

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE** held on **THURSDAY 3 SEPTEMBER 2020** at 7.00 pm.

**Present:** Councillor Brown (Chair)  
Councillors Bint, Bowyer (Nominated substitute to the Group Vacancy), Exon, Lancaster, Legg, McLean, Petchey, Reilly (Substituting for Councillor Alexander), Trendall and Wallis.

**Officers:** T Aldworth (Deputy Chief Executive), T Darke (Director, Growth, Economy and Culture), J Palmer (Head of Planning), M Joyce (Interim Development Management Manager), A Turner (Development Plans and Delivery Manager), J Lee (Senior Planning Officer), K Lycett (Senior Planning Officer), D Buckley (Senior Planning Officer), P Caves (Team Leader - Traffic and Development), C Gaunt (Principal Lawyer - Property and Housing), P Brown (Head of Democratic Services) and J Crighton (Committee Manager).

**Also Present** Councillors Carr, Darlington, D Hopkins, McCall and Wales.

**Apologies:** Councillor Alexander.

#### **DCC25 INTRODUCTION AND WELCOME**

The Chair welcomed members of the public and councillors to the meeting and explained that the meeting was being held remotely and would be broadcast live on YouTube. He further explained the procedures to be adopted.

The Committee heard that Councillor Baines, having resigned from the Conservative Group, was no longer a member of the Committee and his replacement would be appointed in due course and thanked Councillor Baines for his contribution.

The Chair further welcomed Mr Myles Joyce who was the new Interim Development Management Manager.

#### **DCC256 MINUTES**

RESOLVED:

That the minutes of the meetings of the Development Control Committee held on 18 June 2020 and 2 July 2020, and the meeting of the Development Control Panel held on 16 July 2020 be agreed as accurate records and signed by the Chair as such, subject to the following amendments;

DCC 22 The reference to Parish Councillor Tenant, to read Town Councillor.

DCC23 in respect of application 20/00835/REM at paragraph 16 the word 'commended' to be replaced by the word 'commenced' and in paragraph 17 the word 'propose' to read 'proposed'.

**DCC27**

**DECLARATION OF INTERESTS**

Councillor Legg asked that it be noted that in respect of application 20/00678/FULMMA, he was a member of West Bletchley Parish Council, which had discussed the application, he however had not taken part in those discussions or expressed any views.

**DCC278**

**PUBLIC PARTICIPATION**

**Questions**

Town Councillor Tate Chapman-Ballard (Walton Community Council), asked the following question;

'At the meeting of Development Control Committee held on 4 June 2020, the Chair of the Committee committed to carry out an investigation, along with the Vice-Chair of the Committee, into the reasons and justification for the increase in density at the Hindhead Knoll Development site, and why the change in density had occurred in Plan:MK without appropriate public consultation. Has the investigation commenced and if so, what progress has been made to date?'

The Chair responded to say that, as the Community Council was aware, he had requested any further information in July and received documents from the Community Council at the end of July. Further, that he was in the process of reviewing this information and collating the main questions with the intention of seeking answers to in relation to the modification of Plan:MK.

The Chair indicated that the main issue was the ongoing Local Government Ombudsman (LGO) case, his reluctance to pre-empt or prejudice the outcome and to see how this was resolved before finalising scope. The complaint was raised with the LGO before the planning application came to the Committee and it was right that this process was resolved first. The Chair indicated that the LGO case might answer some questions or raise ones not previously considered, but he had not been able to obtain any details about progress with the LGO and accepting that the complaint was not made by the Community Council, any assistance from them to facilitate progress with the LGO (such as a case reference or contact) would be welcome.

The Chair also welcomed any contact or questions from residents and councillors and indicated they did not need to wait until formal meetings to raise questions, reaffirming his commitment to work together to try to address the concerns of the residents.

