Supplementary Committee Agenda

Constitution Working Group
Monday, 16th April, 2018

Place: Committee Room 2, Civic Offices, High Street, Epping

Time: 7.00 pm

Democratic Services: V. Messenger Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

6. PLANNING PROCESS REVIEW 2017/18 - DELEGATION, OBJECTIONS AND COMMITTEE SYSTEMS (Pages 3 - 20)

(Assistant Director of Governance) To consider further responses received from local councils and members (attached).

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LAMBOURNE PARISH COUNCIL

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Serving the Communities of Abridge & Lambourne End

12th April 2018

Simon Hill
Monitoring Officer,
AD Governance
Epping Forest District Council
Civic Offices
323 High Street
Epping, Essex, CM16 4BZ

Dear Mr Hill

I am writing to you with reference to your email on 29th March regards the changes to the Planning Protocol. A Meeting was held to discuss this matter last night, 11th April.

Councillors read through the document that had been sent to them, along with referring to the attached comments made by Buckhurst Hill Parish Council.

1. Councillors AGREED on all points raised by Buckhurst Hill Parish Council. They would like to ask that these comments be considered as also Comments from Lambourne Parish Council.

2. Councils feel very strongly that if a local Council objects to a planning application this should be sent through to full committee irrespective of any other objections. If this is taken away from local Councils it will damage local democracy and the role of the local Council.

A hard copy of this letter has been sent to you as of 12th April 2018.

Yours sincerely

Tony Carter, Clerk
Lambourne Parish Council

Moreton, Bobbingworth & the Lavers Parish Council

Clerk : Mrs Adriana Jones, Ware Farm, The Street, High Roding, Essex CM6 1NT
Tel: 077 377 36365 email: mblparishcouncil@gmail.com

15th April 2018

Mr S Hill
Monitoring Officer, AD Governance
Epping Forest District Council
Civic Offices
323 High Street
Epping, Essex
CM16 4BZ

Dear Simon

Work of the EFDC Constitution Panel - Officer delegations within planning
Opportunity to comment

I am writing with reference to the above stated opportunity to comment on proposed changes to how planning is dealt with at the District Council.

It is important to note that Moreton, Bobbingworth and the Lavers Parish Council recognises the significant pressure in terms of resources at the District Council, and that due to changes in the planning system this pressure is necessitating changes in how planning is dealt with by the LPA. However, it is important to ensure that any changes that are made do not undermine, nor ignore, the important role Parish and Town Councils can bring to the decision-making process by way of local knowledge and information that may be relevant.

The points the Parish Council wishes to raise are as follows:

1. The Parish Council agrees that any responses to planning applications should be based on material planning matters, which should be clearly set out within their submitted comments.
2. In a bid to assist Parish and Town Councils with doing so, it would be helpful if the District Council could offer further training or guidance to this effect.
3. With regard to planning applications, where they are recommended for approval by the planning officer, only going to Committee for consideration if one of the following occurs, the Parish Council makes the following comments:
    - *At least 5 expressions of objections material to the planning merits of the proposal are received* – **In rural areas, it is often the case that perhaps only one or two neighbours are sited next to, or in the vicinity of, a particular planning application. This ruling setting a minimum number of 5 objections would effectively exclude what could be valid planning objections in these cases. The Parish Council believes that no minimum number should be set in these cases, but that a decision as to how to progress is made on the planning merits of the responses received.**

- *An objection is received from a local council, supported by at least one non-councillor resident, with material planning reasons* – **Agree.**
- *An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered* - **Agree**

