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Development Plan Scrutiny Sub-Committee

DPSSC/1

Wednesday, 22 March 2017

DEVELOPMENT PLAN SCRUTINY SUB-COMMITTEE

22 March 2017

4.30 - 6.00 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:

Urban Extensions Project Manager: Julian Sykes

Planning Policy Manager (Acting): Joanna Gilbert-Wooldridge

Planning Policy & Economic Development Officer: Stephen Miles

Planning Consultant: Ian Poole

Democratic Services Officer: Daniel Snowdon

FOR THE INFORMATION OF THE COUNCIL

16/78/DPSSC Apologies

Apologies were received from Councillor Baigent, Councillor Sargeant attended as an alternate.

16/79/DPSSC Declarations of Interest

None

16/80/DPSSC Minutes

The minutes of 25 January 2017 were agreed as a correct record

16/81/DPSSC Public Questions

Mr Edward Leigh, representing the South Petersfield Residents Association addressed the Committee and questioned whether the Supplementary Planning Document (SPD) represented a Masterplan for the area as it was insufficiently aspirational and visionary. The site presented, Mr Leigh stated, a rare opportunity to develop an award-winning reference site that delivered the very best examples of urban and landscape design, architecture, affordable housing, integrated community place and sustainability. Mr Leigh drew

attention to the highly prescriptive land allocation and the poorly utilised public space in St Matthew's Gardens, emphasising the requirement for integrated public space which the Petersfield area lacked. The 40% affordable housing quota should be more aspiration and Mr Leigh questioned whether a Community Land Trust Model had been considered.

In response, the Executive Councillor for Planning, Policy and Transport Councillor Kevin Blencowe highlighted the public consultations that had taken place in the form of workshops and formal consultation. From the consultation work a large number of ideas had been incorporated into the SPD. Councillor Blencowe explained that the SPD was not at the design stage and further public consultation would take place upon the detailed designs when planning applications were made. The SPD provided guidance for how the site would be developed.

Mr Leigh in response requested clarification of whether the SPD was the Masterplan for the area, whether the document represented the final stage prior to tendering. In conclusion Mr Leigh emphasised that wide consultation was not the way to achieve something that was visionary and aspirational and could have a detrimental effect on plans

The Executive Councillor confirmed that in the absence of a Masterplan the SPD represented the Masterplan. There would be considerable further work prior to detailed plans being submitted which would be scrutinised by Members. The Council would be looking for high quality standards of design and it was the role of Members and officers to ensure that high standards were maintained.

16/82/DPSSC Neighbourhood Planning – Application and designation of a Neighbourhood Area and Forum for South Newnham

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

- To approve the designation of the South Newnham Neighbourhood Area, as identified in Appendix A of the officer report; and

- To approve the designation of the South Newnham Neighbourhood Forum as the appropriate body for the preparation of a neighbourhood plan for the South Newnham Neighbourhood Area.

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 Council's Planning Consultant.

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

- i. Questioned whether the Neighbourhood area would have the equivalent status of a Parish Council with regard to planning matters and be a statutory consultee.
- ii. Questioned the cost neutrality of the proposed Neighbourhood Area as discretionary support provided by the Council.
- iii. Queried what happened in the event of the Forum being dissolved.
- iv. Clarified the relationship between the Forum and the overarching Local Plan.
- v. Expressed concern regarding the possible resulting inequality that may arise from South Newnham being in a stronger position for having a Neighbourhood Area than other parts of the City that did not.
- vi. Confirmed that the Government grants available would be sufficient to cover the support costs to the Council.

The Council's Planning Consultant said the following in response to Members questions:

- i. Confirmed that once designated the Forum would become a statutory consultee on planning applications and could submit responses.
- ii. Explained that an initial grant available to the Council of £5k could be applied for and a further £20k grant would become available following a referendum.
- iii. Explained that upon the dissolution of the Forum provisions existed within the regulations for a new forum to be set up. The voluntary nature of the Neighbourhood Area was emphasised by officers with an advisory and support role for the Planning Authority.

- iv. Drew attention to Neighbourhood Areas that had been created in London where the distinctiveness of areas had been enhanced as a result. A key role of the Council was to ensure the creation of a neighbourhood plan that would be adopted following a referendum was created.
- v. Explained that regardless that neighbourhood plan added to the the overarching Local Plan and Nation Planning Policy Framework remained in place and that other parts of Cambridge would not be disadvantaged as a result.

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.

16/83/DPSSC Mill Road Depot Draft Planning and Development Brief

Matter for Decision

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

Decision of Executive Councillor

- To agree the responses to the representations received during public consultation and the consequential amendments proposed to the Mill Road Depot Planning and Development Brief (Appendices B and C);
- To approve the Mill Road Depot Planning and Development Brief (Appendix D) in anticipation of the adoption of the Local Plan, and to agree that it should be carried forward for adoption as a Supplementary Planning Document at the same time as the Local Plan.

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 Urban Extensions Project Manager.

Members noted the amendment sheet circulated in advance of the meeting.

