

**CABINET (LOCAL DEVELOPMENT FRAMEWORK) COMMITTEE**

**17 December 2012**

Attendance:

Committee Members:

Councillors:

Humby (Chairman) (P)

Coates (P)

Weston (P)

Tait (P)

Other invited Councillors:

Jeffs (P)

Evans (P)

Hutchison (P)

Others in attendance who did address the meeting:

Councillors Stallard

Others in attendance who did not address the meeting:

Councillors Ruffell

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1. **MINUTES**

RESOLVED:

That the minutes of the meeting held 5 September 2012 be approved and adopted.

2. **PUBLIC PARTICIPATION**

Questions and statements were made under each individual item.

3. **NOTICE OF MOTION – PREPARATION OF SUPPLEMENTARY PLANNING DOCUMENTS ON RENEWABLE ENERGY DEVELOPMENTS**

(Report CAB2428 (LDF) refers)

Councillor Hutchison declared a personal (but not prejudicial) interest in respect of this item as he was a member of an informal group working with EDF energy to explore options for an element of community ownership of the proposed wind farm at Bullington Cross, Winchester. Councillor Hutchison spoke and voted thereon.

Councillor Wright spoke in respect of his Notice of Motion, which had been referred to this Committee for determination at the meeting of Council held on 27 September 2012.

He stated that the officers' Report had not included sufficient detail on emerging case law and appeal decisions which were of importance. Targets for renewable energy did not negate the importance of local ecology and rural settings. The new generation of wind turbines, which were being increased in size from 60 metres to 120 metres and would therefore be very visible, would need to be taken into consideration. If the Council did not take action to negate such impacts then it could leave itself open to legal challenge, for example from local groups. Therefore the Council's policies should reflect the latest judicial decisions and reviews to safeguard its position.

Chris Holloway for WinACC stated that individual applications for renewable energy needed to be considered on their own merit and should not be dealt with through Supplementary Planning Documents (SPD). A range of options was required to reduce carbon dioxide emissions. Renewable energy developments were important for job creation and energy security. They were also better for residents as renewable energy structures could be more easily dismantled when savings in carbon emissions had been achieved and therefore would have short-term impact on the landscape, which should be balanced against the long term gain in reduced emissions. Although wind farms were only 25% efficient they were a free energy source and latest studies suggested that they did not impact upon birds. In conclusion, the proposal to prepare SPD for renewable energy developments was not supported.

Mr. Surtees explained that he was a local house builder and the proposal could affect his business. To comply with guidelines on energy saving in developments of Level 4 of the Code for sustainable Homes and above, renewable energy had to be incorporated to supplement high levels of insulation. For urban development, the incorporation of off-site renewable energy was the principal way to achieve a standard at Code 5, for example by using district heating systems and biomass boilers. As a builder it was necessary to plan ahead over a two year period and business risks needed to be understood, for example any changes in legislation and policies led to uncertainty. There were already effective policies relating to renewable energy.

The Corporate Director (Operations) responded that planning policy was set by the Government and the City Council complied with the National Planning Policy Framework. The officer's Report reflected that, in considering applications for renewable energy, the Council would take into consideration the existing government and local policies. The introduction of a SPD would not add to this. Where technology had changed, and the proposed wind farms had taller turbines, the applications could still be determined by applying existing planning policies and by taking into consideration the evidence.

The Head of Strategic Planning added that Milton Keynes and Rutland Councils were the only authorities officers had identified which had SPD setting out separation distances between wind turbines and existing dwellings. However, these documents only used existing policies and did not appear to have any new technical evidence to justify their requirements. In cases where a large scale wind farm was proposed to be constructed the same planning issues would need to be taken into consideration. SPD could also become out of date if it related to a specific size of wind turbine and might not be applicable to the unique considerations of individual sites.

In response to Members' questions, the officers explained that if Winchester prepared its own SPD it would not apply to the South Downs National Park Authority or adjoining authorities and to prepare a joint document would be complicated. However, the Council would still need to have a joint approach to determine applications that were the responsibility of more than one authority. It was also explained that for any tall structure, such as a telecommunications mast, the Council had policies to protect the District from unsuitable development, and in some cases the Secretary of State could decide to call-in an application for determination.

During debate, the Committee agreed that its existing policies were sufficiently robust to apply to all developments and to control their impact and that it was unnecessary to highlight applications relating to renewable energy as this could be interpreted as being against such sources of energy, which was not the case.

It was agreed that the information contained within the Report would be a useful reminder for those Members serving on the Planning Development Control Committee and that the contents of the Report be brought to their attention.

It was also noted that future large scale applications for renewable energy schemes would usually require an Environmental Impact Assessment and would need to take into consideration the latest judicial review decisions and planning appeal decisions as well as public representations.

In conclusion, the Committee agreed to support the recommendation as set out in the Report but were also mindful that there could be possible points to be learned when the expected application for a wind farm at Bullington Cross, Winchester was determined. Any learning points arising over and above the Council's current planning policies could be considered with a view to possibly preparing SPD at that time or feeding into the preparation of Local Plan Part 2.

The Committee agreed to the following for the reasons outlined in the Report.

**RESOLVED:**

1. That after taking into consideration Councillor Wright's Notice of Motion, it be agreed that a Supplementary Planning Document to

provide additional guidance on renewable energy developments in Winchester District is not needed.

2. That the officers report to the Committee if any issues raised by the consideration of a future application for wind farm development at Bullington Cross might suggest the need for further consideration.