4. With regard to the Assistant Director Development Management / Head of Service Planning having the power to determine the matters set out below, unless he/she considers it appropriate to be determined by members, the Parish Council makes the following comments:
   - Tree Preservation Order consent other than where felling is proposed - **agree**
   - All notification applications - **agree**
   - All prior approval applications - **agree**
   - All certificates of lawful use and development- **There are times when the Parish Council or local residents are able to provide additional evidence to applications purporting to prove a continued use of over 4 or 10 years. The Parish Council believes that all 'existing use' CLD applications should come to the Parish Council for comment.**
   - All applications for non-material amendments to applications – **The Parish Council feels that some non-material amendments can in fact be very material and make a significant difference to an application. These applications should also come to the Parish Council for comment.**
   - All applications for approval of details reserved by condition - **agree**
   - All applications for Permission in Principle for Minor Housing Led Development and for Technical Details Consent. **The Parish Council feels that simply because these sites are on a brownfield site, development in the green belt still needs a level of scrutiny more than applications for sites within urban or semi-urban areas. As such, Permission in Principle and Technical Details Consent should come to the Parish Council for comment.**
5. With regard to all the applications included in bullet point 4, it is unclear from the documentation submitted as to whether or not Parish and Town Councils will be notified of these applications, albeit possibly being unable to comment on some of them. Failure to do so can result in a greater workload for EFDC Enforcement with queries being raised by local residents or the Parish Council and subsequently needing to be investigated. It is suggested Parish and Town Councils continue to be notified of <u>all</u> applications regardless of whether or not they can comment, in accordance with the relevant legislation that supports this.
6. It is proposed that whatever changes are agreed, it is for a temporary period of 12 months, after which time it should be reviewed again to:
   a. Establish if the changes have in fact done what they were intended to do, i.e. reduce officer and District Councillor time;
   b. Establish if, as a result of these changes, the democratic system is being undermined; and
   c. Allow Parish and Town Councils to provide comments or evidence as part of this review, all of which should be given due consideration as part of the review itself.

If you have questions, please don't hesitate to contact me.

Yours sincerely

Adriana Jones
Clerk

cc. Moreton, Bobbingworth and the Lavers Parish Councillors
Cllr Ian Hadley

NAZEING PARISH COUNCIL

Unit 6, Harold's Park Farm
Bumbles Green
Nazeing
Essex EN9 2SF

Telephone: 01992 893012
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13 April 2013

Simon Hill
Monitoring Officer, AD Governance
Epping Forest District Council
Civic Offices
323 High Street
Epping
Essex CM16 4BZ

Sent via email shill@eppingforestdc.gov.uk

Dear Simon,

Re: Work of the EFDC Constitution Panel - Officer delegations within planning - opportunity to comment

Following consideration of your request at a Parish Council meeting, that Council have asked that I advise you that insufficient time has been allowed to review the proposals. Accordingly, the Council is not able to comment on the proposals at the present time.

The Council requests that an extension to the deadline is agreed.

The Council also requests that the Councillors are offered a training session in relation to the proposals.

Yours sincerely,

Lorraine Ellis
Mrs Lorraine Ellis
Clerk to Nazeing Parish Council

NORTH WEALD BASSETT

PARISH COUNCIL

Jim Davis Room, Parish Office, North Weald Library, 138 High Road, North Weald, CM16 6BZ

Tel: 01992 523825 ***Fax:*** 01992 524756 ***Email***: clerk@northweald-pc.gov.uk
www. northweald-pc.gov.uk

12th April 2018

Clerk to the Council
Susan De Luca

Simon Hill
Monitoring Officer - AD Governance
Epping Forest District Council
Civic Offices
High Street
Epping
Essex
BY EMAIL

Dear Simon

Thank you for giving the Parish Council the opportunity to comment on this consultation.

These are the views of the North Weald Bassett Parish Council Planning Committee

- That Area Planning Committees should be retained
- PARAGRAPH 5. Members of this Council believe that the Objective is to have a Robust Local Democracy. The statement seems to show a 'Power Grab'
- PARAGRAPH 10 A further definitive breakdown of the figures that have been given as examples in the statistics are necessary, especially as this shows that 14 out of 109 approved equates to 13%. We would like to see this broken down further, such as what percentage a those recommended for approval to Area Plans are overturned by Councillors then overturned on Appeal by an Inspector.
- Members of the Planning Committee feel that Application Forms should be used, together with photos, and the drones that District Council purchased a little while ago as the first step in ensuring that the submitted applications are correct at the first stage in the application process.
- Concern at how District Council are going to determine who they contact and how they determine who the relevant neighbours are in the Neighbour Notification System. Sometimes the present system of just two or three close Neighbours is insufficient. Who will determine this?
- Local Information and Local Knowledge is the 'Key' in Planning. We should not by – pass residents or local elected Parish councillors who have this vital information.
- Is District Council concerned that the Parish Council may give contradictory information and voice their concerns to those people who pay for pre planning advice from the District Council and which could cause embarrassment. Especially if Parish Councils have knowledgeable staff well voiced in Planning Matters.
- Area Plans Meetings at District Councils, have always been part of the Constitution, it has been where the voice of the Community can be heard and as part of the Planning Process they should remain.
- North Weald Bassett Parish Council have embraced electronic Plans as real progress and discuss Plans at considerable length. We fully understand and appreciate District Council

