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CONDITIONS AND AGREEMENTS - THE LOCAL AUTHORITY'S VIEWPOINT

by

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DEVELOPMENT CONTROL

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INTRODUCTION

1.1 Much has been written recently on the subject of the operation of the planning system, in particular its Development Control Aspects and the subject of conditions and agreements attached to permissions - and that dreaded subject 'Planning Gain'.

In reviewing this from the Local Planning Authorities' view point, I think it would be useful to look at the way policies are now being formalised in statutory plans and how these policies emerge where appropriate in the form of conditions or agreements relating to individual planning applications.

1.2 A recent commentator suggested:*

"that initially the objects of Development Control could be summarised as:-

- (i) the protection and enhancement of the built environment;
- (ii) the co-ordination of both public and private investment in land and projects to ensure that land is used efficiently.

However, particularly in the last decade, there has been an increasing emphasis on such matters as:-

the conservation of natural resources and energy;
the preservation and creation of employment opportunities;
the social needs of the community or specific groups;
the control of pollution including noise and more recently radiation."

In particular attention has also been focused on the deterioration in our inner city areas, the environmental, social and economic stress.

1.3 No doubt each of us could add substantially to that list. I will confine myself to adding that the citizen clearly expects a planning authority to assist in creating a flourishing and attractive locality where he - John Citizen - will be happy to reside, and where his amenities will be adequately protected. The developer, industrialist and investor expect a good environment - physical and economic - within which to work, and to be able to carry out their lawful endeavours, with the minimum of restriction and interference, and indeed will hope for positive encouragement to beneficial development.

The decision makers i.e. the Politicians at national or local level will seek to apply both resources and control to stimulate development that will enhance the area and will help to cure problems, whether they be physical e.g. traffic, or fundamental social malaise, and will seek to co-ordinate private and public investment to these ends.

1.4 The planning machine provides a vehicle for many of these endeavours and aspirations, but cannot by any means deal with all of the problems of town or country. Most people seem to expect more than the system can provide and as a result many are dissatisfied.

Development Plans

2.1 Planning authorities have been required since 1947 to prepare Development Plans for their areas to illustrate their proposals and policies. It is well known that although new forms of plans were embodied in the Act of 1968 few of these have been prepared and achieved full statutory authority, with the result that 20 year old plans exist in many parts of the country. There are, therefore, many interim policies with no particular public or statutory support and there are situations, some suspect, with no policies at all.

To me proper Development Plans setting out the objectives and solutions proposed by planning authorities, after full and proper public discussion, are essential. The Secretary of State has made it clear that informal plans and policies must give way to the

formalized Structure and Local Plans*, so that a level of certainty exists as to what the authority's proposals are, and the specific policies relating to the control of development are clear.

2.2 I believe the great institutions and professions, and the development agencies generally support this view and will welcome approved plans, to remove uncertainties as to what policies exist and to remove the suspicion that some authorities plan by 'whim' or by instant flashes of inspiration.

Structure Plans are now emerging across the country. Some, e.g. Greater London, Worcestershire, Leicestershire, have received full statutory approval and many others are at present subject to examination in public or awaiting submission.

The Structure Plan in the main will be limited to Strategic matters e.g. the likely growth of population, and the planned growth of towns or cities to accommodate this, the highway network, the encouragement of economic growth etc. Associated with these policies will be statements as to the amount of land to be released or brought into development to meet these demands, the planned locations and indications of priorities and programmes.

Most of these policies will form the backcloth for the preparation of Local Plans which of necessity must be in accordance with Structure Plan policies*.*

2.3 The local plans are likely to be much more diverse in nature. The proposals will be specific as to site and form. The plans may be:

- (i) Action areas where something dramatic and comprehensive is planned to take place, or
- (ii) a District Plan for a large area or a town, setting out improvement and development strategies with possibly an inset in a specific area where more detailed proposals are required, or
- (iii) a Subject Plan where detailed treatment is to be specified for a particular type of development e.g. minerals.

*Circular 55/77

* *Sec. 14 1971 Act

In addition there may be a special policy prepared for Conservation Areas - which may or may not be embodied in one of the Statutory Plans.

Each of these plans should be quite specific as to what it is intended to achieve, what proposals are to be initiated or carried out by the public authorities, and the development that is to be encouraged for implementation by private agencies.

