

**CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE**

**6 December 2010**

Attendance:

Committee Members:

Councillors:

Learney (Chairman) (P)

Collin (P)

Evans (P)

Other invited Councillors:

Beckett (P)

Jefferies (P)

Johnston (P)

Others in attendance who addressed the meeting:

Councillor Cook

Others in attendance who did not address the meeting:

Councillor Bell, Coates, Humby, Pearson, Phillips and Tait

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1. **MINUTES**

RESOLVED:

That the minutes of the meeting held 6 October 2010 be approved and adopted.

2. **PUBLIC PARTICIPATION**

Mr P Davies (City of Winchester Trust), Mrs C Dibden (South Hampshire group of Council for Protection of Rural England – CPRE) and Mrs G Busher spoke regarding specific agenda items and their comments are summarised under the relevant items below.

Mr P Davies and Mrs C Slattery spoke during general public participation and their comments are summarised below.

Mr Davies advised that he had been involved with a 'Blueprint' event organised by the City of Winchester Trust on 6 November 2010 and responses from this would be forwarded to the Council in due course.

However, he believed there was a degree of confusion about whether the deadline for comments of 10 December 2010 remained. In addition, he requested clarification about how the implications of the soon to be published Localism Bill would feed into the process and whether comments made under 'Blueprint' would be lost in the changing circumstances.

Mrs C Slattery welcomed the early availability of the Strategic Housing Land Availability Assessment (SHLAA) and the Annual Monitoring Report (AMR) and emphasised the link between the two documents. However, she highlighted that both the Council for the Protection of Rural England (CPRE) and the Winchester Residents' Association had to cancel recent 'Blueprint' consultation meetings, due to the extreme weather conditions. She therefore queried whether the deadline for submissions could be extended and, if so, this fact publicised in the local press.

The Head of Strategic Planning advised that the Decentralisation and Localism Bill was due to be published on 9 December 2010, but it was expected that its contents would take at least a year to implement. In the meantime, the Council would continue with its 'Blueprint' process and would aim to progress the LDF Core Strategy, whilst having regard to the new proposals once announced. Comments received under the current and previous LDF consultation would not be wasted, but would be fed into the new arrangements.

The Head of Strategic Planning confirmed that the deadline for comments under the 'Blueprint' exercise remained 10 December 2010. However, provided organisations advised the Council that they were unable to meet this deadline in advance, it could be extended slightly, with organisations being requested to ensure submissions were received before Christmas this year.

### 3. **LOCAL DEVELOPMENT FRAMEWORK UPDATE**

(Report [CAB2091\(LDF\)](#) refers)

The Head of Strategic Planning reported that the 'Blueprint' exercise had been well received and more than 600 information packs had been issued. At least 25 consultation events had been arranged by parish councils and other groups and, in general, these meetings had been very constructive.

Mrs C Dibden (South Hampshire CPRE) spoke during the public participation session and her comments are summarised below. She welcomed the 'Blueprint' consultation as implementing the principles of localism and advised that the comments from an event organised by the CPRE in the District would be submitted to the Council in due course. However, at this meeting, various concerns had been raised by parish councils regarding the perceived potential for housing numbers to be imposed through PUSH and the new Solent Local Economic Partnership (LEP) rather than at a local level. Some reassurance was given by the Council's approach to treat the rural and market town areas within the PUSH region separately to the urban areas. In conclusion, the CPRE was not suggesting that the City Council withdraw from PUSH, but did

not want the mechanism for establishing housing numbers in the District to derive from either PUSH or the Solent LEP.

The Head of Strategic Planning advised that following the recent court judgements (referred to below), the South East Plan currently remained in force and therefore the PUSH housing requirements would continue to exist for the time being. However, he confirmed that the Core Strategy sought to distinguish between those parts of the District which relate to the market towns and rural areas of PUSH and the urban areas. The Council had resolved that it planned to meet the bulk of the housing requirements set out in the South East Plan for the 'South Hampshire Urban Area', at Whiteley and Waterlooville.