As a supplementary question Town Councillor Tate-Ballard asked;

‘It is unfortunate today that I learnt that the Secretary of State has decided to not ‘call in’ the DCC’s decision on the Hindhead Knoll site, given that we have called for an independent investigation into Milton Keynes Councils planning department. Following the criminal complaint raised in relation to the handling of the Blakeland application, does the Chair feel that the current decisions of the committee are letting down the residents of Milton Keynes, especially in the area of Walton Community Council and should the Hindhead Knoll decision be held in abeyance until it is unequivocally established that the Committee does not act in an illegal manner?’

The Chair responded to say that in his view, decisions of the Committee were sound and he would be happy to have a discussion in respect of the matters raised. Further, that there was an item on the agenda to consider the performance of the Service and that the report in respect of the review into the Blakelands application was still awaited.

Councillor Hosking had submitted a question which was read by the Committee Manager;

‘My question relates to the Mounts Farm application in Emberton:

DCC asked officers to provide a ‘case history’ for this application when it was granted in April. What progress has been made in drafting this report and when will a final version be available for members?’

The Head of Planning responded to say that there had previously been a capacity issue in the team caused by the resignation of the Development Management Manager, but that an interim appointment had been made to the role and that an investigation would be undertaken with a view to reporting back to the October Development Control Committee meeting.

Mr Tooley asked;

‘Assuming that the Dorfman report into the Blakelands warehouse still has not been received, and with patience running thin, does the Council have the option to opt out and to engage another consultant?’

The Deputy Chief Executive confirmed that the Council would have the option to engage another consultant, but this would be an decision to be made by the Audit Committee, which were responsible for commissioning the review. It was further commented that the review report author, Mr Dorfman, having had recent correspondence from residents was still engaged in following up lines of enquiry. It was hoped that the report would be ready in September 2020.

As a supplementary question Mr Tooley asked;

‘Was the Deputy Chief Executive confident that the report would be received in September given that several deadlines had already been missed.’

The Deputy Chief Executive responded to say that further work was ongoing to understand progress with the additional lines of enquiry that had been raised, but that Mr Dorfman was very aware of the importance of delivering the investigation as quickly as possible and that it was the thorough and independent report that was requested of him.

**DCC28**

## **REPRESENTATIONS ON APPLICATIONS**

Councillors Carr and McCall (Ward Councillors) spoke in objection to application 20/00133/OUTEIS, Outline planning application, (all matters reserved except access), for the demolition of the existing farm buildings on site and the development of up to 930 dwellings (including affordable dwellings), primary school, local centre, open space, sports pitches, play areas, pavilion/wellbeing centre and other associated works at Tickford Fields Farm, North Crawley Road, Newport Pagnell.

The Applicant’s Agent, Mr S James, exercised the right of reply.

Mr E Hume, Mr N Kelly-Wilson (Residents Association), Ms D Shephard (Clerk to Fenny Stratford Town Council), Councillor Wales (Neighbouring Ward) and Councillor Darlington (Ward Councillor spoke in objection to application 20/00678/FULMMA, Variation of conditions 2 (operational life), 3 (restoration sequence) and 5 (final restoration of the site), attached to planning application MK/806/95 to extend the operational life of the site by 15 years with final restoration of the whole site to be completed within a further 24 months at Bletchley Landfill Site, Guernsey Road, Newton Leys, Milton Keynes.

The Applicant’s Agent Mr M Nicholson exercised the right of reply.

Councillor D Hopkins (Ward Councillor) spoke in objection to application 19/02141/FUL, New residential dwelling (retrospective) and associated works at Site to the West of 1, London End Lane, Bow Brickhill.

The Applicant's Agent, Mr M Pearce, exercised the right of reply

**DCC29**

**PLANNING APPLICATIONS**

**20/00133/OUTEIS OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE DEMOLITION OF THE EXISTING FARM BUILDINGS ON SITE AND THE DEVELOPMENT OF UP TO 930 DWELLINGS (INCLUDING AFFORDABLE DWELLINGS), PRIMARY SCHOOL, LOCAL CENTRE, OPEN SPACE, SPORTS PITCHES, PLAY AREAS, PAVILION/WELLBEING CENTRE AND OTHER ASSOCIATED WORKS AT TICKFORD FIELDS FARM, NORTH CRAWLEY ROAD, NEWPORT PAGNELL FOR MILTON KEYNES COUNCIL**

The Senior Planning Officer introduced the application with a presentation.

