

Email 30th July 2013

Dear Cllrs Evans and Dean

I have now had the opportunity to research your enquiry further to my acknowledgement yesterday, and will take the points you make in order.

1. From what I can see the inconsistency you mention lies in the way the applications were submitted to the Council rather than in the way they have been assessed by Officers. The validation process does not involve an initial assessment of the merits of the application but is to ensure the relevant documentation is supplied in the appropriate format and number and to make sure the appropriate consultations/notifications/advertisements (if required) are carried out. It is possible therefore for a valid planning application to exclude information vital for its assessment, and which only comes to light later in the process. This is what happened here with regard to 10 Cambridge Road. Both this and the adjoining applications will be assessed against the same policies and standards which ensures consistency. As in all planning applications weight needs to be applied to a range of factors in reaching a balanced judgement, and how much weight is attributed to each factor is a matter for the decision-maker, having regard to the provisions of the Development Plan and any other material planning considerations. I note Cllr Dean queried the locus of ECC in making a recommendation based on parking provision, but it is just that, a recommendation rather than a direction. Adequacy of car parking is ultimately a matter for UDC to determine.
2. Opinions are divided on this matter. Cllr Dean's concerns extend to the two Cambridge Road applications, and I am advised that the reports were not fully complete in time for the agenda. The body of each report was complete, but the recommendations had not been finalised and perhaps this is where a difference of interpretation has arisen.
3. I note that UDC has issued a press release in which reference was made to avoidance of school holidays when determining controversial applications. While that may be a consideration in certain circumstances it is certainly not a general rule, and this may be evidenced by the fact that the Planning Committee (and its antecedents) meets regularly throughout the summer holiday period when other business of the Council is curtailed. Agendas of committee meetings are skilfully compiled to ensure that business can be scheduled in accordance with statutory timescales rather than the school holidays - and there are strong penalties imposed by Government for failure to adhere to statutory timescales. All Committee dates are set well in advance by Full Council. Officers plan their holidays around these dates and it is not unreasonable to expect elected Members of the Council to have regard to them as well.
4. I don't accept this point. Cllr Dean has included correspondence on these applications with Mr Taylor, Assistant Director; Mr Brown, Development Manager; Ms Tourvas, Development Management Team Leader and Ms Jenkin, Strategic Development Officer at Essex County Council. This is a lot. In looking at the correspondence I am at a loss to see any evidence of failure to be transparent or refusal to answer questions reasonably.

In conclusion these applications will be determined by the Council's Planning Committee and not by any individual. The Committee will have all the relevant information before it to make an informed decision on each of these applications.

Best wishes
John (Mitchell)