The Chairman advised that the Solent LEP would be chaired by a representative of the business community and emphasised that local businesses also had an important role to play in the new localism agenda. The boundary of the Solent LEP would be all of PUSH together with the Isle of Wight. The Committee noted that the Isle of Wight would also be joining PUSH in the near future.

The Head of Strategic Planning and the Head of Legal Services updated the Committee on the latest situation with regard to Regional Strategies, together with the implications of the legal challenges made by Cala Homes, as set out in Paragraph 3 of the Report. The Head of Legal Services stated that a further legal challenge had been made by Cala Homes against the letters issued on 10 November 2010 by the Secretary of State and the Chief Planning Officer of the Department for Communities and Local Government, following the decision of the Court that the revocation of Regional Strategies had been unlawful. Since the Report was prepared, an interim hearing of this further legal challenge from Cala Homes had taken place on 3 December 2010, the effect of which was that an agreed statement on the position was to be published by the Secretary of State, pointing out the fact that a challenge had been made against the 10 November letters, and decision makers in planning matters would need to consider whether the existence of such a challenge and its basis affected the significance and weight to be given to the letters. The latest challenge would not be heard until mid-January 2011.

In response to questions, the Head of Strategic Planning confirmed that the three interim policy aspirations agreed at the previous Committee meeting on 6 October 2010 would be recommended for agreement by Council on 12 January 2010 (Report [CAB2064\(LDF\)](#) refers). If agreed, these would be non-statutory, but would be regarded as 'material considerations' in dealing with future planning applications.

One Member queried the implications of European Legislation on the ability of the Secretary of State to remove regional strategies in relation to the requirement to produce environmental impact assessments. The Head of Legal Services advised that this matter would need to be considered further by Government in any changes to legislation.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

**RECOMMENDED:**

1. THAT THE UPDATED INFORMATION IN SECTION 3 OF REPORT CAB2091(LDF) BE NOTED AND THE DEVELOPMENT OF UPDATED HOUSING TARGETS AS SOON AS POSSIBLE THROUGH WORK ON THE LDF CORE STRATEGY, HAVING REGARD TO THE RESULTS OF THE BLUEPRINT EXERCISE, ONGOING TECHNICAL STUDIES AND OTHER EVIDENCE WORK, CONTINUE TO BE SUPPORTED.

2. THAT THE APPROXIMATE PROGRAMME SET OUT IN PARAGRAPH 4.4 OF [REPORT CAB2077](#) BE ENDORSED, SUBJECT TO THE NEED TO TAKE ACCOUNT OF ANY PROPOSALS IN THE 'DECENTRALISATION AND LOCALISM BILL' AND HAVING REGARD TO THE PROGRESS OF LEGISLATION TO ABOLISH REGIONAL STRATEGIES.

RESOLVED:

1. That the content of Section 3 of the Report in relation to the recent judgement in respect of the revocation of Regional Strategies, the immediate impact this had on what constituted the 'development plan', and the need for this to be taken into consideration by the Council in determining planning applications, be noted.

2. That the information in Section 4 of the Report in relation to the South Downs National Park be noted and that, as and when further details emerge about how the National Park Authority intends to proceed with its Core Strategy and the implications for the Winchester Core Strategy, a further report be made to this Committee.

4. **STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA) - UPDATE**  
(Report [CAB2094\(LDF\)](#) refers)

Councillor Beckett declared a personal (but not prejudicial) interest in respect of this item as the report referred to 'gaps' and this might have implications for land which he owned.

The Head of Strategic Planning emphasised that the SHLAA was one element of the evidence studies which would be fed into the LDF process. The document contained sites submitted by land owners as potential development sites, but their inclusion did not mean that the Council agreed to such

development. In addition, he emphasised that sites outside of settlement boundaries could not be developed without a change in policy.

Mr P Davies and Mrs G Busher spoke during the public participation period and their comments are summarised below.

Mr Davies stated that the maps and information contained in the Report were difficult to understand and potentially misleading without further explanation. In particular, it was not possible to ascertain whether any of the sites were new to the previously published SHLAA. Mr Davies also queried whether Council-owned sites were included.