Policies of control to guide private development again should be quite specific so that reasonable certainty exists and this should reflect the views and aspirations of the inhabitants. Each level and type of plan will have its own impact on Development Control decisions and on conditions, agreements, or planning gains sought by the LPA. Supplementary guidance in the form of practices notes for development control and sketch layouts for areas not justifying a Statutory Plan are also envisaged by the D. o. E.*

Some Structure Plan Policies

3.1 The Greater London Development Plan (ultimately approved in July 1976) has many statements of policy which are of importance e.g. the Metropolitan Green Belt, the Conserving of London's heritage, High Buildings, open space public and private, improving standards of new development, and many others. The Secretary of State modified the plan inter alia:-

- (a) To include policy on residential densities as strategic guidelines and a statement of policy towards private open space.
- (b) To set out the criteria applicable to the location of offices and industry including associated environmental conditions, attainment of public advantages etc.
- (c) To incorporate positive policies toward control of air pollution.
- (d) To reflect D. o E. advice on daylight and sunlighting standards, and noise and to include the strategic significance of Plot Ratio.
- (e) To include new provisions for car parking.

*Para. 4.6 Circular 55/77

In dealing with Employment (Chapter 4.22) the plan specifically introduces "the attainment of planning advantages" as a matter to be taken account of, in the making of the local plans and in Development Control.

Examples quoted are:-

- (a) Improvements in the physical aspect of the area.
- (b) Provision of small industrial sites or factories, on a rental basis for firms displaced etc.
- (c) Improvement of vehicular and pedestrian access to the development.

In relation to Winning of Minerals the GLDP (Appendix 1) states that:

"Any grant of permission will be subject to the approval of a detailed scheme of phased working, and where appropriate, filling designed to secure optimum conditions for planned after use. Additional conditions may also be imposed"

and here follow a list relating to, minimizing detriment to amenity, access, extent of filling, - materials and method of restoration of agricultural land.

3.2 On the same subject the Nottinghamshire Draft Written Statement makes it clear "Approval to mineral extraction will not be given until satisfactory arrangements have been made for the after use of the land". This and many other stipulations clearly imply conditions or agreements will be necessary.

3.3 The Derbyshire Structure Plan (recently examined in public) states that:

In considering proposals for hazardous or pollutant industries, local planning authorities will have regard to:-

- (a) impact on local population and environment;
- (b) provision of adequate access and need to transport hazardous materials;

- (c) conformity with planning policies for countryside conservation and environmental improvement.

3.4 The draft Northamptonshire Structure Plan did contain a statement (now deleted)

"There will be a general presumption against the establishment of crematoria in the County. Investigations have indicated that the existing crematoria at Milton Malsor and Kettering could be extended sufficiently to cater for increased demand resulting from population growth up to 1991"*.

(The mind boggles at the possible conditions that could be attached to permissions for such extensions).

3.5 These are but a few almost random examples of policies, each of which gives clear warning that constraints will be sought by the Structure Plan authority to protect the public or the environment in a particular manner.

Local Plans

4.1 Many local plans are now appearing some formally adopted, some as interim plans awaiting a Structure Plan approval, or awaiting submission under the Inner Urban Areas Act 1978 in advance of a Structure Plan.

There are now many good, clear and expressive plans, in existence which set out adequately what the authority seeks.

Policies vary according to the perceived needs of the area, and according to the views of the authorities concerned. Some examples are:-

4.2 Coventry City - Eden Street Action Plan (1975) provides:

- (i) that designs for new housing take into account the

*Rex Mercer RICS Journal March 1978.

- proposed North-South Road and Stoney Stanton Road;
- (ii) new residential accommodation shall be low rise - hardly controversial - but the Plan sets out a housing mix considered desirable and that all new housing shall be for rent;
 - (iii) play areas for toddlers and older children be provided and integrated in the areas of redevelopment;
 - (iv) that certain firms exerting undue visual and environmental intrusion be acquired.

4.3 Leicester City Council - Abbey District Plan (1977). Says, Housing development should be planned to provide variety in design and layout and particular regard paid to achieving a separate identity for groups of up to 150-200 dwellings. Detailed layout and design will be subject to a planning brief. Within industrial areas there will be a presumption in favour of expansion. However, such proposals will be judged in relation to their environmental effects on the amenities of nearby properties. In established areas there will be a presumption against office development unless this is directly associated with existing industry

4.4 Barnsley Draft Action Area Plan, refers to a detailed set of supplementary planning guidance notes which are not strictly proposals but are to be used to guide design layout, materials and height of new development.

