

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 30 November 2022 at 2.15 pm

Present

Councillors

P J Heal (Chairman)
S J Clist, Mrs C Collis, Mrs C P Daw,
B Holdman, D J Knowles, F W Letch and
B G J Warren

Apologies

Councillor(s)

Mrs F J Colthorpe, L J Cruwys and
B A Moore

Also Present

Councillor(s)

J Buczkowski

Present

Officers:

Richard Marsh (Director of Place), Maria De Leburne (District Solicitor and Monitoring Officer), Angharad Williams (Development Management Manager), Adrian Devereaux (Area Team Leader), John Millar (Area Team Leader), Tina Maryan (Area Planning Officer), Daniel Rance (Principal Planning Officer), Jake Choules (Planning Officer), Carole Oliphant (Member Services Officer) and Jessica Rowe (Member Services Apprentice)

83 **APOLOGIES AND SUBSTITUTE MEMBERS (0.03.24)**

Apologies were received from Cllrs Mrs F J Colthorpe, B A Moore and L J Cruwys

84 **PUBLIC QUESTION TIME (0.03.44)**

Jamie Byrom, a local resident referring to no 5 on the plans list stated:

Question 1 – With reference to evidence I have provided to her in advance of this meeting, please would the Legal Officer confirm (with relevant explanation and supporting evidence) whether or not the application as made on 26 August 2022 was valid?

Question 2 – During the Inquiry site visit, the Inspector found the required visibility along the line now shown on S278 plans for the NE access to be unachievable. What evidence (if any) has been provided to the case officer to justify the LHA's decision to accept the S278 plan that applies exactly the same visibility that she has proved not to work?

Question 3 – Will the officer confirm to the Planning Committee that the Local Highway Authority responded to consultation in September and that among their comments they told him that “DCC could not give you [the applicant] permission to open a new access”?

Q4. The covering letter from the applicant’s agent supports variation on the grounds that inspectors wording of the relevant conditions is flawed. I’ve searched the officers report to this committee and I can’t find his view on that crucial claim whether its flawed or not. So, I ask just for clarity is it the officers professional opinion that in her appeal decision of April 2021 his majesty’s inspector wrote flawed conditions that were unreasonable, unnecessary or unlawful?

Q5. Please will the officer inform us precisely what changes in laws, regulations, policies, guidance, or even local circumstance unknown to the inspector in April 2021, now mean that her wording of the conditions must be varied?

Q6. Will the officer confirm that the wording that went out to publication in September retained the inspectors requirement that S278 plans must be approved by the local planning authority, but that this requirement has been very recently dropped from the wording that’s before the committee today, and that it never went out to public consultation?

Mr Elstone, a local resident asked:

AGENDA ITEM 10 – PLANNING COMMITTEE PROCEDURE

QUESTION 1.

The proposed changes to the Planning Committee Procedure focus on Public Question time.

Why is it deemed a requirement to make Public Questions far more prescriptive and with increased editorial rights?

Changes it would seem to further stifle the Democratic Process and Public Engagement in MDDC.

RED LINHAY ANAEROBIC DIGESTER – REMOVAL OF NOISE CONDITION 13.

QUESTION 1

A Red Linhay Noise Survey dated March 2018 shows sound levels significantly exceeded Planning Condition requirements.

Rather than the applicant showing he has remedied the high noise level, he seeks not to have further noise assessments undertaken.

Why after over 4 years has this breach of planning condition 13 not to been enforced?

QUESTION 2

In early 2020 the MDDC Specialist Environmental Protection Officer raises concerns about the sound level produced by a conveyer dryer and mentions the requirement for a noise assessment against BS4142.

Conveyor driers can loud. Around 100dB under full load 97dB being equivalent to an industrial fire alarm.

Can it be confirmed if this as noise assessment was ever completed?

QUESTION 3

Despite the applicant further industrialising the Red Linhay site and including producing feed pellets it is believed for commercial sale. Requiring additional noise producing equipment installed without any planning apparent application.

Is this not more reason to enforce even enhance Condition 13 and not remove?

QUESTION 4

Using the applicant's own data submission to MDDC the Red Linhay AD is producing and exporting over twice as much electricity as the planning condition allows. It has been doing this since 2019.

Therefore, more noise generating equipment is running 24/7.

Why has this planning condition not been enforced as it is a planning violation that has far reaching consequences for the local community and not just noise?

- GILBERT'S LODGE – MOREBATH.

