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Development Plan Scrutiny Sub-Committee

DPSSC/1

Tuesday, 6 December 2016

DEVELOPMENT PLAN SCRUTINY SUB-COMMITTEE

6 December 2016

4.30 - 5.50 pm

Present: Councillors Sarris (Chair), Gawthrop (Vice-Chair), Avery, Bick, Smart and Blencowe (Executive Councillor)

Executive Councillor for Planning Policy and Transport: Councillor Blencowe

Officers:

Planning Policy Manager: Sara Saunders

Principal Planning Policy Officer: Joanna Gilbert-Wooldridge

Planning Policy Officer: Frances Schulz

Senior Sustainability Officer: Emma Davies

Democratic Services Officer: Daniel Snowdon

FOR THE INFORMATION OF THE COUNCIL

16/65/DPSSC Apologies

Apologies were received from Councillor Baigent

Councillor Sargeant attended as an alternate.

16/66/DPSSC Declarations of Interest

There were no declarations of interest.

16/67/DPSSC Minutes

The minutes of 2 June and 21 June 2016 were agreed as a correct record

16/68/DPSSC Public Questions

There were no public questions.

16/69/DPSSC Cambridgeshire Flood and Water Supplementary Planning Document (SPD)

Matter for Decision

To consider and comment before decision by the Executive Councillor for Planning Policy and Transport.

Decision of Executive Councillor for Planning Policy and Transport

- i. Agreed the responses to the representations received during public consultation and the consequential amendments to the SPD (Annex B of Appendix A of the officer's report)
- ii. Approved the SPD (Appendix B of the officer's report) in anticipation of the Local Plan, and to agree that it should be carried forward for adoption as an SPD at the same time as the Local Plan.

Reasons for the Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Senior Sustainability Officer.

The Committee made the following comments in response to the report:

- i. Highlighted table 5.1 featured in the report and noted that the year should be 2039 and not 3039.
- ii. Questioned whether the SPD would be broadly similar in other areas of the country.
- iii. Noted that sustainable drainage systems (SuDS) featured frequently within the report and questioned where responsibilities lied for the maintenance of the systems and if they failed.
- iv. Asked whether SuDS could be fitted retrospectively to sites.
- v. Questioned whether funding was available for fitting SuDS retrospectively.
- vi. Asked whether there were any implications resulting from having to wait for the approval of the Local Plan. Any implications waiting for approval for local plan, can developers do stuff we don't want them to do? It was noted that the use of SuDS is already being achieved in developments across the city and that national policy and guidance can also be used in the interim period prior to formal adoption of the SPD.
- vii. Questioned how South Cambridgeshire District Council were able to approve the SPD without having an approved Local Plan.

The Senior Sustainability Officer said the following in response to Members questions:

- i. Confirmed that the SPD adhered to current national standards and was adapted to meet the demands of the Cambridgeshire landscape and the Council's vision for drainage systems.
- ii. Explained that it was a requirement of national planning policy that SuDS be incorporated within planning applications. Applicants were required to set out within the application who would manage and maintain the systems. The management and maintenance of drainage systems was often contracted out to specialist management companies, with the Council also adopting and maintaining SuDS where these are provided in public open space and designed in line with our SuDS Design and Adoption Guidance.
- iii. Confirmed that SuDS could be fitted to sites retrospectively and projects were underway to retro-fit sites. The SPD was focussed more on new developments but there was a large amount of information available on the internet, in particular the SUSDRAIN website.
- iv. Explained that for certain projects S106 contributions could be utilised and drew attention to the potential use of Sustainable City Grants for smaller projects.
- v. Explained that South Cambridgeshire District Council had a policy in place from which the SPD could be attached.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendations.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/70/DPSSC Cambridge Local Plan Examination – Progress Update

Matter for Decision

To consider and comment before decision by the Executive Councillor for Planning Policy and Transport.

Decision of Executive Councillor

To note the contents of the report and Appendix A

Reason for Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the Principal Planning Policy Officer and the Planning Policy Officer.

The Committee made the following comments in response to the report:

- i. Expressed concern regarding the length of time the process was taking for the Local Plan to be implemented and drew attention to the number of SPDs that were that were due to be attached to the emerging Local Plan, questioning what the impact was on the Council;
- ii. Asked whether the lack of Community Impact Levy (CIL) had been financially detrimental to the Council;
- iii. Questioned whether developers were able to choose which Local Plan they adhere to and whether Planning Inspectors dealing with appeals had chosen one plan over the other;
- iv. Asked when the Local Plan would be adopted and implemented. Concern was expressed that the Council should be more forceful with Inspectors regarding timescales. For example, it is not possible to implement standards on room sizes until the emerging Local Plan has been adopted.