Officers concerns regarding the length of time it takes to write up Reports for the Area Plans Committee, however please do not underestimate the time it takes with the Electronic Planning System for Parish Councils, where each Householder plan can take, between 30 minutes and 2 hours for its presentation to be drawn up for Members and its presentation to a Planning Committee, dependent on it size, content and complexity.

- We have always advised that we wish to be notified of all planning applications in our parish and will continue to do so. Which statute in law states what comments from the parish Council, District Council will consider.

We ask that you present these comments to your committee, and that you also consider the observations put forward by the other Town and Parish Councils, in the short time that was made available to them for comments,

Yours sincerely

Susan De Luca PSLCC
Clerk to North Weald Bassett Parish Council

ONPCG

Ongar Neighbourhood Plan Community Group

Cllr Lawrence Mendoza
Chairman of PEPROS Committee of OTC
By email only

Cc Cllr Derek Birch

15th April 2018

Dear Lawrence

Thank you for asking for our comments relating to EFDC's proposed Replacement Planning Delegation Please find our comments below as we consider they could relate to Neighbourhood Planning and the Localism Ac. We also note that:

- Planning policies have been somewhat relaxed over the last few years, including with increased 'Permitted Development' opportunities
- Planning procedures tend to favour the Applicant. Therefore, it is important for Democracy to have a robust system enabling Objectors to raise genuine Material Planning Concerns. It is also useful for the LPA to be aware when local opinion is against a development and why (even if it is not a material planning concern) [Unfortunately, many applicants or developers will fudge over issues of concern or are economical with the truth. Hard-pressed Planning Officers do not have time to check that all supporting 'evidence' is accurate in an Applicants submission.]
- We are as yet unclear about how EFDC is going to ensure that the different Neighbourhood Development Plans and their different policies are properly applied to applications, especially if there is more 'Delegated Power' to EFDC Planners and less involvement of the Local Councils in normal planning matters.
- What are the safeguards to ensure that Neighbourhood Development Plan Policies will be applied and enforced? The Local Councils need to have that input as Consultee and have the opportunity to state their viewpoint to District Planning Committee when their views differ with the Planning Officers, particularly as so many planning policies can be subjective.

For the above reasons, we would hope that the document is amended as follows:

3a. The number of objections should remain at 2 because:
   - Frequently, especially in rural areas, the numbers of letters sent out to neighbours does not even total 5!
   - Site notices are not always in appropriate places

Ongar Neighbourhood Plan Community Group
The Coach House, Church Lane, Greensted, CM5 9LD
Email: Ongarfutureplans@gmail.com

3b. Agreed, the Objection **must** contain 'material' planning reasons if the application is to go to EFDC Planning Subcommittee, including relating to relevant Neighbourhood Development Plans and emerging Neighbourhood development Plans. But, there should be no need for additional residents to write in because:

- A Local Council is acting as a **Representative** of the local Community.
  - The Local Council itself consists of a number of local residents.
  - A Local Council Objection is in effect a joint Objection voted on by at least the Quorum of the Committee/Council.
  - Local residents are likely to have made their concerns known to Councillors/Local Council, but should not need to put in an individual Objection as well.
- The Local Council's speciality is its locality. This will become more relevant in areas where there are Neighbourhood Development Plans and Policies or emerging Neighbourhood Plans.
  - Although Neighbourhood Policies are locality specific, planning approval is still by the LPA i.e. EFDC
  - The Local Councils will inevitably be monitoring applications to ensure that the Neighbourhood Policies are also applied and need an effective voice where they are not, or if there is doubt.
  - What other means will there be to raise material planning concerns relating to a Neighbourhood Plan policies?