4.5 Cheltenham Central Area Interim District Plan.
"Where appropriate the provision of residential accommodation will be required in association with new commercial development".
"Permission to demolish buildings in the Conservation Area will not be given unless the applicant can demonstrate his ability and intention to commence development immediately after demolition. Where demolition is necessary or desirable without redevelopment, it will be a condition of consent that the site is adequately screened or landscaped".

4.6 Frampton-on-Severn Local Plan and Conservation Area (Adopted Plan 1977) provides residential development will be limited to infill sites in order to retain the character of the village. Numbers of dwellings are specified for sites by way of density control and areas where tree planting will be a condition of consent are set out.

One specific development site is mentioned which would involve the provision of major infrastructure i.e. roads and services. A cost is stated and "this cost together with any additional amount necessary to obtain a connection with Glebe Close would have to be borne by the developer of this site".

4.7 Camden's Plan. The first of the London Borough Plans covers the whole of the authority's area, has been through its Public Inquiry and Modification stages and may well be a forerunner of the type of plan to come.

The objectives are set out in predictable and general terms e.g.

1. Improvement in the quality of housing and an increase in the number of dwellings.
2. Arresting the decline of economic activities and encouraging a variety of employment.
3. Development of a more efficient transport system ... and restricting less essential private vehicle movement.
4. Protection and enhancement of the environment.
5. Encouragement of more efficient use of land and other resources.

4.8 Turned into direct policies these become "Redevelopment will be considered where gains in residential accommodation will be achieved or where the provision of new dwellings will contribute to the community (2.3)."

"In considering planning applications for residential development the Council will be guided by its Environmental Code." (2.5).

"In conservation areas design policies for each area will determine the scale of development 2.4."

"The Council will encourage private developers to provide residential and ancillary community uses within mixed developments and will give preference to those proposed developments containing an increase in residential accommodation (2.18).

The paragraph dealing with industrial policies include the reference to the attainment of planning advantages from the GLDP.

4.9 In setting out where offices will be allowed the plan goes on to say (3.17) "In the rest of the Borough no increase in office floorspace will normally be permitted" but lists a series of exceptions, including "where substantial planning advantages can be obtained" and listed are, improvements in the transport system at termini and interchanges, provision of public open space, redevelopment of areas of poor layout, conservation of places or buildings of historic interest and provision of new residential accommodation.

4.10 Nottingham's Lace Market* proposals include a policy of retention of buildings and selective renewal on certain sites in accordance with design briefs to be made available. Compatible uses are to be encouraged and restoration and subdivision of buildings. This is coupled with Town Scheme and Historic Buildings Grants to sweeten the pill of requiring standards above those of contemporary development.

Conditions and Agreements

5.1 In the previous Chapters I have set out some of the types of policies that have been published by Local Planning Authorities in their plans to which they are statutorily bound to have regard in deciding planning applications. These will have run the gauntlet of public participation and statutory approval or adoption.

5.2 In practice in considering an application the LPA will apply the test:

1. is this in general accord with the authority's policies;
2. if not, can it be modified to become compatible;
3. if it is contrary to policy is it a project that may still be justified;
4. will it be damaging to the area.

5.3 The practical effect of imposing conditions or seeking an agreement is often to make an application which would otherwise be refused, acceptable. Often the suggestions are made by the applicant to achieve that end and much bargaining may take place in the process.

*A Conservation Area designated as being of Outstanding National Importance.

5.4 Most complaints relating to conditions or agreements suggest that planning authorities make conditions:-

capriciously	without any consideration of the burden they are imposing
carelessly	in that they lack clarity
irresponsibly	in seeking to extend control beyond the reasonable limits of planning.

This is not my experience. There may be cases of over zealousness or downright carelessness but in the main I believe planning authorities are pursuing legitimate objectives in their conditions. The Secretary of State will of course discharge bad conditions on appeal, but it is a legitimate criticism that conditions are sometimes accepted solely in order to get on with the development.