QUESTION 1

Can the Planning Officer please confirm that my understanding of the Gilbert's Lodge development timeline is correct?

- Started as a redundant stone built barn.
- Permission granted to convert barn to a fishing lodge on holiday let and with an agricultural holding type restriction.
- Permission granted in 2016 to occupy as part residential use and part holiday let for months of June thru August.
- Permission granted in 2020 applicant for full residential use but with restrictions on development
- Application to be decided that would permit demolition of the stone barn conversion and the erection of an ultra-modern house nearly 4 times as big and not on the existing location/footprint.

85 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (0.10.57)

Members were reminded of the need to make declarations where appropriate

86 MINUTES OF THE PREVIOUS MEETING (0.11.08)

The minutes of the meeting held on 2nd November 2022 were agreed as a true record and duly **SIGNED** by the Chairman

87 **CHAIRMAN'S ANNOUNCEMENTS (0.11.52)**

The Chairman reminded Members of the two meetings to be held in January on 4th and 18th.

88 **WITHDRAWALS FROM THE AGENDA (0.12.32)**

There were no withdrawals from the agenda

89 **THE PLANS LIST (0.12.39)**

The Committee considered the applications in the *Plans List.

Note: *List previously circulated and attached to the minutes

Applications dealt with without debate.

In accordance with its agreed procedure the Committee identified those applications contained in the Plans List which could be dealt with without debate.

RESOLVED that the following applications be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

- a) Application 22/01556/MFUL - Erection of new external heat pump systems, installation of solar car ports to parking areas and installation of photovoltaic panels to existing roofs at Exe Valley Leisure Centre, Bolham Road, Tiverton.*** Planning Permission subject to conditions be granted as recommended by the Development Management Manager

(Proposed by the Chairman)

Reason for the decision: As set out in the report

Notes:

- Cllr D J Knowles made a declaration in accordance with protocol of Good Practice for Councillors dealing with planning matters as he was Cabinet Member for Community Wellbeing
- The Chairman provided the following updates:

Since the writing of the committee report, and publication of the agenda, the Tiverton Neighbourhood Plan has been approved at Referendum. As such, it now forms part of the statutory development plan. As such, it now carries full weight when considering planning application.

The proposal is not considered to be affected by the addition of the Tiverton Neighbourhood Plan to the development plan but consideration should be given

to the relevant policies contained within the neighbourhood plan. For the record, the relevant policies are:

Policy T4: Character of Development
Policy T5: Design of Development
Policy T6: Energy Efficiency and Design
Policy T7: Minimising the Risk of Flooding

The development is considered to comply with these policies of the Tiverton Neighbourhood Plan.

Since the writing of the committee report, and publication of the agenda, the Lead Local Flood Authority (Devon County Council Flood and Coastal Risk Management Team), have provided last minute comments.

No further issues have been raised with reference made to reviewing the possibility of providing rain gardens or SuDS planters, which is the reason why condition 3 was imposed. Nothing changes in that respect.

The LLFA have also asked, if it is not too late, whether a pre-commencement condition could be added for managing surface water during the construction stage, as follows:

“No part of the development hereby permitted shall be commenced until a detailed surface water drainage management plan for the full period of the development’s construction, has been submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system shall then be constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority, and shall thereafter be so maintained.

Reason: To ensure that surface water from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.”

While this is noted, officers do not feel that this condition is necessary as the construction works proposed are not considered to be of a nature that would be likely to generate additional flood risk or water quality issues. Should Members wish however, this condition could be added.

b) Application 22/01835/TPO - Application to fell 1 Chestnut tree protected by Tree Preservation Order 94/00009/TPO at Land at NGR 303328 110201, Harpitt Close, Willand. Permission be granted as recommended by the Development Management Manager

(Proposed by the Chairman)

Reason for the Decision: As set out in the report

Notes:

- Cllr B G J Warren made a declaration in accordance with protocol of Good Practice for Councillors dealing with planning matters as he was Chairman of Willand Parish Council

c) Application 22/00735/MARM - Reserved matters for the erection of 200 dwellings following outline approval 17/01346/MOUT at Land at NGR 301738 107814, Tiverton Road/, Goblin Lane

The Area Planning Officer Major Projects Cullompton outlined the application by way of a presentation highlighting an aerial photograph, phase 1 applications, site layout, street elevations, site sections, garden sections, house types, landscaping and photographs of access point and views of the site.

The officer advised that there were proposals to update conditions 2 and 7 and that the Flood Authority had withdrawn all its objections.