The Committee heard that the recommendation was to grant the application subject to conditions and signing of the Memorandum of Understanding.

The Committee heard from Ward Councillors who raised the following points:

- As the land was allocated for development in the Local Plan and the Newport Neighbourhood Plan there was no objection to the principle of the development and there was an understanding that some issues would be dealt with at the reserved matters stage.
- Ward Councillors had invested time and energy in discussions with developers to attempt to lessen the impact of the development on local residents, including the proposed downgrading of the access point on Morello Way, the paving of footpath 10, widening of London Road at Tickford Roundabout and two new accesses via North Crawley Road, which were all welcomed.
- Highways remained the biggest concern for residents and these issues should be satisfactorily addressed. In particular, vehicular access from Chicheley Street should not be permitted.
- Appropriate flooding and drainage measures were required given the proximity to the river and Chicheley Brook and issues with the soakaway on the neighboring Bellway site previously being overwhelmed. In particular, the committee should be satisfied that the flood risk assessment was fit for purpose.

- The location of the recycling centre in the middle of the development and likely associated traffic congestion was problematic, although it was accepted that the cost of relocation would be significant.
- The housing mix was a concern, including the small amount of affordable housing allocations and the premiums applied by Housing Associations and developers for re-sale of shared ownership properties.
- The lack of a senior school provision was a concern, given the additional pressure the development would place on existing provision.

Exercising a right of reply, the applicant told the Committee that the site was allocated in the Newport Pagnell Neighbourhood Plan and Plan: MK, and included a significant amount of green space, along with a new sports area and building.

The Committee heard that all technical objections had been resolved with the Environment Agency no longer having flooding concerns further to the submission of a detailed flood risk assessment.

Whilst a noise barrier represented a satisfactory mitigation, the details would continue to be reviewed with a view to reducing reliance on a barrier where possible and mitigation instead achieved through landscaping and other measures.

In response to the comments and objections the applicant indicated that:

- Although there was no secondary school provision, a significant contribution was included in the Memorandum of Understanding for this.
- Access was via a main junction on North Crawley Road, with two other secondary access points, including Morello Way which would include traffic calming measures to be assessed as part of the Reserved Matters application.
- The flood risk assessment indicated that all residential building would be in flood zone one, with some non-vulnerable buildings in flood zone two. The parts of the development within flood zone three were green space and designated ecology space.
- The housing mix would be fully resolved at Reserved Matters but that there would be a full specification of affordable housing.

In response to questions from Councillor Bint, the Director of Planning, Strategic Transport and Placemaking, indicated that:

- affordable housing mix would be dealt with via Reserved Matters reflecting the local need at the time;
- intended financial support for the primary school and the additional purchase of properties by the Council were not material planning considerations and were not binding;
- the decision in relation to Morello Way indicated the principle of access, but with a condition that mitigation be required at Reserved Matters for this access;
- financial contributions would be dealt with via a Memorandum of Understanding as opposed to a s106 agreement as the Council could not enter into an agreement with itself as the majority shareholder in MKDP; and
- the approval of a Construction Management Plan was included as condition number 9.

In response to questions from Councillor McLean, the Director of Planning, Strategic Transport and Placemaking indicated that:

- conditions in relation to the submission of Reserved Matters applications and the completion of the development were standard, but would be reviewed to ensure they were understandable;
- conditions four and five would be reviewed to avoid duplication;
- it was unclear why Buckinghamshire Council were not included on the list of consultees, but that this might have been because they did not request to be consulted and that there was no statutory requirement to do so in any case; and
- that consultee responses were summarised in the officer's report and were not intended to be a comprehensive record.