3b Although it may be considered desirable for the Local Council to speak at District relating to an Objection, this should not be a condition. Other Statutory Consultees are not being asked to do so! [In fact NO other Statutory Consultees are mentioned in this document, such as Historic England, Environment Agency, Natural England, Sport England so presumably their conditions will be unaffected]

5. This should be extended to include Refusal at Appeal, since the delay in going to appeal and getting the Inspector' decision could exceed the 12 months

We trust that you will find this useful in compiling your response to Cllr Philip at EFDC and also when briefing District Councillors Keska and Bedford in support of Ongar Town Council's position.

Kind regards

Mary

Mary Dadd

Chairman of Ongar Neighbourhood Plan Community Group

Tel No. 01277365044 or 07717313515

Email : maryedadd@gmail.com or ongarfutureplans@gmail.com

ONPCG *working with* **Ongar Town Council** *to produce a* **Neighbourhood Plan for Ongar**

Ongar Neighbourhood Plan Community Group
The Coach House, Church Lane, Greensted, CM5 9LD
Email: Ongarfutureplans@gmail.com

ROYDON PARISH COUNCIL

P O Box 10752

Bishops Stortford
Herts, CM23 9GN

15th April 2018

Mr S Hill
Monitoring Officer, AD Governance
Epping Forest District Council
Civic Offices
High Street
Epping
Essex
CM16 4BZ

Dear Mr Hill

Proposed Planning Protocol Changes

Thank you for your letter of 29th March.

The Parish Council acknowledges that EFDC's planning department will have an increased workload as a result of the new Local Plan proposals and is looking at how the current system can be improved but it is important that the planning process remains a democratic and transparent one.

Replacement Planning Delegations

A1 - The suggestion that only developments of 10 or more dwellings on unallocated sites (or 25 on allocated sites) should be referred to a planning committee is concerning particularly in rural areas. In village/hamlet areas these would be considered as major developments and Roydon PC would like to see this threshold set at a much lower level. At the very least a Parish Council objection, on its own, should be sufficient to take such an application to committee.

A3 b. This proposal seems be aimed at reducing the number of objections made by Parish Councils which seems a retrograde and undemocratic step and the Parish Council strongly objects to this. Parish Councils should have genuine reasons for objecting to a planning application and if this is not happening then there should be more dialogue between District and Parish to ensure that this is the case. Roydon PC is also keenly aware of planning applications (as should district) which members of the public may not have been willing to object to so, in these incidences, the Parish Council has effectively

acted as a community voice. There are also occasions where residents have not seen, for various reasons, planning notices so in these cases residents' objections are less likely. Additionally whilst a parish council should be prepared to attend planning committee meetings for any 'sole' objections it makes, this should not be mandatory, as this would increase its own workload.

Commenting on any possible amendments to the EFDC Committee system, Roydon PC would want to ensure that the local ward councillors continue to be members of their area's committee and that the committees themselves are local and relevant to the areas they cover.

The Report to Constitution Working Group report dated 25/01/18 also gives examples of issues relating to Local Plan implementation (although this is not mentioned in the protocol changes now under discussion). Over 2,000 homes are likely to be built in Roydon Parish adjacent to Harlow as part of the Local Plan. Roydon PC would like to be consulted on planning for these areas far earlier in the process than would usually be the case. Local Plan policy states 'community and stakeholder engagement that will be embedded in the design and delivery' (of these areas). Roydon PC would like to be kept updated as plans move forward and for engagement to take place as soon as is practically possible.

We look forward to your further comments.