Consideration was given to:

- The application meeting Policy HS04 of the Cullompton Neighbourhood Plan
- The RSPB could be consulted on the appropriate bird boxes to be installed
- The developer would provide access up to the boundary of the existing allotments but access into the allotment site would be the responsibility of the Town Council
- The detached garages complied with size requirements but the integral ones did not but that was because they were additional to the two parking spaces required
- The views of the applicant who provided the key points of the application including the importance of the spine road, much needed affordable housing, parking in line with policy, the provision of a terraced green viewpoint and significant S106 package
- The views of the Town Council who felt the application was contrary to policy HS04, that the developer could get permission from an adjoining site owner for construction site access to complete the spine road and permission should not be given until the spine road was complete
- Open spaces would be managed by a management company

It was therefore **RESOLVED** that Reserved Matters were approved subject to conditions as recommended by the Development Management Manager subject to amendments to condition 2 and 7:

Condition 2.

A revised Landscape Strategy Plan has been submitted. The Landscape Strategy Plan referred to in condition 2 should be version Rev P09.

Condition 7.

The Landscape Strategy Plan should also be updated to version Rev 09. The applicant has also requested that earthworks associated with the installation of development drainage networks are also included to the exceptions for protection of the retained grassland as foul drainage will need to be installed within this area. Your officers consider this to be reasonable. The condition should therefore read:

There shall be no temporary or permanent storage or depositing of material on the floodplain of the St Georges Well Stream/the area shown hatched in green as retained grassland on Landscape Strategy Plan 10640-FPCR-ZZ-XX-DR-L-0003 Rev P09, except that associated with creation of the highway that crosses it. This includes the arising's from creation of the proposed channel and scrapes. All retained grassland within this area where earthworks are not being carried out in relation to the realignment of the stream, creation of the scrapes, provision of the footpath or bridge, installation of development drainage networks, or construction of the highway that crosses it, shall be fenced off and protected during the entire period the construction works take place.

(Proposed by Cllr F W Letch and seconded by Cllr D J Knowles)

Reason for the decision: As set out in the report

Notes:

- The applicant Ciara McGinty spoke
- Cllr J Buczkowski spoke on behalf of Cullompton Town Council

d) Application 22/01234/FULL - Erection of a replacement dwelling with garage/workshop and landscaping following demolition of existing at Gilberts Lodge, Morebath, Tiverton.

The Area Team Leader outlined the application by way of a presentation which highlighted an aerial image, existing site plan, proposed site plan, existing elevations, proposed elevations, sections, existing floor plans, proposed floor plans, proposed landscape strategy and photographs of the site. He also noted that no appeal had in fact been made against non-determination, as advised in the Committee Report. As such, Members were entitled to determine the application.

The Area Team Leader confirmed that the statements made by the public questioner were correct. He also recommended that Local Plan policy S14 (Countryside) be added to the refusal reason, if Members resolved to determine in line with the officer recommendation

Consideration was given to:

- The property had no existing permitted development rights and did not comply with Policy DM10
- The views of the agent who stated that permitted development rights should not have been removed and the application was compliant to Policy DM10
- The views of the Ward Member who felt that the property was not suitable for upgrading, the application had the support of the Parish Council and that planning permission should be granted

It was therefore **RESOLVED** that planning permission be refused as recommended by the Development Management Manager for the following reason:

The proposed development comprising the demolition of a traditional barn conversion used for residential purposes, and its replacement with a new dwellinghouse, is unacceptable by reason of the increase in floor space by approximately 211 square

metres, which is equivalent to an increase in around 370% of original floor space. This is contrary to policy DM10 of the Mid Devon Local Plan (2013-2033), which limits the floor space of replacement dwellinghouses outside defined settlement limits to no greater in size than the existing dwelling, taking into account any unspent permitted development rights. As the existing dwellinghouse is a barn conversion, permitted development rights were removed, in order to preserve the traditional character of the former agricultural building. The existing building has a floor space of 78.18 square metres, with no permitted development rights available. As such, with no realistic fall-back position available, any replacement dwelling should not have a floor space exceeding 78.18 square metres. Furthermore, there is an in-principle objection to the replacement of a dwellinghouse that was only granted under special circumstances, those being that it related to the conversion of a traditional building of substantial and permanent construction that positively contributed to the area's rural character, and was able to be converted without significant alteration, extension or rebuilding. As such, the proposed development is considered to be contrary to the aims and objectives of the most up to date Local Plan policy relating to the conversion of rural buildings, policy DM9, as well as failing to accord with the requirements of policies S14 and DM10.