In response to a question from Councillor Bowyer, the Director of Planning, Strategic Transport and Placemaking indicated that the intention was to transfer all green spaces to Newport Pagnell Town Council, which would include responsibility for ongoing maintenance, that there had been detailed discussions about the financial settlement and that it was the Directors understanding that the Town Council was satisfied with the current position.

The Chair, seconded by Councillor Bint, proposed that the application be granted subject to the conditions in the Committee Report and the completion of a Memorandum of Understanding.

Councillor McLean, seconded by Councillor Bint proposed that the motion be amended to read, 'That the application be granted subject to the Conditions in the Committee Report and the completion of a Memorandum of Understanding, with the addition of:

- i) an additional condition requiring the allocation of 'unallocated' car parking spaces for each phase of the development with the final wording of the condition delegated to the Head of Planning; and
- ii) an informative to existing Condition 9 (Construction Management Plan) that construction traffic not approach the site from North Crawley and Cranfield.

The amendment was agreed by acclamation.

The Committee discussed safety concerns associated with pedestrians crossing the North Crawley Road to access the primary school and noted that whilst the location of the school was not settled and would form part of a Reserved Matters application, were satisfied that most of the pupils at the school would be resident in the development area and so would not need to cross North Crawley Road to access the school.

On being put to the vote the proposal to grant the application was carried, with all members voting in favour.

**RESOLVED:**

That the Application be granted subject to the Conditions in the Committee Report and the completion of a Memorandum of Understanding, with the addition of an additional condition requiring the allocation of 'unallocated' car parking spaces for each phase of the development with the final wording of the condition delegated to the Head of Planning and an informative to existing Condition 9 (Construction Management Plan) that construction traffic not approach the site from North Crawley and Cranfield.



**20/00678/FULMMA VARIATION OF CONDITIONS 2 (OPERATIONAL LIFE), 3 (RESTORATION SEQUENCE) AND 5 (FINAL RESTORATION OF THE SITE) ATTACHED TO PLANNING APPLICATION MK/806/95 TO EXTEND THE OPERATIONAL LIFE OF THE SITE BY 15 YEARS WITH FINAL RESTORATION OF THE WHOLE SITE TO BE COMPLETED WITHIN A FURTHER 24 MONTH AT BLETCHLEY LANDFILL SITE, GUERNSEY ROAD, NEWTON LEYS, MILTON KEYNES FOR FCC ENVIRONMENT.**

The Senior Planning Officer introduced the application with a presentation.

The Committee heard that the recommendation was to refuse the application for the reasons set out in the report.

The Committee heard from Ward Councillors, a representative of the Town Council and two members of the public who raised the following concerns:

- Many thousands of Newton Leys residents had chosen to live on that estate, with a reasonable expectation that the site would close and be remediated to accessible open and recreational space by 2022.
- Whilst there may have been a need for continued landfill facilities at a regional level the need for these facilities at local level was diminishing and would have entirely diminished in Milton Keynes by 2022.
- Ongoing detrimental effects on the local environment, residential amenity, highways and biodiversity. In particular the proximity of the Newton Leys Playing fields and pavilion to the site affected the ongoing use of these facilities.
- The health and wellbeing of residents, including the effect of odours, infestations and poor air quality. In particular, during the summer months, when it was impossible for residents to keep windows or doors open.
- The number of vehicle movements associated with the site which were over 250 per day and in conflict with the Council's environmental ambitions.
- Significant and ongoing issues associated with HGVs visiting the site, including queuing and parking on Jersey Drive which made using the highway for vehicles and pedestrians problematic.

- The ongoing need for provision of recreational space for a growing local population, which would be delayed significantly should the sites operation be extended.
- The proposals were contrary to the Council Plan, Sustainability Strategy and Action Plan.
- If other local authorities were complying with environmental directions as successfully as Milton Keynes Council, there would be no need for the capacity on a regional basis.
- Issues associated with the site being filled to achieve restoration were not valid as the demand for landfill would continue to diminish over time and this would set an ongoing precedent of ongoing/indefinite time extensions.

