

# PLANNING POLICY COMMITTEE

**Date:** 20 February 2017

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 7.30pm

<b>Present:</b>	<b>Councillors:</b>	<b>David Brackenbury</b>	<b>(Chairman)</b>
		<b>Tony Boto</b>	<b>(Vice-Chairman)</b>
		<b>Steven North</b>	<b>(Leader of the Council)</b>
		<b>Glenn Harwood MBE</b>	<b>(Deputy Leader of the Council)</b>
		<b>Wendy Brackenbury</b>	<b>Gill Mercer</b>
		<b>Val Carter</b>	<b>Sarah Peacock</b>
		<b>Sylvia Hobbs</b>	<b>Roger Powell</b>
		<b>Sylvia Hughes</b>	<b>Pam Whiting</b>
		<b>David Jenney</b>	

## **418. MINUTES**

The minutes of the meeting held on 21 November 2016 were approved and signed by the Chairman.

## **419. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Marian Hollomon and Jake Vowles.

## **420. DECLARATIONS OF INTEREST**

No declarations of interest were made.

## **421. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3**

There were no questions submitted under Procedure Rule 10.3.

## **422. DISTRICT WIDE LOCAL PLAN PART 2 – LOCAL DEVELOPMENT SCHEME**

The Planning Policy and Conservation Manager presented the report which proposed a Local Development Scheme (LDS) for East Northamptonshire District following the Council's decision in April 2016 to produce a single District wide Local Plan.

The LDS provided a project plan which identified the development plan documents which would make up the Local Plan for the District. It outlined the programme and resources for completion and adoption of each relevant planning document and would also make reference to the Supplementary Planning Documents the Council intended to produce.

The LDS was required to specify the following:

- The local development documents which were to be development plan documents;
- The subject matter and geographical area to which each development plan document was related;
- The timetable for the preparation and revision of the development plan documents; and
- Such other matters as prescribed.

The first formal stage of the Local Plan preparation process provided an opportunity for consultation on the content and scope of the Plan. This was the Regulation 18 consultation and the six week consultation period would end on 13 March 2017. The consultation was accompanied by a “call for sites” where developers and landowners could promote sites for any use. The issues and responses arising from the Regulation 18 consultation would be reported back to a future meeting of the Committee.

Members highlighted that a number of town and parish councils had concerns that the work they had put into their “call for sites”, whilst developing their own Neighbourhood Plans, could be undermined during this process and sought reassurances. Whilst noting the proposed timetable, Members asked whether any flexibility had been included to take into account the Purdah period prior to the District Council elections in May 2019. In response, officers advised that the delivery of the Inspector’s report was not a deadline in our control and it could mean that the adoption stage may need to be moved but this would be kept under review.

In response to a query about the impact of the Government’s Housing White Paper on the JCS in relation to build sizes, officers advised that the implications of the Housing White Paper would be reviewed and taken into account as appropriate.

**RESOLVED:**

- (i) That the amendments to the Local Development Scheme be approved; and
- (ii) To note that the Regulation 18 Scoping Document will be subject to consultation between 27 January and 13 March 2017, (together with the “call for sites” and Sustainability Appraisal Scoping Report) and that the responses to the consultation will be reported back to a future meeting of the Planning Policy Committee.

*(Reason: To inform the legislative requirements, which are to be included in the revised LDS, and to set out details for the Local Plan Part 2.)*

**423. NEIGHBOURHOOD PLANNING – UPDATE**

The Principal Planning Policy Officer presented the report which informed Members as to the current status of submitted Neighbourhood Plans for Chelveston cum Caldecott, Stanwick and Raunds, along with information as to further Neighbourhood Plans that were anticipated to be published for consultation in 2017.

The independent examination of the Chelveston cum Caldecott Neighbourhood Plan had finished on 24 November 2016. The Examiner had recommended a number of modifications to the submission version of the Plan which would need to be made before the Plan could proceed to referendum. Agreement had now been reached between the Parish Council and ENC that the referendum would be held on Thursday 4 May 2017.

In August 2016, Stanwick Parish Council had submitted their Neighbourhood Plan for examination. Officers had reviewed the set of submission documents and were satisfied that the submission draft version of the Plan and associated documentation met the statutory requirements. The Regulation 16 consultation had now taken place and seven representations had been received. An independent examiner for the Stanwick Neighbourhood Plan had been appointed on 15 December 2016 and it was expected that the Examiner would finalise and publish his report around March 2017, when a referendum date would be set.