(Proposed by Cllr F W Letch and seconded by Cllr Mrs C P Daw)

Reason for the Decision: As set out in the report

Notes:

- Cllr P J Heal, S J Clist, Mrs C Collis, Mrs C P Daw, B Holdman, D J Knowles, F W Letch and B G J Warren all made declarations in accordance with protocol of Good Practice for Councillors dealing with planning matters as they knew the applicant
- The agent Chris Burton spoke
- Cllr R Stanley provided a written statement as Ward Member

e) Application 22/01688/MOUT - Variation of conditions 7, 9, 10 and 11 of planning permission 17/01359/MOUT to amend the requirement for access and highway works from pre-commencement of development to occupation of development (Outline for the erection of 60 dwellings and construction of new vehicular access onto highway to the West of the site) at Land and Buildings at NGR 302469 114078, Higher Town, Sampford Peverell.

The Area Team Leader, in response to questions asked by the public confirmed:

1. Incorrect Certificate submitted as the applicant doesn't own all the land on site.

This was address to the Legal Officer but I have liaised with them in order to provide a response. Certificate A was submitted as part of planning application which made the application valid. It should first be noted that there is an existing planning permission on the land (outline and reserved matters both approved) and that the main point is that any permission runs with the land. In terms of not having served notice on all owners, the applicant can serve notice on said owner and submit Certificate B for the planning file. This certificate would not change the decision which should be taken as a new certificate would be correcting a procedural irregularity.

The recommendation is to approve the variation to the wording of conditions subject to completing a Deed of Variation to the original S106 agreement and therefore submission of a correct certificate could take place at the same time a Deed of Variation to the Legal Agreement is being worked on.

The issue of ownership has been raised to the applicant and their solicitor commented as follows:

In relation to the pending s73 application (22/01688/MOUT), I confirm that the owners of the two 'rounding' areas of land had agreed to transfer this to Edenstone, but the transfer plan was not updated at the time. The owners will execute a separate transfer to Edenstone to incorporate these areas into the site, and confirmation from their agent will follow. In terms of the procedural notice requirements and the ownership certificate in the application, each of the owners are well aware of our application to change the timing of the highway works, so no one has been prejudiced as a result of those notices not being served.

There is also case law in relation to the necessary certificate within the application:

[Main v. Swansea City Council and Others CA (1985) 45 P&CR.26] where the Court of Appeal held that:

'(1) ... a factual error in a certificate ... might be no more than an irregularity that did not go to the jurisdiction of the local planning authority to entertain the application..'

2. Concern raised that the visibility splay for the NE access cannot be achieved.

As noted in the officer report plans have been submitted as part of the S278 Works which have received technical approval. The visibility splays were checked on site and it was found that the OS mapping is wrong and I have been passed a copy of the plan produced by Hydrock which is based on topographical survey information which confirms the building does not obstruct visibility. I have printed some copies for Members so you can see this addresses concerns as to whether the works could be delivered.

3. Reference made from the Local Highway Authority to the applicant that they were unable to approve a new access.

To explain the context for this response, it should be noted that the initial planning submission also included a change of wording for condition 8 which relates to the main vehicular access into the site which would have also meant it being implemented prior to occupation of the first dwelling but this was withdrawn as it was pointed out by the Local Highway Authority that this access is required to be provided pre-commencement in order to allow the development to be built out. Therefore S278 plans have been submitted for the creation of the main access into the site which will be provided prior to commencement of the housing development.

4. Do I believe the Planning Inspector's conditions were flawed?

Short answer is no, the Planning Inspector determined the development on the information to hand at the time and outlined in Paragraph 196 of the appeal decision 'Conditions 7 to 11 are necessary and reasonable to ensure that safe and suitable

highway works for vehicles, pedestrians, and cycles, are fully assessed and delivered. It is reasonable and necessary to require that they are worded as pre commencement of development conditions to ensure that the schemes are achievable and delivered in accordance with MDLP Policy SP2 g) and paragraph 108 of the Framework.

As outlined in the Planning Inspector's Report and noted upon by objectors in representations received, there were concerns during the appeal over delivery of these highway works which is why the Planning Inspector took the decision to impose pre-commencement conditions.