Exercising the right of reply, the applicant told the committee that:

- The site predated neighbouring residential areas within Newton Leys and consent for that development was granted with full knowledge of the existence of the landfill site.
- The adopted Milton Keynes Waste Development Plan safeguards the site as a strategic waste management facility at a local and regional level and was supported under policy WA2 of the Waste Development Plan.
- The South East Waste Planning Advisory Group (SEWPAG), of which Milton Keynes Waste Planning Authority was a member, had reviewed the available landfill capacity across the South East and agreed that the site was strategically important.
- Whilst the current Council Plan opposed the extension of Bletchley landfill site's operational lifetime, it was updated after the submission of the planning application. The plan carried no weight and was not material to the decision-making process.
- If the application was refused, it would not be possible to complete the landform to its consented contours and the remaining void would create long term issues for the environmental management of the site. It would also prevent the restoration of a large part of the site to a beneficial after use and compromise the applicants ability to deliver the proposed restoration scheme.

- The weight given to relevant statutory consultees was insufficient, and a disproportionate amount of weight had been afforded to the comments from the Head of Waste and Environment who had set out the approach of the Municipal Waste Strategy for Milton Keynes.
- Milton Keynes Environmental Health department and the Environment Agency had no objections to the application with the latter confirming in its consultee response that since January 2017 it had received 7 complaints and that the site was well run with an active community liaison group that was attended by the applicant, residents, the Environment Agency and Council Officers.
- The assertion that there would be a negative impact upon amenity and harm to the relative enjoyment of the community was without evidential basis and at odds with a lack of objections from statutory consultees, including the Environment Agency which had commented that there was no current pollution or air quality issues associated with the operation of the site.

The Senior Planning Officer advised the Committee that in addition to its consultation response, the Environment Agency had submitted further comments in the days preceding the meeting, to provide more clarity. These related to concerns about the currently proposed methodology for restoration, given the current condition of the site, which would be more complicated and not supported. Further clarification had subsequently been sought from Officers, and the Environment Agency had confirmed that alternative and satisfactory restoration methods were both possible and plausible at the site.

The Committee also heard that the consultee responses had been summarised in the report, but the case officer was responsible for the recommendation, based on their view of the balance of evidence and planning considerations.

In response to a question from Councillor Bowyer, in relation to a question about the hierarchy of planning documents, the Head of Planning indicated that the National Planning Policy for Waste represented a material consideration, but was also weighed against conflicting local policies.

In response to questions from Councillors Bint and Brown, the Senior Planning Officer advised that the Extant Permission was from 2002 for a period of 20 years and that a requirement for a 12 month restoration period was inherent in that decision.

The Chair, seconded by Councillor Exon, proposed that the application be refused for the reasons set out in section 9 of the Committee Report.

The Committee debated the recommendation, reflecting on the planning balance, considering the National Planning Policy position and the regional waste context, against expectations about how the area was planned and designed, including a country park on the site from 2023, which was part of the planned infrastructure for the south of the Borough. The Committee also considered the wider amenity issues such as lorry movements which were attributed to landfill sites and impacted the community.

On being put to the vote the proposal to refuse the application was carried with all members voting in favour.

RESOLVED:

That the application be refused as the continuation of the existing operation (the development) would be unacceptable in terms of negative impact upon amenity of the local community in the longer term. A further fifteen years in operation would be harmful to the relative enjoyment of the community. The associated postponement of the restoration works would result in a loss of opportunity for the community to benefit for open space recreation as originally agreed. The application is therefore contrary to Policy D1, D5, NE5 and NE6 of Plan: MK and Section 8 of the NPPF.

**19/02141/FUL**

**NEW RESIDENTIAL DWELLING (RETROSPECTIVE) AND ASSOCIATED WORKS SITE TO THE WEST OF 1, LONDON END LANE, BOW BRICKHILL FOR GILL HUDSON HOMES**

The Senior Planning Officer introduced the application with a presentation.

The Committee heard that the recommendation was to refuse the application for the reasons set out in the report.

