

WINCHESTER DISTRICT LOCAL PLAN COMMITTEE**9 January 2004****Attendance:**

Councillors:

Bidgood (Chairman) (P)

Bailey (P)

Bennetts (P)

Chamberlain (P)

Davies (P)

Hutton

Jeffs

Pearson (P)

Porter (P)

Read (P)

Sutton (P)

Deputy Members:

Councillor Baxter (Standing deputy for Councillor Read)

Others in attendance:

Councillors Campbell, Cook, Busher, Coates,

Officers in attendance:

Mr S Opacic (Forward Planning Team Manager)

Mrs M Kirby (Planning Officer)

Mr G White (Planning Officer)

Mrs J Ashton (Planning Officer)

Mr H Bone (Assistant City Secretary (Legal))

1. PUBLIC PARTICIPATION

A number of statements and issues were raised and were dealt with under consideration of the relevant items below.

2. APOLOGIES

Apologies were received from Councillors Read and Hutton.

3. MINUTES

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 20 November 2003, be approved and adopted.

4. SCRUTINY WORK PROGRAMME

Mr Opacic updated Members on the Scrutiny Work Programme as set out on the agenda. The Pre-Inquiry changes had just been published and a questionnaire would be sent by the Programme Officer to everyone who had submitted a duly made

representation on the Local Plan, asking whether they wished to maintain their objection, appear at the Inquiry, or rely on written representations.

The Public Inquiry was scheduled to begin on 11 May 2004 at Winchester Guildhall and the Inspector (Mr E Grace) had indicated that he intended to organise the Inquiry in the order of the Plan's Chapters. It was anticipated that the Inquiry would conclude by Christmas 2004.

Members agreed to re-convene this Committee on 17 February 2004 at 9.30am to discuss the draft guidance Planning Policy Statement 6 (PPS6), PPS1 and initial progress towards a Local Development Scheme.

An additional meeting was agreed as 29 April 2004 at 9.30am to consider the comments on the Pre-Inquiry changes and to set out a recommended response.

Finally, Mr Opacic reported that Ms Jackie Wilson had been appointed as the Inquiry Programme Officer and could be contacted on 01962 848253 or Jwilson@winchester.gov.uk.

5. **CONSULTATION ON DRAFT PLANNING POLICY STATEMENT 12: LOCAL DEVELOPMENT FRAMEWORKS**
(Report WDLP43 refers)

Mrs Ashton gave the Committee a presentation on the consultation draft of the new Planning Policy Statement 12 (PPS12) "Local Development Frameworks." She explained that it was part of the Government's reform of the planning system and was likely to come into effect from Summer 2004.

The detailed proposals were set out in the report, but in summary, the changes sought to replace Local Plans with Local Development Frameworks (LDF). This would be prepared by the local planning authority and would need to accord with a Regional Spatial Strategy (RSS) that that would be prepared by the South East England Regional Assembly and which would effectively replace the Structure Plan. The RSS's housing allocation numbers would apply at the District level and were due to be approved from 2006.

It was the Government's intention that the LDF would be more responsive to changing local needs than the Local Plan as it would be comprised from several smaller Local Development Documents. Under the proposals, each of these documents would require a sustainability appraisal, a strategic environmental appraisal (in most cases), and would need to take account of socio-economic factors that were normally previously outside the remit of the Local Plan.

Mrs Ashton advised that the LDF should be positively framed and that progress against the LDF's targets would be monitored.

The creation of the LDF would be programmed in the Local Development Scheme (LDS). This identified what documents the Council would produce towards the LDF over a three-year period. However, Mrs Ashton stated that, although the LDS could be updated annually, any changes to the Scheme had to be referred to GOSE so that it was difficult for local authorities to react to changes by bringing forward new documents or supplementary planning guidance.

It was noted that whilst there would be increased public consultation at the earlier stages of Development Plan Documents than with the current Local Plan, there was

no equivalent of the second deposit stage, so that all the representations would be considered directly by the Examination (the equivalent of the Public Inquiry). However, it was the Government's hope that the increased public participation would reduce the number of representations that needed to be considered at the Examination.

