



Andrew Turner

Vice-Chair, Conservative Party 4:15 pm, 16th October 2003

I am grateful to you, Mr. Hurst, for grouping the two new clauses together. ... I hope that the second new clause excludes the local authority from the requirement to pay compensation.

There is always a debate about the accuracy of information put before planning committees. My hon. Friend the Member for Chipping Barnet, who has great experience of such matters, agrees with that. For as long as I have been involved in politics, which is almost as long as him, I have had to represent either local residents or constituents in planning matters. Although I have tried to avoid as many planning matters as possible—**that advice is given to us all once we are elected here**—I regularly find myself drawn back in.

My greatest objection is when the process does not appear to have been handled fairly. In particular, people complain that there is nothing to stop someone putting forward inaccurate drawings or statements to the planning committee or, indeed, to a public inquiry. It can be argued that they are gaining pecuniary advantage by deception and have therefore committed a criminal act, but one must demonstrate that they did so knowingly, and even that does not revoke the planning permission.

I want to illustrate that point by referring to a house in Yarmouth in my constituency, which is situated on a road of Victorian semi-detached villas. ... The developer submitted a picture of the villa with dimensions and a streetscape without dimensions. ... the planning department at the Isle of Wight council also failed to produce a scale drawing ... When the development took place, the residents and Yarmouth town council were greatly upset They said, "We would have objected had we not been shown this misleading plan." I asked the local authority what it could do about it, and all it could have done about it—had it not been for the fact that the developer went on to build it even higher than specified in his scaled drawing—was write to the Royal Institute of British Architects, of which the architect was a member, and criticised him for putting in a misleading plan. Of course, not all architects are members of RIBA, or at least not all those who design houses are.

That is a perfect example—minor but important—of a misleading statement knowingly or negligently made to the planning committee. There are similar records of statements made before inquiries where promises are made and expressions are given of how a building is going to be used or has been used, as a consequence of which planning permission is granted. That is clearly wrong. There is no remedy; I believe there should be a remedy, and my proposals are the remedy.