5.5 Most planning officers wish that conditions were not necessary or that there was an adequate form of positive covenant that could run with the planning permission and adequately achieve the desired result and bind all concerned. In fact, as is well known, enforceability requires a form of negative gobbledegook, to some extent a hangover from the Tulk v Moxhay syndrome. It is this search for an effective positive covenant which often raises the question of a Section 52 Agreement and cases planners to envy such powers as those contained in leases which "are effective and direct and their powers continuing".* (Breaches of covenants in leases can also have nasty consequences like forfeiture). This is rather different from "the once and for all planning consent", which has to rely on the frailties of planning law enforcement.

5.6 Conditions in practice may be onerous, they may require extra expenditure on the part of the developers. This does not mean they are not justified. The test is surely, would the development seriously injure the neighbourhood or the community without the condition. If the answer is yes the condition must be valid. Conditions may be related to use of special materials in a building, e.g. the use of stonework in a Cotswold village, or certain standards in an important urban setting. Both have been supported on appeal where the situation warranted this. The degree of landscaping, special works, sound-
*J. Switzer - Managing the Urban Fabric 1978.

proofing, again must be justified by the planning authority according to the circumstances of the individual case. There are enough appeal decisions to inform planning authorities that the Secretary of State needs convincing of the need, and will reject any attempt to impose unreasonable standards.

5.7 The provision of car parking, the erection of screen fences, the placing of the access in a certain place for reasons of safety, provision of adequate sight lines are all legitimate enough in their place. Time limits on the operation of works or plant, cause particular objection but again the test must be, would unrestricted use subject residents to unacceptable noise. A condition requiring the closure of a 'Chinese Takeaway' at a certain time, in a residential area, may be as necessary to protect residents from unwelcome midnight activity, as a condition limiting the operation of noisy plant, at a factory.

5.8 Conditions relating to after use of mineral workings, and reinstatement of land, are regularly imposed by County Authorities, mostly in accordance with stated policies. The installation of dust control plant, or limitations of explosives at a quarry are again common and usually fully justified.

5.9 A common complaint regarding conditions is that the total degree of imposition goes beyond what is reasonable, renders the development uneconomic, and stultifies that which is beneficial. Those who claim this however, often seem unaware of the general disquiet at the standards of development in general or the very real complaints that are received by authorities from ordinary nice people - as distinct from professional complainants - about factors that intrude upon their lives and quiet enjoyment of their houses. In these circumstances the conditions are the only method of obtaining a remedy. It is, however, distressing to find that some authorities feel that enormous lists of conditions are necessary and seek to guard against every eventuality. This is clearly unrealistic and in my view conditions should be limited by good sense and a reasonable balance established.

5.10 A fault with conditions - is that they are insensitive to changed circumstances. There are situations where both parties

could well agree to variation or substitution of conditions without all the problems of a new permission which might raise all sorts of further difficulties.

Section 52 Agreement

6.1 Agreements between planning authorities and landowners to secure or control development have been possible since the 1932 Act (Sec. 34) the power continued via Sec. 25 of the 1947 Act, and the present Sec. 52 of the 1971 Act.

6.2 The purpose of the original 1932 power*, "enabled a local authority (to keep) greenfields free from buildings without having to pay compensation". This was just as well as the amount of land zoned in the 1932 Act plans as a whole for residential development (largely to avoid the compensation problem) would have provided for the growth of the population several times over.

The 1947 Act power was used only to a limited extent because:

- (a) it required Ministerial approval to the agreement;
- (b) it appeared to allow a restrictive type of agreement only i.e. the positive covenant was still missing.

6.3 Whilst the Ministerial consent requirement disappeared in 1968 it was not until the 1971 Act and ultimately the 1974 Housing Act that the power to enforce positive covenants under these agreements was available to all authorities**

A wide power is now therefore available to enter into agreements and enforce them, provided they are in pursuit of legitimate planning aims. The use of Sec.52 agreements has now grown enormously because they do meet a widespread need in planning practice. Whilst there are complaints that authorities have different approaches, perhaps different bargaining strengths, I believe that the present agreements allow many permissions to be granted which would formerly have been flat refusals. I do not mean this is "selling planning permissions" and Jeffrey Jowell dealt with this aspect in the final chapter in his research into Bargaining in Development Control, where he concluded that his research "revealed

*Jeffrey Jowell JPL July 1977.

**Some authorities e.g. Newcastle-upon-Tyne had private acts with similar powers for many years.

no corruption, but genuine attempts in selected applications to achieve imaginative agreements in the public interest".