The Committee heard from the Ward Councillor who set out that whilst the plans, as submitted, would result in the development of a dwelling in open countryside, which was therefore contrary to adopted Plan:MK, there were counter arguments to the remaining reasons for refusal, including that:

- the Council had previously approved the contours and removal of soil from the site;

- proposed planting, if fully implemented and integrated, would obscure much of the dwelling;
- the ecological damage had already been done as a consequence of the existing building work being completed; and
- that appropriate conditions would mitigate issues related to Sustainable Construction and Sustainable Drainage.

Speaking in support of the application, the Applicant's Agent told the Committee that additional documents had been provided to the Council further to the deferral of the application at Committee in May 2020. These documents included:

- A landscaping plan detailing a proposed planting scheme, which would improve the ecology and would not conflict with proposed underground services.
- Proposals for the provision of trailing and climbing planting to the front elevation, as well as a more muted paint colour, with the intention of softening the appearance of the building.

The Committee heard that the applicant had also committed to removing the green metal fence along the western boundary, after the completion of proposed planting and reducing the retaining wall height and ground levels.

The applicant had removed the wall and pillars to the front of the site and would instigate more appropriate boundary treatments in the form of native hedge planting.

Finally, the Committee was advised that information about energy efficiency and sustainable construction had been submitted to the Council in November 2019. These reflected calculations for the building as constructed, were dated and reflected the highest category of energy efficiency.

In response, the Senior Planning Officer advised that it was not his understanding that the sustainable construction information submitted, reflected an 'as built' assessment.

In response to questions from Councillors Bint and Exon, the Senior Planning Officer advised that there was an existing permission on the site, however, this was granted on appeal by the Planning Inspectorate given that the original application represented exceptionally high standards of design, sustainable construction and development, which in Officers views had not been met on this occasion.

This meant that existing National Planning Policies applied, including those relating to buildings in open countryside.

In response to questions from Councillor Bint, the Senior Planning Officer advised that the proposal under consideration was what was presented with the report, including the removal of the wall and gateposts, to be replaced with native hedging and a space for vehicular access.

The Committee heard from Councillor Hopkins, who clarified his representations to indicate that he encouraged the Committee to simply resolve the matter, whether it be by regularising the development, or by refusing the application and beginning effective enforcement action.

The Committee considered their decision in the context of enforcement and heard from the Director of Planning, Strategic Transport and Placemaking and the Senior Planning Officer:

- The committee could consider the ongoing harm of the development, especially in relation to visual appearance and as yet unresolved draining issues, but was correct to conclude that much of the ecological harm had been done.
- That decisions about enforcement were not appropriate without a report and Officer recommendation, but this was something that Officers would consider providing in similar cases in the future
- That there had been enforcement activity over a long period of time, which in line with government enforcement guidance, has primarily focused on negotiation to improve the position or regularise matters.

The Chair, seconded by Councillor Exon, proposed that the application be refused for the reasons set out in the report.

The Committee reflected on a number of matters set out in the report and in particular, whether the current application represented Exceptional Design and Sustainable Construction, which would justify a departure from planning policy.

On being put to the vote the proposal to refuse the application was carried with Councillors Bint, Bowyer, Brown, Lancaster, McLean, Petchey, Reilly, Trendall and Wallis voting in favour, Councillor Exon voting against and Councillor Legg abstaining.

RESOLVED:

That the application be refused as:

1. The proposed development would result in a dwelling in the Open Countryside as defined in the Adopted Plan:MK which is not required for agriculture or forestry or other rural business and which does not meet the requirements for exceptional buildings within the Open Countryside set out in Paragraph 79 of the National Planning Policy Framework. As such the proposal would be contrary to Policies DS1 and DS5 of Plan:MK.
2. The proposed dwelling and associated mounding would appear as an intrusive and incongruous feature in views of the area to the detriment of the appearance of the area. As such the proposal would be contrary to policy D1, D2, D3 and D5 of Plan:MK.
3. The proposal would be detrimental to the ecological value of the site and protected species within it, through the destruction of habitat and inadequate proposals to enhance the ecological value of the site following development contrary to policies NE2 and NE3 of Plan:MK.
4. The proposal fails to demonstrate that the development would achieve the principles of Sustainable Construction set out in Policy SC1 of Plan:MK contrary to the requirements of that policy.
5. The proposal fails to provide adequate information to demonstrate that the proposal would incorporate a Sustainable Drainage System (SuDs) to minimise the risk of flooding and to ensure appropriate drainage to serve the development contrary to policy FR2 of Plan:MK.