In November 2016, Raunds Town Council had formally submitted their Neighbourhood Plan for examination. Officers had reviewed the set of submission documents and were satisfied that the submission draft version of the Plan and associated documentation met the statutory requirements. The Regulation 16 consultation had now taken place and 12 representations had been received. An Examiner for the Raunds Neighbourhood Plan would be appointed imminently.

Both the Stanwick and Raunds Neighbourhood Plans had now reached significant milestones in the process and at this advanced stage would receive some weight when determining relevant planning applications.

Other Neighbourhood Plans were expected to come forward for consultation and submission during 2017, including Rushden, Brigstock, Kings Cliffe and Oundle.

**RESOLVED:**

- (i) To note the publication of the Chelveston cum Caldecott Neighbourhood Plan 2016-2031 on 24 November 2016 and subsequent referendum, scheduled for Thursday 4 May 2017;
- (ii) To note the current stage in preparation of the Stanwick Neighbourhood Development Plan 2016-2031;
- (iii) To note the current stage in preparation of the Raunds Neighbourhood Plan 2011-2031; and
- (iv) To note the other Neighbourhood Plans that are anticipated to come forward during 2017.

*(Reason: To support the forthcoming Chelveston cum Caldecott Neighbourhood Plan referendum, and support the Stanwick and Raunds Neighbourhood Plans through examination.)*

**424. OPEN SPACE AND PLAYING PITCH STRATEGY ASSESSMENTS, STANDARDS AND ACTION PLAN**

The Planning Policy Officer presented the report which provided updates to the Open Space and Playing Pitch Strategy reports based on the comments received since the last Committee on 21 November 2016 and sought authority to allow the studies to be published as background evidence to inform the Local Plan Part 2.

Following the last meeting, the comments which had been received on the studies had been considered by the consultants (KKP) and where applicable, had been incorporated into the studies. The overall findings and recommendations of the studies had not significantly changed since the updates.

During discussion, Members expressed their disappointment at some of the responses received from KKP, including that some responses and statements were still incorrect. Town Clerks appeared not to have been made fully aware of the importance of the studies in their discussions with KKP. It was suggested that more detailed discussions were needed with Ward Councillors, town and parish councils and the consultants. Councillor Harwood asked for it to be minuted that he wished for the local issues that he had raised directly with officers to be included in the document when it was reviewed. It was also noted that Rushden Town Council had developed its own Open Space Strategy and this needed to tie in to the studies to avoid confusion as to which was the right document.

In response, officers advised that KKP had used evidence supplied by councillors and the town councils, however it was acknowledged that the evidence base had to be consistent and as accurate as possible and they would work with KKP to ensure the studies were as correct as they could be. Members were also asked to submit their comments on the studies to officers outside of this meeting so they could be forwarded to KKP.

**RESOLVED:**

That the updates in Appendix One of the report be noted.

*(Reason – to enable the assessments and recommendations to form part of the evidence base for the Local Plan Part 2.)*

**425. ESTABLISHMENT OF DEVELOPERS CONTRIBUTIONS WORKING PARTY**

The Head of Planning Services presented the draft Terms of Reference for a Developers Contributions Working Party.

The DCLG had recently published the outcomes of a review into the Community Infrastructure Levy (CIL) which concluded that CIL was not working in the way it was intended. It had been suggested that CIL should be replaced by a Local Infrastructure Tariff and the Government was expected to respond in the Autumn Statement. However, the Council needed to start to consider its arrangements for Developer Contributions and it was proposed that a Working Party be established to start this work.

**RESOLVED**

- (i) To establish the Developer Contributions Working Party;
- (ii) To approve the Terms of Reference for the Working Group (Appendix 1); and
- (iii) That the membership of the Working Group be Councillors Tony Boto, David Brackenbury, David Jenney, Gill Mercer and Roger Powell.

*(Reason: To ensure that governance arrangements for the Developer Contributions Working Party are in place.)*

#### **426. PLANNING POLICY AND CONSERVATION UPDATE**

The Planning Policy and Conservation Manager presented the report which provided an update on key areas of work being undertaken by the Planning Policy and Conservation Team.

The Government had announced at the beginning of January 2017 that it supported the proposed Garden Village at Deenethorpe Airfield as one of 14 new Garden Villages across the country. The Council would receive delivery enabling funding in the region of £200k and support from the Homes and Community Agency's planning team ATLAS and delivery specialists. It would be possible to bid for further funding for 2017/18. This support would help the Council and JPU to work with the Deene Estate in preparing a detailed masterplan and delivery strategy to address the requirements of Joint Core Strategy Policy 14. The delivery enabling funding would pay for JPU support, extra staff capacity, specialist advice, community engagement and various technical studies.