5. What has changed in Legislation that means the conditions should be varied?

The main change is that at the time the Planning Inspector made their decision they were only assessing the outline planning application, the principle and access into site. Since then the Local Planning Authority has approved the reserved matters (22/00040/MARM) where details of Layout, Scale, Appearance and Landscaping were provided and considered at length with no objections from Statutory Consultees such as the Lead Local Flood Authority or Local Highway Authority. Also since the submission of this application, full highway plans have been submitted to the Local Highway Authority as required by the S278 works and these have received technical approval with the plans placed on this application file.

Therefore the situation has moved on since when the Planning Inspector considered the principle of the development and means of access. Therefore in light of why the reasons were imposed and the fact that it has been identified that the highway works can be delivered, the question then to ask is whether it would be reasonable to allow these highway works to be implemented prior first occupation of the development rather than pre-commencement. I will outline this case further in the presentation to follow but would note that the requirements for the conditions arise from new residents arriving which will not occur until such time as the houses can be occupied and to refuse would only delay the delivery of this housing on an allocated site within the Local Plan. The NPPF makes clear that local planning authorities should approach decisions on proposed development in a positive and creative way; they should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

6. The requirement for details to be submitted and approved by the Local Planning Authority which appears to have been dropped.

It is the Local Planning Authority who formally discharge planning conditions. When the conditions relate to highway works, we consult with the Local Highway Authority to confirm whether the information submitted is acceptable and the condition can be discharged.

This application is to vary the wording of conditions 7, 9, 10 and 11 and as required by these conditions the full detailed highway plans have been submitted as part of the S278 works and these plans have also be placed on file. The Local Highway Authority has confirmed technical approval. In light of this the condition wording is recommended to be varied so that these highway works are implemented prior to occupation of the first dwelling on site.

The Area Team Leader then outlined the application by way of a presentation which highlighted the site location plan, existing condition wording and the proposed condition wording.

Consideration was given to:

- The Flood Authority and Highways Authority had no objections to the revised wording of the conditions
- Technical approval plans had been confirmed by the Highways Authority
- Safety Audits of the access would have to be carried out and completed successfully
- S73 of Town and Country Planning Act 1990 allowed applicants to apply to vary conditions of a planning permission
- The plans submitted had technical approval and therefore concerns from the Inspector over deliverability had been addressed
- A construction management plan had to be agreed and discharged before any works could commence
- The views of the objector who stated that the Inspector knew the concerns and had required a detailed plan. The appeal stated that highways should be fully delivered prior to commencement
- The views of the applicant who stated that they were seeking to vary four conditions to amend the timeframe of offsite highways works. The works were bonded by a 278 agreement which would ensure that the highways works were completed and that the variation to timeframes would allow for development to commence
- The Highways Authority Officer confirmed that four safety audits had been completed on the visibility splays to ensure safety
- The views of the Parish Council who stated that road safety was the main consideration and that there were concerns with construction traffic and vehicle movements going through the village
- The views of the Ward Member who stated that the villagers had looked into this and that the village would be affected. The Inspectors original conditions should be adhered to

It was therefore **RESOLVED** that planning permission be granted subject to conditions and the signing of a S106 agreement to secure as recommended by the Development Management Manager

(Proposed by the Chairman)

Reason for the Decision: As set out in the report

Notes:

- Cllr B G J Warren made a declaration in accordance with protocol of Good Practice for Councillors dealing with planning matters as he was involved in the appeal and had been contacted by objectors
- Cllr B Holdman made a declaration in accordance with protocol of Good Practice for Councillors dealing with planning matters as he knew the neighbours

- Cllr Mrs C Collis made a declaration in accordance with protocol of Good Practice for Councillors dealing with planning matters as she had been involved in the appeal and was Ward Member
- Cllrs Mrs C P Daw, D J Knowles, S J Clist and P J Heal all made declarations in accordance with protocol of Good Practice for Councillors dealing with planning matters as they had received correspondence
- Jamie Byrom spoke as the Obejctor
- The applicant Tim Smale spoke
- Cllr Culpin spoke on behalf of Sampford Peverell Parish Council
- Cllr Mrs C Collis spoke as Ward Member
- Cllrs B G J Warren and Mrs C Collis requested that their votes against the decision be recorded

f) Application 22/00868/MFUL - Removal of condition 13 of planning permission 17/01142/FULL - further noise assessments at Land at NGR 299621 112764 (Red Linhay), Crown Hill, Halberton.

The Planning Officer outlined the application and confirmed that it was to vary condition 13 and not remove it all together. The incorrect noise level had been previously stated and the application was to amend the noise level requirement so that it could be enforceable.