6.4 What do planning authorities seek to deal with in these agreements? To me they seem to fall into categories:

- (i) The carrying out of works which are considered necessary in conjunction with the development, i.e. in a development with a very large traffic draw e.g. a hypermarket - the provision of the necessary land and the carrying out or paying for the carrying out of works to widen the road forming sufficient turning and deceleration lanes to make the traffic acceptable. Without these facilities the development would no doubt have been refused 'on traffic grounds'.
- (ii) The provision of infrastructure e.g. drainage and sewerage where greenfield development is being carried out beyond the capacity of the existing system. Clearly permission would be refused as premature as authorities could not be expected to provide infrastructure in advance of programming to meet demands of developers. Sec.126 of the Housing Act 1974 made it possible for authorities to require developers to contribute towards costs of roads and sewers "and possibly even public open space and schools made necessary by the development".*
- (iii) "Swap" situations i.e. where an applicant wishes to open a quarry, build a petrol filling station or new industrial premises and the authority are only prepared to agree to this provided the existing unit in the applicant's control is closed and suitably reinstated.
- (iv) Reinstatement and after use particularly relating to quarries and mineral workings. This subject is well

*J. Jowell.

covered by the Stevens Committee Report and the problems are well understood.* The planning authorities' objectives will usually be to obtain removal of plant, levelling or filling of quarries, landscaping or other treatment, to bring land into agricultural, recreation or other use. Whilst there is much comment as to whether planning authorities requirements are too onerous - few can doubt that adequate enforceable agreements are in some cases necessary.

- (v) Environmental Impact e.g. routing of heavy lorries to and from mineral workings avoiding sensitive areas. Or even the sheeting of lorries to avoid leaving a trail of dust or waste. The alternative may be to grant permission for short limited periods only. Agreements could also be sought in connection with extensions to workings, over the operation of existing plant if an authorised use is causing damage to the environment.
- (vi) Phasing of development to match availability of facilities.
- (vii) To ensure that all elements contained in a planning submission are actually carried out, e.g. the shops shown in a large residential estate.
- (viii) Giving some public right or facility e.g. the provision of public access to a riverside area, or to link into an upper level walkway system.
- (ix) Restrictions on use in special circumstances where conditions are inadequate e.g. a restriction on the type of retail sales allowable in say a large home improvement centre built outside established shopping areas, where it is thought unrestricted retail use would be detrimental to the established centre.

*Also at 1977 Oxford Conference.

Planning Gain

7.1 Many commentators refer to this as the "price paid for a planning permission" or in similar terms. I do not accept the arguments that are expressed or that "Planning Gain" should be looked upon as a dirty word.

In the last 30 years there has been a very great deal of "Planning Loss" however, this may be expressed. People of all walks of life deplore the loss of many fine buildings, or just the general environmental deterioration. Unremunerative uses, have been squeezed out and many of the ordinary things of life have disappeared under the pressures of development.

7.2 A planning authority's general approach to its responsibilities must be to enhance its area, to ensure that it becomes progressively better and not progressively worse. However much modern conditions, traffic etc., weigh against this, planning must strive to bring about positive improvement in the widest sense, however difficult this may be.

7.3 I have quoted elsewhere* various statements by LPAs indicating "gains" they seek and these range from provision of small industrial units to much wider environmental enhancement.

7.4 If we look back at planning gain situations in the 1960s many of these were urged on LPAs as reasons for approving a development which might not have been acceptable. Cases arose where in conjunction with the building of a filling station (in that particular boom) flats would be built by the developer to avoid refusal on the grounds of loss of residential accommodation.

7.5 Developments such as Centre Point and the Euston Centre (and many others) were promoted and pressed as developments worthy in themselves, but having the additional public advantage of making impossible road improvements, possible.

*Paras. 3 & 4.

7.6 In the shopping centre boom the opportunity to provide some needed public facilities was offered extensively as planning gain. In each of the occasions of which I have direct knowledge the facility was negotiated for flats, a sports centre, bus facility etc. to be built by or for the authority at cost, within a larger complex with both the developer and the public authority deriving a benefit from the integrated nature of the development.

7.7 The provision of housing in these central locations would not have happened without the commercial development but neither did it impose an undue burden on the scheme. Such schemes usually involved the demolition of houses - and replacement would have been a legitimate objective.