Yours sincerely

Janet Ballard
Clerk to Roydon Parish Council

Tel - 01279 730475
Email – roydon.council@btinternet.com

STANFORD RIVERS
PARISH COUNCIL

Ware Farm, The Street, High Roding, Essex, CM6 1NT

Tel: 077 377 36365 *Email:* stanfordriverspc@gmail.com

Clerk to the Council
Adriana Jones

Mr S Hill
Monitoring Officer, AD Governance
Epping Forest District Council
Civic Offices
323 High Street
Epping, Essex
CM16 4BZ

16th April 2018

Dear Simon

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Opportunity to comment

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3. With regard to planning applications, where they are recommended for approval by the planning officer, only going to Committee for consideration if one of the following occurs, the Parish Council makes the following comments:
    - *At least 5 expressions of objections material to the planning merits of the proposal are received* – **In rural areas, it is often the case that perhaps only one or two neighbours are sited next to, or in the vicinity of, a particular planning application. This ruling setting a minimum number of 5 objections would effectively exclude what could be valid planning objections in these cases. The Parish Council believes that no minimum number should be set in these cases, but that a decision as to how to progress is made on the planning merits of the responses received.**
    - *An objection is received from a local council, supported by at least one non-councillor resident, with material planning reasons* – **Agree.**
    - *An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered* - **Agree**
4. With regard to the Assistant Director Development Management / Head of Service Planning having the power to determine the matters set out below, unless he/she considers it appropriate to be determined by members, the Parish Council makes the following comments:
    - Tree Preservation Order consent other than where felling is proposed - **agree**
    - All notification applications - **agree**
    - All prior approval applications - **agree**
    - All certificates of lawful use and development- **There are times when the Parish Council or local residents are able to provide additional evidence to applications purporting to prove a continued use of over 4 or 10 years. The Parish Council believes that all 'existing use' CLD applications should come to the Parish Council for comment.**

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- All applications for approval of details reserved by condition - **agree**
- All applications for Permission in Principle for Minor Housing Led Development and for Technical Details Consent. **The Parish Council feels that simply because these sites are on a brownfield site, development in the green belt still needs a level of scrutiny more than applications for sites within urban or semi-urban areas. As such, Permission in Principle and Technical Details Consent should come to the Parish Council for comment.**

5. With regard to all the applications included in bullet point 4, it is unclear from the documentation submitted as to whether or not Parish and Town Councils will be notified of these applications, albeit possibly being unable to comment on some of them. Failure to do so can result in a greater workload for EFDC Enforcement with queries being raised by local residents or the Parish Council and subsequently needing to be investigated. It is suggested Parish and Town Councils continue to be notified of <u>all</u> applications regardless of whether or not they can comment, in accordance with the relevant legislation that supports this.
6. It is proposed that whatever changes are agreed, it is for a temporary period of 12 months, after which time it should be reviewed again to:
    a. Establish if the changes have in fact done what they were intended to do, i.e. reduce officer and District Councillor time;
    b. Establish if, as a result of these changes, the democratic system is being undermined; and
    c. Allow Parish and Town Councils to provide comments or evidence as part of this review, all of which should be given due consideration as part of the review itself.

If you have questions, please don't hesitate to contact me.

Yours sincerely

Adriana Jones
Clerk

Theydon Bois Parish Council

To: Simon Hill, Monitoring Officer, Assistant Director, Governance, Epping Forest District Council

From: The Planning Committee, Theydon Bois Parish Council

Date: 12th April 2018

Dear Mr Hill,

Thank you for your email of 29th March 2018, inviting our Parish Council to respond to the brief consultation on EFDC's **Planning Process Review – Delegation: Objections and Committee Systems**, and the revisions to the proposed wording of the Constitution.

Whilst we appreciate that it is likely that EFDC will require further resources, and the employment of additional personnel, to handle the many aspects of development envisaged over the next 15 year period, we do not share the view that the effectiveness of the planning process will be directly related to an increase in the determination of more applications under delegated powers.

The successful delivery of new housing, and community facilities, in our view, will rely on more active community engagement, and public confidence in the process itself. The level of scrutiny afforded by the District Sub-Committees, whose meetings are held in the public domain, and the opportunity for interested parties, and applicants, to have their case heard before locally-elected councillors is an essential part of the democratic process, the value of which cannot be underestimated. The 'localism' agenda, so popular at election time, is still held in high regard by many a resident long after a manifesto has been forgotten !

That said, we understand the intention to manage the workload of the respective Sub-Committees, by considering whether more applications could be determined under 'delegated powers', and also to consider whether the Planning Sub-Committees could be reduced to just one or two committees.