Members noted that changes to the planning process required local authorities to discover how local people wished to be consulted through the creation of a Statement of Community Involvement. This Statement would then set out the standard of how to engage the public through the planning process, but it was likely that different documents would require different levels of consultation. Mrs Ashton advised that some of this work on public consultation was already underway as part of the Community Strategy.

With regard to Supplementary Planning Guidance, such as the Village Design Statements (VDSs), this would be replaced by Supplementary Planning Documents (SPD). It was likely that under the changes, new VDSs would need to be prepared as SPD and be more formal, and have a greater emphasis on sustainability issues. Existing SPG could not be saved or converted to SPD under the new system.

In conclusion, Mrs Ashton advised that this process could take longer, cost more and lead to increased confusion. She explained that the emerging Local Plan would only be effective for three years from adoption, which is anticipated to be in 2006, so it would need to be replaced by a completed LDF by 2009. Work on the LDS would need to be completed by the end of 2004. If the emerging Local Plan could not be adopted by 26 July 2006, the Council would be required to undertake a Strategic Environmental Assessment of the whole Plan under new European legislation.

At the invitation of the Chairman, Mrs Edwards of the City of Winchester Trust addressed the Committee and spoke in support of the recommended responses contained within the report.

Councillor Campbell, as Leader of Council, underlined the positive aspects of the changes in that it was likely to be more responsive to change than the existing Local Plan and several Members echoed this view.

Councillor Coates, as a member of the Winchester District Association of Parish Councils, Ms Matthews (Itchen Valley Parish Council) and Mr Harris-Wallis (Micheldever Parish Council) all commented on the changes required to VDSs and the Committee noted the probable difficulty of generating enough enthusiasm from the villages to re-write VDSs. Mr Opacic read a letter from Soberton Parish Council that echoed these concerns. However, a Member commented on the benefits of updating VDSs.

Councillor Busher, as Chairman of the Planning Development Control Committee, commented on the proposals and stated that they were likely to lead to increased confusion and delays.

Councillor Cook, as Portfolio Holder for Environment, stated that the likely additional costs to the Council should be highlighted.

At the invitation of the Chairman, Mr Hayter made a number of comments on the proposals, including his concern on the criteria by which the Inspector would assess the LDF's "soundness." In summary he stated that the changes represented a shift in power away from the local planning authority and to the public and GOSE.

Members commented on the democratic deficit that accompanied the increased powers of the unelected South East England Regional Assembly.

The recommended response to the draft PPS12 was agreed as set out in Appendix 3 of the report, but for:

It was agreed to re-word Question 2c, paragraph 3, second sentence, to support Action Area Plans where improvements/regeneration was proposed in conservation areas, whilst continuing to oppose a blanket requirement to produce Action Area Plans for all conservation areas.

Question 3c, second paragraph, add sentence to give examples of where the Council may need to produce a new document, such as in response to changes to RSS or the need to produce SPD.

Question 4b, to include a specific reference to the desire to 'save' VDS/NDSs and the need for further clarification on whether SPD can be produced in accordance with saved Local Plans.

Question 4c: Members recommended that this should be re-worded to question how the "soundness" of the LDF would be assessed.

Question 5: The last sentence to read: "There should be ~~some~~ clearer information on the treatment of supplementary planning guidance *and there is particular concern that Supplementary Planning Guidance (such as VDS/NDSs) might be lost.*"

At the conclusion of the debate, Mr Opacic explained that the responses would be accompanied by a covering letter highlighting the main issues, including that the new system was difficult to grasp and therefore unlikely to achieve the Government's aim of greater public involvement and ownership.

RESOLVED:

That it be recommended to Cabinet that the comments set out in Appendix 3, as amended above, be approved and forwarded to the Office of the Deputy Prime Minister (ODPM) as the formal comments of the City Council on the proposed PPS12: "Local Development Frameworks."

