels and bin and cycle stores for the flats;*
- (b) *that, if any of the Local Members are not content with the outcome of the further discussions on design and safety, the application be brought back to the Committee for further consideration.*

DC.321 SUT/20432 - X – PROPOSED ERECTION OF TWO DWELLINGS, 93  
BRADSTOCKS WAY, SUTTON COURTENAY, OX14 4DB.

The Committee noted that all matters were reserved although information submitted referred to a pair of dwellings on the site.

The Committee noted that there had been 11 letters of objection raising concerns relating to matters already covered in the report. It was highlighted that the principle concern was the impact of the proposal in terms of loss of on-street car parking in that a new access would be created to the site which would take away an area of the road side resulting in less on street car parking being available. The Committee was advised that the County Engineer had looked at this issue in detail and had advised that this matter did not give rise to a reason for refusal. It was explained that there was no right to park on the highway.

The Committee noted that based on the information submitted and the illustrative plans the Officers recommended approval of the application.

Lesley Tyler and Mrs Bennett had each given notice that they wished to make a statement at the meeting objecting to the application but they declined to do so.

Members supported the application.

By 14 votes to nil it was

*RESOLVED*

*that application SUT/20432 – X be approved subject to the conditions set out in the report.*

DC.322 KBA/20350/1 – ERECTION OF A SINGLE STOREY PORCH EXTENSION, 73  
LAUREL DRIVE, SOUTHMOOR, OX13 5DJ.

Dr Sivia, the applicant made a statement in support of the application noting that the Parish Council had objected. He explained that he wished to cover his front door and provide an area for storage of coats and shoes. Furthermore, the porch would provide a small sitting area where he could enjoy the sunshine. He commented that in his view the proposal would have no adverse impact, would not affect the environment and would not be out of keeping with the character and appearance of the area.

In response to a question raised regarding what was the difference between a porch and extension, the Officer responded that Members needed to consider whether the design was acceptable and also whether there was any harm caused.

By 14 votes to nil, it was

*RESOLVED*

*that application KBA/20350/1 be approved subject to the conditions set out in the report.*

DC.323      PLANNING CODE OF CONDUCT

The Committee received and considered report 179/07 of the Deputy Director (Planning and Community Strategy) which advised that at the meeting of the Council held on 4 December 2007, Members had considered a revised draft of the Planning Code of Conduct. Concerns had been expressed about a new provision in the draft Code which would establish the principle that local Members would be invited to observe and take part in pre-application discussions, in cases where a formal officers' Development Team had been set up to take forward discussions in response to large, proposed developments in the Vale. It was explained that a decision to set up a Development Team was taken by the Deputy Director in consultation with the Planning Service's Management Team where it was considered that this would promote and assist the efficient handling of applications for major development proposals prior to their submission.

It was noted that the Council had resolved that the draft Code be referred back to the Strategic and Local Planning Advisory Group for the new provision to be given further consideration and following its reconsideration by that Group, for the Code to be recommended back to the Council via the this Committee, the Executive and the Standards Committee.

The report set out the background to the proposed new provision and suggested an alternative wording for the relevant section of the draft Code, to clarify the arrangements governing Member involvement. A copy of the relevant paragraph of the original draft Code was also appended to the report for comparison purposes. It was noted that the recommendations set out in the report had been considered and endorsed by the Strategic and Local Planning Advisory Group.

One Member raised some apprehension regarding Members being involved at pre-application discussions commenting that concerns and issues regarding proposals should be discussed in an open forum. Furthermore, he expressed concern that Members might be compromised in some way.

The Officers responded that it was for the local Member to choose to attend such discussions. It was explained that the membership of a Development Team included a wide range of officers such as housing, planning and county engineering officers as well as the developer. The intention was to provide an opportunity for local Members to understand the issues that might arise and that it was not intended that the Development Team meeting would be a forum for discussion or seeking amendment and redesign. The intention was for the local Members to be kept informed.

One Member noted that Members needed to be asked to be invited and he suggested local Members ought to be involved as a matter of right. He referred to representing the community and commented that he felt uncomfortable that discretion for attendance rested with the Officers. He referred to discussions he had been involved in for his Ward commenting that they had been invaluable in assisting him to understand the application and the issues involved.

One Member referred to the benefits of discussion with applicants in Grove, to which the Officers advised that the Grove Development Forum was a separate matter and would not be affected by these discussions.

The Officers clarified that the Code would refer to separate development teams which looked at individual larger applications. It was emphasised that the intention was to include local Members in those already established meetings so as to avoid duplicating work of officers and arranging more meetings.

In response to a question raised the Officers confirmed that involving Members in pre-application discussions would not apply retrospectively.

By 13 votes to 1 it was

**RESOLVED**

- (a) *that the wording of paragraph 4.6 of the draft Planning Code of Conduct dealing with Member involvement in pre-application discussions be amended to read as follows:*

*“4.6 In response to large proposed developments, where a formal officers Development Team has been set up, local ward members may be invited to attend, observe and take part in pre-application discussions at meetings of the Team. A request to be involved in such discussions should be made by the ward member to the Deputy Director (Planning and Community Strategy) who will consider the request in consultation with the Chair and/or Vice Chair of the Development Control Committee and the Opposition Planning Spokesman. The views of the applicant on ward member involvement in a development team will be sought to help inform the consultation. In the event that a ward member is invited to become involved in pre-application discussions it is important that they restrict their involvement to receiving and gathering information about the proposals and providing views on the issues likely to be of concern in the locality. It is also important that matters of a commercially confidential nature to the potential applicant are respected and that any commercial confidentiality is maintained. Members should not engage in negotiations and should avoid giving any firm commitment or impression of a firm commitment that they hold any particular view about the merits of the proposal. If it is known that a Ward Member has publicly expressed a particular view about a major development proposal prior to requesting involvement in Development Team pre-application discussions, this will be taken into account in the decision whether to grant their request to attend and participate”.*

- (b) *that the draft Planning Code of Conduct with the proposed re-wording of paragraph 4.6, be recommended to the Executive and Standards Committee and subsequently to Council for approval.*

DC.324 SPECIAL MEETING OF THE COMMITTEE

Members were advised that a special meeting of the Development Control Committee would be needed to consider recommendations from the Strategic and Local Planning

Advisory Group on the Local Development Framework. It had been attended that this meeting would take place on Wednesday 14 May 2008. However, the time scales for consideration of the Core Strategy had now been amended and therefore a special meeting would not be required until later in the year.

*RESOLVED*

*that the situation be noted.*

**Exempt Information Under Section 100A(4) of the Local Government Act 1972**

None.

The meeting rose at 9.05 pm