However, we would like to express significant concern at some of the proposed changes presently put forward, and so welcome the opportunity to comment further on these, when the issue is discussed by the 'Constitution Working Group' on Monday 16th April. We would not wish to see any changes that could undermine our role, or the public perception of transparency in the decision-making process.

As locally-elected representatives, our Parish Council Planning Committee generally meets to view planning applications every two weeks. It is a responsibility that our Councillors undertake with the knowledge that, on some occasions, there may be a reasonably full schedule. But it is a task that many of us fully appreciate, in terms of its importance to both the individuals who could be most directly affected, and to the character of the settlement as a whole.

The grounds given for any objection (if applicable) are always subject to discussion and democratic vote, and are based on considerations deemed to be material to the proposal and accordant with policy, both with respect to the Local Plan policies and those, more broadly, set out within the NPPF.

If further explanation is required, we will always send a Councillor to speak at the District Committee meeting. The only occasions on which this may not occur are when either (a) further amendments have been made to the proposal after the consultation period but which are not re-consulted upon (and if these represent a material improvement), or (b) when the Officer's Report includes further Conditions which may help to address the concerns raised.

At the time when a Return is submitted, we are not able to predict whether 'an objection' will result in a recommendation to approve, rather than a refusal. In many cases, we perceive that a 'way forward', by way of further revision, may be available to bring forth a more positive development.

We, therefore, believe that the attendance of a local council at the Planning Sub-Committee meeting is not always necessary but, should District Councillors be concerned by the lack of attendance from some local councils, then this issue may perhaps best be advanced by other more positive means of communication and discussion, rather than by an amendment to the Constitution.

However, we are also fully supportive of the District Committee process and are mindful that, on quite a number of occasions, in Theydon Bois, a refusal by a Sub-Committee has later been ratified by a dismissal of appeal. Such applications, if allowed under delegated powers, could have had a significantly detrimental impact on both the character of the village, and/or on the amenity of adjacent neighbours. Separately, interpretation of Green Belt policy has not always been consistent at officer level, and sometimes at variance with that followed by Planning Inspectors, leading to the view that further guidance on these aspects should be included either within the new Local Plan, or within Supplementary Planning Documents.

We would clearly like to see a greater number of applications approved without the need for objection, and would welcome initiatives that seek greater involvement with the local councils, and their communities, at an earlier stage in the design process (and not solely on 'allocated sites' and those attracting masterplans). It is not, however, the process of 'delegation' that is fundamental to this, but the promotion of good community relations and an understanding of what each settlement holds most dear. We never plan to object !

Finally, whilst the Planning Committee structure has yet to be formulated, we would not wish to see the amalgamation of the Sub-Committees and, if anything, the original discussions of 1999 (that proposed four Sub-Committees) could be considered further, so ensuring that each Ward Councillor is permitted to sit on a Planning Committee, irrespective of any political affiliation (or, indeed, none). Residents wish to see decisions 'made locally', and not by those they perceive may know little of the character of the locality within which development is proposed.

We hope you will take our views on the proposed changes to the Constitution into account during the deliberations. Where we feel we cannot, currently, concur with the suggested wording, we have endeavoured to explain our reasoning, which we hope is helpful.

Thank you for your time and consideration, which is much appreciated.

Caroline Carroll

Clerk to the Council, Theydon Bois Parish Council

Replacement Planning Delegations – CLD2 Replacement

A. To determine:

… except the following which shall be determined by the Committee or Sub-Committee indicated in Article 10 to the Constitution:

1. *Applications for residential developments consisting of 10 or more dwellings on unallocated sites, or 25 or more dwellings on allocated sites (unless approval of reserved matters only) which are recommended for approval;*

   Objection: TBPC is of the view that the number of residential developments should not vary depending on whether, or not, a site is 'allocated' in the New Local Plan. Not all sites will be subject to 'masterplans' and some of the smaller sites (ie. 10 plus) are proposed within sensitive localities, where an increase of 24 new dwellings could have a significant impact on local character. Additional sites may come forward within the 15 year period, or be required to meet further Government housing targets, which may not fall within the current definition of an 'allocated site'. A consistent approach should be taken with respect to all new developments: a figure of '**10 or more dwellings**' would seem appropriate.