Mrs Busher asked what protections were in place to prevent large developments all being situated in one small area, because it was possibly easier for developers to do this. In addition, she queried the levels of infrastructure provision.

The Head of Strategic Planning confirmed that the SHLAA did include City Council and County Council owned sites considered to have the potential for development. He acknowledged that the maps reproduced in the Report were difficult to read, but advised that it was being recommended that the full SHLAA document be made available on the Council's Website and this would include more detailed information on each site.

With regard to the points raised by Mrs Busher, the Chairman stated that it was anticipated that the Localism Bill would make it easier for communities to resist development without the necessary infrastructure also being provided. She also highlighted the opportunities of additional funding for local authorities outlined under the New Homes Bonus.

At the invitation of the Chairman, Councillor Cook expressed concern about the inclusion of a particular site within New Alresford in the SHLAA and queried whether it would be possible for the Town Council (NATC) to require that it be removed. The land in question was adjacent to Alrebury Park and Councillor Cook believed that its inclusion in the SHLAA had increased its value and, consequently, detrimentally affected the Council's efforts to compulsorily purchase the land for recreational purposes.

The Head of Strategic Planning reiterated his comments above that the SHLAA listed all sites submitted by developers, without any editing by the Council as to their suitability. The site mentioned by Councillor Cook was outside the settlement boundaries and consequentially could not be developed without a change in policy. It was open to NATC to contact the landowner to request that he remove the site from the SHLAA, but there was no requirement on him to do so. The Head of Strategic Planning emphasised that the site's inclusion in the SHLAA should have no effect on the land value, as it did not change the planning policies affecting it.

The Head of Legal Services advised that work on progressing a Compulsory Purchase Order (CPO) was ongoing and a Report would be submitted to a future Cabinet. He confirmed that the land value was not affected by inclusion in the SHLAA and this was not a factor in the progress on the CPO.

One Member commented that the use of the term “availability” implied that the land included was also suitable for development. The Head of Strategic Planning advised that the SHLAA title and format was set out by the previous Government’s guidance, which still applied.

The Committee noted the comments made by Mrs Slattery in the public participation period above regarding the link between the SHLAA and the AMR. It was agreed that the Council aim to continue to publish the two documents at the same time in future years (if both documents continue to be required under the new regime).

The Committee agreed to the following for the reasons set out above and outlined in the Report.

**RESOLVED:**

That the 2010 SHLAA be published as part of the evidence base for the LDF.

**5. LDF: ANNUAL MONITORING REPORT (AMR) 2010**  
(Report [CAB2092\(LDF\)](#) and [Addendum](#) refers)

The Committee noted that the Addendum had not been notified for inclusion on the agenda within the statutory deadline. It contained a table setting out a number of corrections to the housing trajectories, which replaced Appendix 6 of the above Report. The Chairman agreed to accept the Addendum onto the agenda, as a matter requiring urgent consideration, due to the requirement to consider the corrected information.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

**RESOLVED:**

1. That the publication of the 2010 AMR and its submission to the Government Office for the South East be authorised, in accordance with the relevant requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.

2. That authority be delegated to the Head of Strategic Planning to make minor changes to correct any typographical and factual errors prior to publication.

6. **EXTON VILLAGE DESIGN STATEMENT REVISION**

(Report [CAB2089\(LDF\)](#) refers)

The Head of Strategic Planning advised that there were currently approximately between 15 and 20 Village Design Statements (VDS) that were due to for review, but it was for the local community to decide when such a review took place. He confirmed that there were currently resources available to contribute towards this work, but the budget was under review.

The Committee agreed that Parish Councils and other relevant groups be reminded of the benefits of undertaking a revision of their VDS.

The Committee agreed to the following for the reasons set out above and outlined in the Report.

**RESOLVED:**

1. That the 'Guidance' points of the revised Exton Village Design Statement, as proposed to be amended, be adopted as a Supplementary Planning Document.
2. That an offer of up to £1,000 be authorised as a contribution towards the costs of publication of the final version of the VDS.
3. That the Exton Village Design Statement Group be thanked for producing the Design Statement.

The meeting commenced at 10.00am and concluded at 11.45am.

Chairman