7.8 Usually arguments relating to planning gain are not referring to new facilities at all, but to who provides the land and buildings necessary to the functioning of new development. The classic cases relate to greenfield housing where sites are earmarked for public open space and schools. If these are made available to the public authorities at nil or minimal cost - this is to my mind neither undesirable nor a 'planning gain'. The facilities are as necessary to the commercial well-being of the development and the social well-being of the inhabitants as the drainage and road infrastructure. These facilities are, in short, an essential feature of the development.

7.9 Other matters sometimes referred to as 'planning gain' are quite normal planning requirements e.g. landscaping, quality of materials. I have commented elsewhere on the justification necessary for higher than usual standards but the quality of environment sought by the LPA must be a gain for the development and its ultimate inhabitants - not some etherial gain to the local authority.

7.10 I believe that any authorities that seek to have buildings which they have a statutory duty to provide to be built at someone else's expense are clearly wrong and I have no doubt the developer and all others concerned will tell them so.

Requirements that land shall be conveyed free of cost or payments made other than within strict legal framework are clearly 'ultra vires'. But no planning authority is going to grant a planning permission for a large residential estate and leave itself in the position of having to acquire from the developer the land for the necessary schools and social amenities at a development value. Much garbled thinking seems to accrue on this subject.

7.11 I like many others would welcome ground rules on this subject to ensure reasonable uniformity of approach. Most of the argument is about bargaining. LPAs press for matters they are convinced will be of benefit to their area. Clearly no inducement will make a bad scheme into a good one, but authorities are entitled to pursue a doctrine that the scheme must be an improvement on the existing situation otherwise its 'raison d'etre' must be questioned. A marginal scheme may be made acceptable by the benefit it brings of extra landscaping, improved traffic situation or more employment to the area as a whole. Development is not however, an end in itself and the public disquiet and reaction against much new development is sufficient to cause authorities to seek real gains.

Design Guides - a Help or Hindrance.

8.1 These are regarded by some "as a deadly virus spreading from heavily infected parts of Cheshire and Essex".* Others may consider them as some look upon re-marriage - a triumph of hope over experience. The reasons for these guides is, however, best expressed by a recent statement:

"That the great majority of new private houses are set in an environment of the most depressing mediocrity".**

Various authorities have sought to draw up principles to illustrate what they would find acceptable and to lift the standard of design and environmental setting. As a principle, this surely cannot be faulted.

*Architects Journal May 1978.

**New Development Sub Group of Environmental Board.

The author of the *Essex Guide* has been quoted as saying that the guide was never intended to be a receipt or a pattern book but a design tool. It is however, clearly resented by some. Many others, however, feel that it is beginning to have a beneficial effect even if it is only to make more developers conscious of the possibilities of adventurous layout, and to break away from imposed highway standards of many years ago.

Nottinghamshire authorities have a highway standards guide for layouts - including adoption criteria and the City of Nottingham has leaflets on design matters in areas of special importance.

The Environmental Code produced by Camden seems to me to be a very real contribution to the subject and is to be applauded.

Real resentment and justifiable opposition however, arises when any authority seeks to impose a set of rules from such a guide irrespective of the circumstances, and leaves no room for the skill and initiative of the developer. I do not believe a design guide will be imposed by the Secretary of State on a developer producing a sensitive and worthwhile development in any situation. However, a layout of standardised boxes crowded together with minimal gardens without a tree or any amenity in sight, so often arrives on a planning officer's desk that I for one have sympathy with well produced guides - properly used.

Conclusions

10.1 This subject is fraught with difficulty and misunderstanding. I believe that some authorities may seek to make too many restrictive conditions or push too hard for environmental or other gain, not directly associated with the development.

In the main, however, this is not the case. There is very serious public dissatisfaction with the standards of development. There is great disquiet at many factors - noise, pollution, danger, and ugliness that beset our Cities. Citizens make it quite clear that they expect their areas to improve not deteriorate.

10.2 The main complaints against planning authorities are not those lodged by developers - delay, restriction etc. but rather

the failure to control adequately the matters I have listed.

10.3 In dealing with development applications, planning authorities have the heavy responsibility of making decisions and carefully weighing the balance between developers and the public. They have the clear duty to impose conditions or to seek agreements to ensure improved environmental and other standards - in short to seek to improve the quality of life, and I consider that that is just what most responsible planning authorities are seeking to do.

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SPB/LAS

18th August, 1978.