2. *Applications made by the Council on land and/or property in its ownership which are for disposal, in accordance with the size or application set out in Article 10 of the Constitution.*

3. *Applications recommended for approval where either of the following have been received:*

   a) *At least 5 expressions of objections material to the planning merits of the proposal are received; or*

   Objection: TBPC is of the view that, whilst it may aid consistency to agree one number for all applications, the proposed figure is too high. Many 'householder' applications are not made known to local residents, except to those in properties immediately adjacent to the site, and, in more rural Green Belt locations, there may be considerably fewer nearby residents. However, extensions to existing properties can be substantial, as can proposed outbuildings and, either individually, or accumulatively, can have a significant effect on the character of the dwelling, its immediate neighbours, or the locality. We, therefore, believe the number of 'expressions of objections' should be '**3**'.

   The potential for the participation by interested parties is fundamental to public confidence in the planning process and in the Local Authority. Irrespective of the views of the Local Council (Town/Parish), who may not always object to a proposal, residents should feel confident that they may be afforded the opportunity to speak at Committee level, where material considerations can be put before their locally-elected District Councillors for deliberation.

   b) *An objection is received from a Local Council, supported by at least one non-councillor resident, with material planning reasons; or*

   Objection: TBPC is of the view that this provision should be deleted, as there will be some occasions when no 'interested party' may respond to the consultation on an application. This can occur where a developer owns the adjacent property/properties or

where residents are elderly, in ill health, working abroad, are tenants, or have concerns over future 'neighbour relations' if an objection is raised. The Town/Parish Council will take an objective view on all applications and, if material considerations result in an objection to a proposal, the decision to do so will be made by majority vote of the Planning Committee who are, themselves, locally-elected representatives. Acting in this capacity, there should be no further requirement for other 'interested parties' to have to raise objection.

c) An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered.

Objection: TBPC is of the view that the remit of the Constitution is to set out the process with respect to the material considerations that will be taken into account by the Sub Committee of the District Council, not to restrict that process by virtue of whether, or not, further representation is required, in person, when that Committee convenes. Since this requirement would also need to be made with respect to both interested parties and applicants/agents, we believe this is likely to prove impracticable.

Where concerns have been raised by Members with respect to the lack of participation at Sub-Committee by local councils, this would be better addressed by others means, and not via the Constitution. We recommend removing the words *"and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered"*.

4. Applications which a member has requested be referred to Committee for consideration subject to that member:

a) Providing a planning reason for the request; and

b) The request is made in writing within 4 weeks of that application's notification in the Weekly List.

TBPC is of the view that the previous provisions should apply. Call-ins should be by the Ward Member, or by another acting with their consent, who also sits on the same Sub-Committee.

5. Applications made, within 12 months of refusal of a similar development, where a recommendation for approval contradicts a previous decision of the Committee.

Objection: TBPC is of the view that the timescale should be **24 months**, to avoid the possibility of a similar development being re-submitted within a short time-frame. Should a District Committee refuse an application, it is reasonable that either a 'way forward' should be followed, a revised proposal be submitted, or an appeal lodged. The authority of the District Committee would be diminished if its decisions were not respected, and expected to endure within a reasonable time-scale, particularly where other approaches may provide a remedy.

District Councillors

Councilloe A Gurigg

Simon

Thank you for emailing me with the information in order that I can comment. I recollect that it is some time since we have had a review and therefore accept that this should be undertaken but I have found the timescale extremely tight as other members have also advised you.

Committees should be able to hear applications for 1 - 9 houses for unallocated sites and 1 -24 on allocated sites

3a My view is that At least Receipt of 3 expressions of objections etc. not 5

b An Objection from a Local Council (this should be sufficient - residents often go to Parish Council Meetings regarding their objections as they do not want to publicly write and object and be subjected to possible intimidation.

c This may well increase the length of meetings if every Parish Council who objected attended the meetings and spoke for 3 minutes. Parish Councils often consider there views are adequately conveyed in their letter of objection.

4. b I consider this timescale is too tight. Neighbours are not always aware of the proposals within 4 weeks of the notification in the weekly list.

My view is that this matter requires further consideration and should not be taken to full Council on 24th April.

regards

Cllr Anne Grigg

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