Supplement – Annual Council, 24 May 2016, Agenda Item 11, Report of the Constitution, Ethics and Probity Committee – Strategic Planning Pre-Application Process and Amendments to the Council's Constitution

Section 5.7.1 of the report to the Constitution, Ethics and Probity Committee stated that consultation on the proposals set out in the report would take place with Members of the Planning Committee. This consultation did not take place in time for the Constitution, Ethics and Probity Committee which took place on 9 May 2016 but has subsequently taken place. There are eleven full members of the Planning Committee and six substitute members. From this, five full members responded along with two substitute members responded to the request for comments. Comments made by Planning Committee members are summarised below for Full Council to consider when making a decision on the referral from the Constitution, Ethics and Probity Committee.

From the seven members that provided feedback, three responded in favour, three against, and one member provided views both for and against. Specific comments from members were as follows:

Comments in favour

- Developers often want to listen to and take on board comments from the community, and often hold a range of events to do so. The Planning Committee itself is an ideal forum in which to hold such early discussions as an additional measure. It can give developers valuable feedback on the kind of aesthetic and social concerns that form the basis of our goals for development in the borough. It is considered that such feedback tends to get drowned out at the later stages of a planning application, when it is a matter of yes or no and with no room for grey areas or give and take. This proposal would therefore aid members in making more informed decisions on applications.

- This system is currently used in the London Borough of Croydon, where it is seen as a success. A number of massive and important development projects will come to Planning Committee in the coming years, and it is important that we do all we can to ensure that they are processed in a way that is both smooth and that maximises the input which councillors can bring to bear.

- The proposed pre-application process is an improvement on the public Planning Forums for large applications that were previously set up and which were not particularly helpful for Members and subsequently discontinued.

- The pre-application process proposed would be altogether more precise involving councillors, Council officers and the developer.

Comments Against

- Two members commented the pre-application process this may compromise the Planning Committee's ability to be neutral as they would have already made comments on proposals before reaching a committee date. Any subsequent objector to a scheme might claim that the committee's independent decision making had been compromised via such pre-application meetings.

- It is not the role of Planning Committee members to give advice, but rather to make decisions. This proposal would fundamentally change that role.

- The Council's Planning Department is there to advise developers on pre-application and other planning matters; the Planning Committee is not.

- It might be very difficult for Planning Committee members to advise developers on pre-application matters before they have had the opportunity to consult with local affected residents and/or interested parties.

- It could place Planning Committee members in a difficult position, if having at the pre-application meeting raised an issue that the developer subsequently appears to accommodate, then the Committee member votes against the scheme at the subsequent Planning Committee.

General Comments

- Three members supported a trial period.

- One member noted that if its sole purpose is to educate the Committee Members then they would welcome the initiative. However they raised concern that if it leads to members being seen to shape the development as it progresses then this could pose problems for the authority.

- One member suggested that strategic planning applications should be submitted to the Mayor's Office so that the Council is seen to take a firm hand with developers. The member suggested that on applications for residential accommodation members can get more real affordable housing and fewer 'review mechanisms' which merely promise to consider a contribution to affordable housing at an undetermined future date.

- This would create more work for those involved. With London boroughs where the pre-application procedure is in use, it seems probably that there would be an extra five planning meetings a year required.

- A member commented that it will be quite difficult for councillors at first to question developers without giving the impression they are against the application and predetermined. They noted, however, that there is not too much that can be done about this issue.

- A member commented that they thought the general theory was good, but were unsure about how it would be applied in practice and would like to know more.