For the Rushden East SUE, various work streams related to providing the necessary technical evidence that supported the drafting of a masterplan and eventual planning application were ongoing. The Council were in discussions with the County Council about the A6 and connectivity to the established part of Rushden.

#### **RESOLVED:**

That the current progress to date with local plan making, neighbourhood planning, Deenethorpe Garden Village and Rushden SUE be noted.

*(Reason – to keep Members informed as to current progress with plan making.)*

#### **427. CHANGES TO PART 5.4 OF THE CONSTITUTION AND THE PLANNING ENFORCEMENT PLAN**

The Executive Director presented the report which proposed revisions to Part 5.4 (Code of Practice for Planning Applications and Related Matters) of the Constitution and the Planning Enforcement Plan which were developed by the Scrutiny Review of Planning Enforcement and amended following informal consultation with Planning Management Committee.

During discussion on the proposed changes to the Constitution, Members asked for the following changes to be made:

- Paragraph 4.4.8 – amend to read “During that period access to the file will be restricted to officers and councillors who **were invited to attend** pre-application meetings or were involved in drafting the pre-application advice letter.”
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- Paragraph 4.5.7 – amend references of “Chair” to “Chair or Vice Chair”.

As Chairman of the Scrutiny Review Group, Councillor Jenney asked that his thanks to Sharn Matthews, Paul Bland and Rhys Bradshaw for all their work in developing the Enforcement Plan be minuted. He was hopeful that the Plan would lead to greater understanding about what was involved in the enforcement process.

**RESOLVED:**

- (i) That the proposed changes to Part 5.4 (Code of Practice for Planning Applications and Related Matters) of the Constitution prior to presentation to the Governance and Audit Committee be noted; and
- (ii) To approve the revised Planning Enforcement Plan.

*(Reason: To ensure the proposed changes can be effectively implemented and provide the necessary guidance to a range of stakeholders involved in planning matters.)*

**Chairman**

**Developer Contributions Working Party**

Approved at Planning Policy Committee - 20 February 2017

- 1.0 The Working Party will consist of five elected Members and will be chaired by an elected Member.
- 1.1 Members will be drawn from the Planning Policy Committee.
- 1.2 The Working Party Chairperson and Vice Chairperson will be elected at the start of the first meeting of the Working Party.
- 1.3 For the Working Party to be quorate, a minimum of three elected Members must be present at the meeting.
- 1.4 The end date for the Working Party will be the agreement of a new approach to Developer Contributions, anticipated to be before 31 December 2018.
- 1.5 In accordance with the Council's Constitution 4.1 Rule 23, the Working Party has no formal powers of decision making and all proposals for changes to the arrangements for the payment of Developer Contributions will be considered and approved by the Planning Policy Committee which would then make recommendations within the budget and policy framework.
- 1.6 Whilst the Developer Contributions Working Party will not be a decision making body, the Working Party will be asked to review and develop the Council's approach to the calculation and collection of Developer Contributions from development activity (residential and commercial) within the District in line with evolving legislative framework, including any provisions for the Community Infrastructure Levy and S106 agreements.
- 1.7 The approach as defined in paragraph 1.6 shall be in line with the Council's Constitution and shall seek to contribute to the Corporate Outcomes of Sustainable Development and High Quality Built Environment in which new developments provide adequate infrastructure, including high quality green and open space.
- 2.0 Format of Meetings
- 2.1 The Working Party will be facilitated by the Head of Planning Services, and supported by other planning, legal and finance officers as appropriate.
- 2.2 The agenda and reports will be sent to Members at least three days in advance of the meeting. If Members wish for specific issues to be considered these can be raised at the meeting and officers will research these issues and present them to a future meeting of the Working Party.
- 2.3 The Working Party will report to Planning Policy Committee at key milestones during the project and for any decision for which the Working Party wishes the Council to consider.

- 2.4 Items for inclusion on the agenda will be agreed with the Chairman and should be submitted for consideration at least seven days prior to the date of the meeting.
- 2.5 The minutes of the previous meeting shall be submitted for agreement at the start of every meeting.
- 3.0 Members' Responsibilities
  - 3.1 Members and officers must declare at the start of any meeting an interest in any matter for discussion in which they have a personal interest or involvement.
- 4.0 Voting
  - 4.1 The Working Party will work towards securing mutual agreement on all aspects of the project, but should a vote be necessary each elected Member will have a single vote and decisions will be made on a show of hands. In the event of a tie in the number of votes, the Chairman will have a second, or casting, vote.
- 5.0 Variation of the Terms of Reference
  - 5.1 These Terms of Reference may be altered by vote at the Planning Policy Committee.