**DCC30**

### **APPEALS UPDATE AND PLANNING SERVICE: INTERIM IMPROVEMENT PLAN**

In accordance with Council Procedure Rule 22(a) the Committee resolved by acclamation to continue the meeting past three hours in duration to consider Item 7.

The Committee heard from the Director of Planning, Strategic Transport and Placemaking, who introduced the report and reflected on a number of points including:

- that the service performance was well in excess of national targets and compared favourably to neighbouring authorities;
- significant work had been undertaken in enforcement to review and conclude older cases where possible, utilising input from legal and environmental teams;

- general enforcement work had also improved with the team at full establishment and the caseload consistently in the region of 150-170;
- revised procedures arising from a Local Government Ombudsman decision having been implemented to improve record keeping and documentation; and
- the Council's 5-year land supply position was improved by several recent appeal decisions.

The Committee also heard that the Planning Improvement Board continued to review progress against the Interim Improvement Plan, but the commenced internal review had been paused pending receipt of the Blakelands report which had widened its remit, which was to consider a particular decision at Yeomans Drive to also include procedural and governance issues across the Service that would then be incorporated into the Improvement Plan.

The Committee also heard from a member of the public, who highlighted delays with the Independent Review by Mr Dorfman, noting that the report was initially expected in September 2019, but still had no confirmed completion date with no plausible explanations having been provided for the delay. Concerns about the impartiality and completeness of the report were also raised, with Senior Officer interference being alleged.

Additionally, a focus on the quantity of applications determined, as opposed to the quality of the work was cautioned. Referencing further decision notices issued without conditions, it was suggested that the Improvement Plan should focus on dealing with the perceived culture of mistakes and concealment in the Service.

The level of detail in the report was welcomed by the Committee and it was acknowledged that Officers were working hard to try to deliver a good service.

Some members of the Committee commented on enforcement issues, referencing the small number of formal notices issued and encouraging more timely and honest communication with complainants in order to manage expectations. More detail about enforcement was requested in future reports.

The Committee discussed the appropriate tools, systems and improvement methods used by the Service, reflecting that a better understanding of the Planning Advisory Service (PAS) toolkit might help members of the Committee feel more confident about the current position.



Councillors Bint and McLean raised issues of reporting methodology, asking that extensions of time be more clearly incorporated into the determination section of the performance report and that more context be provided in relation to what constituted short, medium and longer term periods.

Whilst the improvements were welcomed and noted, the Committee felt that resident perceptions remained poor and that a focus on transparency was an important consideration moving forward, especially given the historic issues with incorrectly issued decision notices. The planning portal performance and functionality was also often an issue for Councillors and residents which did not help in this regard.

In response, the Director of Planning, Strategic Transport and Placemaking indicated that human error with preparation of Decision Notices was not unique to Milton Keynes Council and explained that whilst the number of formal enforcement notices issued was low, the use of formal action was required to be a last resort and that this did not reflect the significant amount of informal work and negotiation involved with this type of work. Lastly the use of the PAS toolkit was consistent with the methodology used in the Blakelands review and therefore the Improvement Plan would easily be able to incorporate recommendations.

RESOLVED:

That the report be noted.

**DCC31**

**REPORT ON IMPLICATIONS ON THE UPDATE TO THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER AND THE IMPLICATIONS ON THE UPDATE TO THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER.**

RESOLVED:

Further to Council Procedure Rule 22(a) the item was deferred to the committee's next meeting as the meeting had exceeded four hours in duration.

THE CHAIR CLOSED THE MEETING AT 11.05 PM