The Planning Policy Manager, Principal Planning Policy Officer and the Planning Policy Officer said the following in response to Members' questions:

- i. Agreed that the process had been lengthy and was frustrating, but it was important for the Local Plan to be scrutinised through independent examination. Officers had remained pragmatic in managing new developments as they were brought forward especially when they were in accordance with the emerging plan. The Council was in a good position with regard to five year land supply and the delivery of new homes. The delays had allowed for the plan to be developed further as situations had arisen during the intervening time.
- ii. Confirmed that the importance and urgency required had been drawn to the Planning Inspectors' attention and feedback had been provided to relevant government consultations. Partner organisations had also been encouraged to raise concerns regarding the timescales.

- iii. The Council was effective in securing money though Section 106 obligations and all opportunities for securing funding were explored.
- iv. Explained that training had been undertaken with development management officers regarding usage of the two Local Plans. The adopted 2006 Local Plan was the starting point and there were very few elements of the emerging Local Plan that could be utilised. When developers used the emerging Local Plan, officers provided advice as to why they could not apply the policies. There had been no instances where the Planning Inspectorate had judged the current plan out of date in appeals.
- v. Estimated that the examination of the emerging Local Plan would be completed by the end of 2017 and encouraged people to write to the Planning Inspectorate to voice concerns regarding the timescales.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

16/71/DPSSC Annual Monitoring Report 2016

Matter for Decision

To consider and comment before decision by the Executive Councillor for Planning Policy and Transport.

Decision of Executive Councillor

- i. To agree the content of the Annual Monitoring Report (AMR) (Appendix A to the officer's report);
- ii. To agree that if any amendments are necessary, these should be agreed by the Executive Councillor for Planning Policy and Transport in consultation with Chair and Spokes of Development Plan Scrutiny Sub Committee.

Reason for Decision

As set out in the Officer's report.

Any Alternative Options Considered and Rejected

Not applicable.

Scrutiny Considerations

The Committee received a report from the The Planning Policy Manager, Principal Planning Policy Officer, and the Planning Policy Officer.

The Committee welcomed the report and made the following comments in response:

- i. Questioned how the impact of large multi-national companies moving to the area, such as AstraZeneca, were managed.
- ii. Questioned the impact of devolution on the Local Plan.
- iii. Highlighted “land-banking” by developers as a risk to housing supply in the area and requested that an analysis be undertaken that identified where the development of sites had been delayed by developers.
- iv. Sought an update regarding the NIAB site that had been delayed considerably and whether the planned bus service for the site had been delayed.
- v. Questioned the use of policies from the emerging Local Plan and their reporting within the Annual Monitoring Report.
- vi. Questioned whether a financial viability check was undertaken on developers.
- vii. Asked whether the Design and Conservation Panel still operated and clarification of its role within the planning process.
- viii. Sought clarity regarding paragraph 7.14 of the Annual Monitoring Report.
- ix. Clarified what constituted the use of a planning policy and asked whether there was software available that could capture when specific planning policies were applied.

The Planning Policy Manager, Principal Planning Policy Officer, and the Planning Policy Officer said the following in response to Members questions:

- i. Explained that although AstraZeneca moving to the area was unusual, it has contributed towards meeting the jobs growth forecast set out in the emerging Local Plan.
- ii. Explained that the impact of devolution needed to be scoped and the next Local Plan would be prepared to be consistent with the aims of devolution.
- iii. Agreed to provide an analysis to Members that identified the length of time between a site being released for development and the development taking place that included commentary on why development had been delayed on specific sites.

- iv. Officers explained that the development proposals first came forward on the NIAB site in around 2007 just before the recession that greatly affected the construction industry. It has a large consortium of landowners, which also makes it more complicated to deliver development. Recently, the developer was affected financially by Brexit, and is now looking to other developers to bring forward the NIAB scheme. The Council's New Neighbourhoods team is working with the developer and representatives of the consortium of landowners to deliver the site. A deed of variation to the existing Section 106 agreement is likely to be presented at Joint Development Control Committee early in 2017. This will address timing of delivery of some of the site's infrastructure. The developer is still legally committed to providing the site-wide infrastructure. The intention is to start these works in May 2017. A written response to Member concerns regarding the planned bus route would be circulated to Members in due course.
- v. Explained that the 2006 Local Plan was the current plan and the emerging Local Plan would not be reported on through the Annual Monitoring Report until it was adopted.
- vi. Explained that a high level viability assessment was undertaken to inform the development of policies in the Local Plan and the Community Infrastructure Levy requirements. There was no requirement on the Council to undertake a detailed viability assessment of individual developers' proposals at the plan-making stage.
- vii. Confirmed that the Design and Conservation panel was still in operation and met on a monthly basis, providing a forum for presentation of, briefing for, and expert advice on, major or otherwise significant development proposals (both at pre-application and application stages). The advice of the Panel forms part of reports on planning applications.;
- viii. Agreed to investigate and provide further information regarding paragraph 7.14 of the Annual Monitoring Report..
- ix. Explained that all planning application reports were reviewed to identify the policies that were used. Work was ongoing regarding software that could capture the data more easily.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendation.

Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)

No conflicts of interest were declared by the Executive Councillor.

The meeting ended at 5.50 pm

CHAIR