6. **CONSULTATION ON PROPOSALS TO REFORM PLANNING OBLIGATIONS**

(Report WDLP40 refers)

Mrs Kirby explained that the report summarised the second consultation paper from the Government. The Government proposed to allow an optional planning charge to operate alongside an improved system for negotiated agreements on Planning Obligations.

During the debate, the Committee discussed the issue of repayments of developers' contributions if they were not spent within a set period of time and agreed to highlight these concerns by an appropriate addition to the recommended response in Appendix 1.

In response to a question from Councillor Busher, Mr Bone explained that a developer's contribution agreed prior to determination would be a material consideration in determining a planning application. However, the receipt of such a

contribution would not in itself mean that the Planning Development Control Committee would be required to grant permission, simply on the basis that a contribution had been paid by the developer.

The Committee considered each of the recommended responses in turn and they were agreed as set out in Appendix 1.

RESOLVED:

That it be recommended to Cabinet that the comments set out in Appendix 1, as amended above, be endorsed as a basis for the City Council's response to the Office of the Deputy Prime Minister's Consultation Paper: "Contributing to sustainable communities – a new approach to planning obligations."

7. **HAMPSHIRE COUNTY STRUCTURE PLAN "H4 MONITORING REPORT"**
(Report WDLP41 refers)

Mr Opacic explained that the Hampshire Strategic Planning Authorities (Hampshire County, Southampton and Portsmouth City Councils) set out the policy by which reserve housing sites were required and, if necessary, where the release of housing should be located. The draft 2004 H4 Monitoring Report had concluded that there was no current justification for the release of any reserve housing provision. Mr Opacic reported that the Strategic Authorities had also clarified how the location of any reserve sites would be chosen, should it prove necessary, through a draft Addendum. The Strategic Authorities had sought comments on the Monitoring Report and Addendum by 16 January 2004.

Members welcomed the conclusion that no reserve housing sites need be released at this stage. Whilst also broadly welcoming the clarity contained within the Addendum, it was agreed that it should be a prerequisite that if there was no shortage of housing provision within a sub-division of the County, then that area should not be further considered for a reserve housing site.

In response to comments made by Mr Cole, Mr Opacic explained that the Housing Land Supply information was taken into account in the Monitoring Report and published separately.

In response to comments made by Mr Hayter, Mr Opacic clarified that the Monitoring Report assessed the housing completion rate, not just the number of dwellings that had been granted planning permission.

At the invitation of the Chairman, Mrs Slattery welcomed the Council's response to the Report and the Addendum but questioned what effect the change in the planning process discussed earlier in meeting would have on the assessment of housing provision and its effect on the environment. Until the changes were effective, Mrs Slattery stated that the decision of when and where to release a reserve housing site remained with the Strategic Authorities.

The Committee considered and agreed the officer's comments at paragraph 4 of the report.

RESOLVED:

1. That it be recommended to Cabinet that the City Council welcomes the publication of the H4 Monitoring Report and draft Addendum to "Implementing Policy H4" and thanks the Strategic Planning Authorities for the opportunity to comment.

2. That it be recommended to Cabinet that the recommended comments at Section 4 of the report be submitted as representing the City Council's view on the draft 2004 Housing Monitoring Report and draft Addendum.

8. **CONSULTATION PAPER EON DRAFT NEW PLANNING POLICY STATEMENT 22 (PPS22): RENEWABLE ENERGY**
(Report WDLP42 refers)

RESOLVED:

1. That it be recommended to Cabinet that the Office of the Deputy Prime Minister be thanked for the opportunity to comment on the Consultation Paper on the Draft New Planning Policy Statement 22: Renewable Energy.

2. That it be recommended to Cabinet that, subject to appropriate safeguards for areas subject to national designations, the City Council wishes to state its support for the aims and objectives contained in the consultation document.

The meeting commenced at 9.30am and concluded at 1.20pm

Chairman