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

- i. Drew attention to the garages located at the rear of the site that appeared to limit the sites potential and how it integrated with the wider area. Also questioned how they became a parameter and how the SPD could be amended to address the garages.
- ii. Highlighted the provision of community spaces within paragraph 4.5.6 of the Supplementary Planning Document (SPD) requesting that they be properly integrated within the development and the wording of the paragraph be amended to ensure their connectivity with established developments to the north of the site
- iii. Queried the ownership of the library building and the status of its tenancy agreement with the current building occupiers. Also sought clarification on the projected level of car parking for the area.
- iv. Highlighted the importance of delivering more housing and the importance of the provision of open spaces within the development that were centrally located and drew people into the site and were easily travelled to.

It was proposed by Councillor Bick and seconded by Councillor Avery to defer the adoption of the SPD until a report had been submitted regarding the status of the garages, their potential development and its implications. During discussion of the amendment, Members commented that due to the ownership of the site there were issues that needed to be clarified in the future, but they should not delay the adoption of the SPD. On being put to the vote the amendment was lost, 2 votes in favour 4 against.

The Urban Extensions Project Manager said the following in response to Members questions:

- i. Explained that the SPD was intended to be a flexible document. The garages were subject in some cases to long leases and discussions would continue regarding their status but there was not an immediate opportunity to take them on board. The Executive Councillor confirmed that several owners of the garages wished to retain ownership and that made it difficult to incorporate the land.
- ii. With respect to paragraph 4.5.6 of the SPD, acknowledged the needs of the community to north, but highlighted the importance of not being too

constrained on the provision of community facilities as there was a balance to be achieved and flexibility is needed to aid delivery.

- iii. Explained the SPD was a design framework that supported the Local Plan and its policies. The City Council as landowner would appoint architects that would develop a more detailed Masterplan for the area.
- iv. Confirmed that car parking provision would be determined as part of the detailed design stage. The overall goal though was to reduce the level of available car parking in the area and support more sustainable transport modes.
- v. Explained that the library building was subject to negotiations with the tenants and its owners (Cambridgeshire County Council).

The Committee resolved 5 votes in favour, 0 against and 1 abstention 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.

16/84/DPSSC Housing White Paper - Consultation Response to Government

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

- To agree the comments set out in the consultation response attached to the officer report and that these are submitted to the Government as Cambridge City and South Cambridgeshire District Councils' formal response to the consultation.
- To agree that any subsequent changes to the consultation response as a result of the South Cambridgeshire District Planning Portfolio Holder meeting be agreed with the Executive Councillor for Planning Policy and Transport, Chair and Spokes prior to submission.

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 Planning Policy and Economic Development Officer.

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

- i. Highlighted that the demand for new housing was only met when local authorities were building them. Without the ability for local authorities to borrow and utilise receipts then it would be difficult to achieve the uplift in housing construction required in Cambridge to meet demand.
- ii. Drew attention to the implication that within the White Paper that Planning Authorities were responsible for the current status of the housing market when government policies such as Right to Buy and developers purchasing land but delaying development, a practice known as 'land-banking' had a far greater impact upon the housing market.
- iii. Clarified paragraph 3.3, bullet points 1 and 4 of the officer report, questioning whether the agreement of all local authorities was required in respect of the allocation of strategic sites and the level of residential allocations in local plans.
- iv. Questioned the amount of time and resources had been used in compiling the consultation response.

The Planning Policy and Economic Development Officer said the following in response to Members questions:

- i. Confirmed that the Department for Communities and Local Government (DCLG) confirmed, following the publication of the report that bullet point 4 of the report referred to residential allocations and that DCLG had not clarified bullet point 1.
- ii. Explained that in compiling the consultation response, 15 officers across 2 Councils had input which took considerable time in reading the consultation and formulating responses.

The Committee resolved 4 in favour, 0 against, with 2 abstentions 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.

16/85/DPSSC Briefing Note on Short Term Lets

The Committee was presented a briefing note following a request from Councillor Bick following its presentation at West Central Area Committee on 9 March 2017.

During discussion Members made the following comments:

- i. Questioned how it was being determined that contraventions of planning permission had occurred
- ii. Queried whether there was still time for amendments to the Local Plan to be made.
- iii. Highlighted the impact on housing supply if it was being eroded by conversion into visitor accommodation and the need for it to be properly planned for and questioned how soon criteria for enforcement would be arrived at.
- iv. Suggested that who was liable to pay Council Tax on a property and whether commercial waste collection was in operation from a property could be criteria for assessing the usage of premises.

The Planning Policy Manager (Acting) said the following in response to Members questions:

- i. Informed Members that there were currently 4 cases where contravention notices had been issued and 6 further cases were being processed. The Planning Policy Manager (Acting) explained further that if a person accommodated visitors as lodgers then a material change of use may not have occurred but if a property was let for differing periods of time then a change may have occurred. A judgement also had to be made regarding whether harm had been caused. Discussions were taking place within the Planning Service with regard to the impact on the Local Plan, the development of an enforcement assessment tool and whether the impact upon housing supply should be included within the Strategic Housing Market Assessment.
- ii. Confirmed that hearing sessions had not yet taken place as part of the Examination in Public relating to visitor accommodation. Legal advice had been received that it may be appropriate to submit changes to the Local Plan.

- iii. Explained that while exact timescales for the development of assessment criteria were could not be provided, they were a high priority for officers.
- iv. Confirmed that payment of Council Tax and refuse collection arrangements would be added to the assessment criteria.

The meeting ended at 6.00 pm

CHAIR

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