In response to questions asked by the public he stated that the questions all related to enforcement issues which did not form part of the application in front of Members.

Consideration was given to:

- Public Health confirmed that the change was required so that the noise level was set accurately and tidied up for consistency
- The condition was being amended so that it could be enforceable
- The views of the Parish Council who would support the amendment to the condition and requested regular noise assessments
- The view of the Ward Member who objected strongly to the condition being removed altogether and that the revised condition noise levels should be enforced

It was therefore **RESOLVED** that planning permission be granted subject to conditions as recommended by the Development Management Manager

(Proposed by Cllr S J Clist and seconded by Cllr F W Letch)

Reason for the Decision: As set out in the report

Notes:

- Cllrs C P Daw and B G J Warren made declarations in accordance with protocol of Good Practice for Councillors dealing with planning matters as they had received correspondence
- Cllr B Holdman made a declaration in accordance with protocol of Good Practice for Councillors dealing with planning matters as he sat on Tiverton Town Council planning committee

- Cllr C Ayre spoke on behalf of Halberton Parish Council
- Cllr R Radford provided a written statement which was read out by the Chairman
- Cllr F W Letch left the meeting at 5.15pm and took no further part in discussions or voting

g) Application 22/01437/FULL - Conversion of redundant agricultural building to a dwelling at Barn at NGR 287821 106397 (Orchard Hayes Farm), Cheriton Fitzpaine, Devon.

The Planning Officer outlined the application by way of a presentation which highlighted and aerial image, site location plans, block plans, existing plans, proposed plans and photographs of the site.

The Officer explained that the application came under Policy DM9 and referenced the poor state of the building which had no agricultural features and was not eligible for conversion under Class Q.

Consideration was given to:

- The views of the agent who stated that the application had previously been submitted under Class Q but because of other works on the site was not eligible but that it met all the requirements of Policy DM9
- Views of Members who felt the building could not be converted and would need to be completely rebuilt which was not in line with Policy DM9

It was therefore **RESOLVED** that planning permission be refused as recommended by the Development Management Manager for the following reason:

The site is in a countryside location where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority the building is not worthy of conversion and retention as it is not of a design or appearance which is important to the character and appearance of the area. In addition the proposed development would be located where it is remote from adequate services, employment, and public transport and will therefore increase the need for travel by private motor vehicles. The proposal is therefore contrary to Policy S1 & DM9 of the Mid Devon Local Plan 2013-2033.

(Proposed by B G J Warren and seconded by B Holdman)

Reason for the Decision: As set out in the report

Notes:

- Simon Archer spoke as the Agent

90 **MAJOR APPLICATIONS WITH NO DECISION (2.57.11)**

The Committee had before it, and **NOTED**, a *list of major applications with no decision.

The Committee agreed that:

1. 22/02102/MFUL – To Committee if officer was minded to approve and a full site visit be arranged (on a Tuesday if possible)
2. 22/01492/MFUL – remain delegated
3. 22/0191/MFUL- remain delegated
4. 22/00505/MFUL – remain delegated
5. 22/01901/MFUL – remain delegated
6. 22/01893/MFUL - To Committee if officer was minded to approve – No site visit required

Note: *list previously circulated and attached to the minutes

91 **APPEAL DECISIONS (3.06.21)**

The Committee had before it, and **NOTED**, a *list of appeal decisions.

Note: *list previously circulated and attached to the minutes

92 **PLANNING COMMITTEE PROCEDURE (3.06.38)**

The Committee had before it some suggested amendments to the Planning Committee Procedure.

In response to questions asked by the public the District Solicitor and Monitoring Officer stated that the requirement for the public to submit questions in advance was to assist both the public and officers in being able to receive comprehensive replies to sometimes very complex and technical questions

Consideration was given to:

- The reasons why it was preferable for officers to receive questions in advance so that full and concise answers could be provided
- If implemented there would be cost savings by not having to defer applications for further answers to be investigated
- That the procedure should be further updated to state that adjacent Ward Members could speak at the Chairman's discretion

It was therefore **RESOLVED** that the Planning Committee Procedure be updated with the suggested amendments

(Proposed by the Chairman)

Reason for the Decision: To ensure that the Council rules for public questions were aligned to the Planning Committee Procedure and to ensure that Planning Officers received questions in advance to facilitate full responses in meetings

(The meeting ended at 5.56 pm)

CHAIRMAN