203. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sylvia Hobbs.

204. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 21 September 2020 were approved as a correct record, subject to the inclusion of Councillor Sylvia Hughes in the list of those present.

205. DECLARATIONS OF INTEREST

No declarations of interest were made.

206. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions had been received under Council Procedure Rule 10.3.

207. MCHLG WHITE PAPER – PLANNING FOR THE FUTURE

The Principal Planning Policy Officer presented a report which had prepared a response to the Government’s Planning for the Future White Paper consultation.

On 6 August 2020, the Government published its Planning for the Future White Paper for national consultation. The document proposed fundamental and radical changes to the planning system in the medium and long term. The White Paper contained 24 separate proposals to the planning system which were intended to be introduced by way of primary legislation. The White Paper was divided into three main “Pillars”:
• Pillar 1 – Planning for development
• Pillar 2 – Planning for beautiful and sustainable places
• Pillar 3 – Planning for infrastructure and connected places

The final part of the consultation related to how the proposed changes to the planning system may be implemented.

Pillar 1 proposed a return to traditional zonal/land use planning, with three categories of land designation – Growth areas, Renewal areas and Protected areas, which would be universally available through standardised online mapping tools. Growth areas would be equivalent to development land allocations in the current development planning system, but the White Paper proposed that these areas should be granted “Permission in Principle” upon adoption of a new development plan document. Renewal areas are generally existing built up areas, for which there would be a general presumption in favour of development on suitable sites. Protected areas are those with current statutory designations (e.g. Conservation Areas, Listed Buildings, Tree Preservation Orders, Sites of Special Scientific Interest, Scheduled Ancient Monuments etc.) and/or open countryside, which would continue to be covered by development management regimes i.e. planning applications etc.

Pillar 2 proposed an increased role for design codes as a tool for managing detailed development proposals. These would replace the current development management process in all but protected areas.

Pillar 3 proposed a simplified national infrastructure levy to replace the current Community Infrastructure Levy/Section 106 system of development contributions.

The Committee considered a draft response to each of the 24 proposals/26 questions set out in the White Paper and members were invited to propose any additional thoughts or comments.

During the debate on the report, members highlighted that planning was one of the key issues for councillors and the proposed dilution of councillor involvement should not be underestimated. It was not committees which were holding up development and the proposed changes would not necessarily increase the number of houses built. The proposals were fundamentally flawed and would give members a very limited role in place shaping in their areas. It was suggested that the proposals were trying to solve the wrong problem. They were all about house building but did not mention the delivery of infrastructure or employment areas. It would be difficult to bring in strategic infrastructure with widespread permitted development. Town Centres were very important and were totally missed out in the document.

Observations about the specific questions were:

Question 1
• The word ‘longevity’ should be replaced by ‘democratic’

Question 3
• Permission in Principle (PiP) would mean that there would be no second consultation stage in applications.
• There were currently high levels of engagement with local councillors.
• Applications could be ‘traffic lighted’ so residents were more aware of what was happening in their area.
• This was a very urban response. Rural areas had different needs; some residents did not use online or social media and did not often have a published newspaper.

Question 4
• More or better local infrastructure was crucial and was a very important part of sustainable development.
• New homes needed places for children to play.

Question 5
• The emphasis appeared to be wholly on housing and with little about employment.
• It was unclear what most land within ENC should fit; e.g. open countryside with no statutory designations.
• The use of term ‘protected’ was misleading. If housing numbers could not be delivered in growth areas, there would be no choice but to deliver housing in protected areas.
• There was little clarity about the status of open countryside within the protected areas definition.

Question 6
• Taking policies out of the Local Plan was nonsense. Individual areas needed to be reflected with local policies.
• One size did not fit all.
• Local Plans needed local involvement and knowledge.

Question 7(a)
• Supported the alternative option of reforming the existing tests of soundness rather than replacing them with a single “sustainable development” test.

Question 7(b)
• If there was no formal Duty to Cooperate, local authorities would not necessarily know of any major developments outside of the District until preparation was made to start building.

Question 8(a)
• Fundamental concerns with the proposed changes to the standard methodology for housing numbers.
• Would prefer response to say ‘not sure’.

Question 8(b)
• What does ‘affordability’ mean? What is affordable to one person is not to another.
• Look to reword the final sentence in paragraph 1 of response.
Question 9(a)

- Some detailed information was needed for an outline planning permission.
- Cannot shorten the cycle of the plan and get the full information necessary to support the site specific allocations/ Growth areas and therefore grant Permission in Principle (PiP).
- The term ‘substantial’ needed to be picked up in the response.

Question 9(b)

- The definition for protected areas needed to be more robust, including the inclusion of open countryside.

Question 9(c)

- Response needed to be strengthened; e.g. proposals for new settlements need to come forward through proper local engagement.

Question 10

- Most applications would be delegated to officers and members would not be involved at all. If members were not involved they would not be able to have a say on what infrastructure was needed. Elected Members brought local knowledge to decision making.
- Already attacked by town and parish councils and local residents that they do not have adequate opportunities to comment on applications. People should be more involved. Need to resist making the time frame quicker at the expense of reduced Member input into decision making.

Question 12

- If looking to introduce a statutory timescale, need to remove or relax the need for onerous evidence bases.
- Cannot see how such a rigid timescale could work in practice.

Question 13(a)

- Unclear how Neighbourhood Plans would fit together with the proposed three land allocations.

Question 14

- Need to put pressure on builders to build the planning permissions that they have, possibly with penalties.
- Accept that it was a commercial decision by builders when they build on land.

Question 17

- Do not see how effective design codes would be if they were not properly enforced.
- May give rise to conflict with affordability.
Question 20

- What does ‘beauty’ mean?
- Recognise that development needs to look to the future (40-50 years ahead).

Proposal 16

- Need to include timescales for environmental assessments. May be unachievable.

Question 22(a)

- More work needed to be done on the proposal.
- Look to possibly phase payments to when they were needed. People who moved into houses needed facilities.
- Would like to see a percentage of any levy given to the town or parish council.
- Levy needed to be set locally.

Question 22(d)

- Needed to phase when levy was available. If councils borrowed to support infrastructure, developers could walk away and the council would have to foot the bill. Perhaps introduce a bond or something similar as a means to safeguard infrastructure delivery.

Question 24(b)

- May encourage developers not to have a range of tenures.
- Need to ensure that local need continues to be met.

Question 24(d)

- Any development needed to be of high quality.

Question 25(a)

- Local authorities need freedom/ flexibility to secure delivery of infrastructure; best placed to do so.
- Should not be a one size fits all approach; need to meet needs of all groups.
- Need a balance between affordable housing and infrastructure delivery.

Proposal 23

- Needed to ensure the continued skills and expertise of councillors in the democratic process.
- The proposals were viewed as insulting to councillors; undermining democratic accountability.
- The well established partnership between members and officers would be broken up by the proposals.
Proposal 24

- Strengthening of enforcement powers fully supported. Paramount to ensure developers did not get away with breaches.

Additional comments

The proposals are a push to remove councillors from the democratic process and should be deprecated.

Officers would prepare an updated version of Appendix 2 to the report, to allow for the final response to be agreed and signed off by the Head of Planning Services, in consultation with the Chairman and Vice Chairman of the Planning Policy Committee, to allow for submission of the Council's formal response in time for the 29th October 2020 deadline.

RESOLVED

(i) To endorse the Council’s draft response to the ‘Planning for the Future’ White Paper consultation to be submitted to the Government.

(ii) To delegate the wording of any proposed amendments or additions to the Council’s draft response to the White Paper consultation to the Head of Planning Services, in consultation with the Chairman and Vice Chairman of the Planning Policy Committee, in advance of submission.

(Reason: To engage properly with the Government’s proposed reforms to the planning system.)

208. SUSPENSION OF COUNCIL PROCEDURE RULE 8

At 9.00pm, it was proposed that Council Procedure Rule 8 (Duration of Meeting) be suspended to enable the Committee to continue the business on the agenda. On being put to the vote, it was

RESOLVED:

That Council Procedure Rule 8 be suspended to enable the Committee to continue the business on the agenda.

Chairman