#### 4. **LOCAL PLAN PART 2 – LAUNCH AND NEXT STEPS**

(Report CAB2429 (LDF) refers)

John Beveridge spoke on behalf of the City Winchester Trust. Mr. Beveridge asked for the compilation of a local heritage list to help give greater protection to buildings outside of the conservation areas, some of which had recently been demolished. The compilation of the list could build upon the work of English Heritage in its publication “Good Practice Guide to Local Heritage Listing”, whereby local groups (such as the Trust) could assist with their professional and local knowledge to prepare a list of valid buildings. The compilation of the list could be raised with parish councils when the Council was consulting on the preparation of the Local Plan.

In response to Members’ questions, the Head of Strategic Planning explained that Neighbourhood Plans would be statutory documents and part of the Local Development Framework and that a number of other plans would remain either in whole or part. The intention was that Local Plan Part 1 would replace many of the policies in the 2006 Local Plan and that other policies would be deleted or added into Local Plan Part 2 as required and therefore may still remain. The intention was that Local Plans Part 1 and 2 would be as comprehensive as possible so that additional plans were kept to a minimum outside of this framework. For example, the supplementary planning documents on infilling (policy H4) would be replaced by the Local Plan Part 1 policy on infilling, but the supplementary planning documents on affordable housing would require updating and reviewing, with Village Design Statements remaining as SPD.

It was not anticipated that the Conservation Area boundaries would be updated as they fell outside of the Local Plan process and their update would be time consuming and require additional skills. For local heritage listing, this would also be outside of the local plan process, but could potentially be a supplementary plan document. Nevertheless, updating the 37 conservation areas would be a priority over preparing a local heritage list.

Councillor Stallard (Portfolio Holder for Communities, Culture and Sport) spoke with the permission of the Chairman and added that as the local heritage champion it was recognised that there was a need for a local heritage list, but there was also a shortage of resources to compile such a list and the offer of the City of Winchester Trust was welcomed.

The Committee agreed to the following for the reasons outlined in the Report.

## RESOLVED:

1. That the process and timescales for the preparation of Local Plan Part 2 be noted.
2. That in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, those organisations specified under the above regulation be notified of the Council's intention to commence the preparation of Local Plan Part 2 – Development Management and Site Allocations.

5. **STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA) – UPDATE**

(Report CAB2430 (LDF) Refers)

Mrs Busher stated that there had been discussion at a Bishops Waltham Parish Council meeting that under Localism communities could determine where development took place. For example, suggesting, without the farmer's knowledge that industrial development takes place in existing farm complexes. In these cases who would make the final decision, the farmer or the community?

The Head of Strategic Planning said that a site was unlikely to be considered 'available' unless the land owner agreed to release it. In response to Members' questions, the Head of Strategic Planning explained that information on the expected capacity for each site should already be within the report but, if not, he would correct this. He also explained that exception sites were not included as part of the SHLAA. In relation to a question about how the 5 year land supply was calculated, it was stated that the South East Plan was used currently but that Local Plan Part 1 would be used to set a new target for five year land supply from its adoption, and this would be calculated over whole District.

It was also agreed that the basis of making the calculations should be made clearer in the few situations where sites were both within and outside of the settlement boundary.

The Committee agreed to the following for the reasons outlined in the Report.

## RESOLVED:

1. That the 2012 SHLAA update, in accordance with Appendix A to the report, be agreed and published as part of the evidence base for the LDF.
2. That authority be delegated to the Head of Strategic Planning to add summary sheets for each site and to make any minor editorial changes necessary, prior to publication, in consultation with the Portfolio Holder for Strategic Planning and Economic Development.

## 6. **DENMEAD NEIGHBOURHOOD PLAN FUNDING**

(Report CAB2427 (LDF) refers)

Mr Lander-Brinkley (Denmead Parish Council) stated that a mechanism was required with which to claim government 'front-runner' funds and to authorise expenditure. A senior officer presently working for the Department for Communities and Local Government had recently attended a steering group meeting and was complimentary about the progress to date of preparing the plan.

The Head of Strategic Planning clarified that the monetary amounts mentioned in the report, were exclusively for Denmead Parish Council at present, that is, the £30,000 to progress the Neighbourhood Plan and £20,000 for front-runner project funding. The Government had announced its desire to make available the £30,000 sum for all Neighbourhood Plans, but had not yet confirmed this funding beyond the current financial year. Therefore, this funding was not guaranteed to assist additional parishes and would not cover the full estimated costs of preparation of a Neighbourhood Plan, which was approximately £50,000.

Mr Lander-Brinkley added that Denmead Parish Council was in the fourth wave of front-runner parish councils and that those in the first wave were nearing completion of their plans, which would give an improved idea of costs. He also confirmed that the purpose of being a nominated 'front runner' was to share best practice with other parish councils.

The Chairman thanked Mr Lander-Brinkley for the work carried out to date in providing feedback on Denmead's experience and assistance to Wickham and Bishops Waltham Parish Councils.

The Committee agreed to the following for the reasons outlined in the Report.

### RESOLVED:

1. That the funding arrangements for Denmead Neighbourhood Plan be noted.
2. That it be agreed that Denmead Parish Council can claim grant as agreed up to £20,000 (funded by 'front runner' grant) in order to progress its Neighbourhood Plan with claims to be certified by its Responsible Financial Officer in accordance with its own financial regulations.
3. That the City Council claims any additional funding available to support the preparation of Neighbourhood Plans in order to cover elements of expenditure it is required to fund as set out in the Neighbourhood Planning Regulations 2012

7. **COLDEN COMMON VILLAGE DESIGN STATEMENT - ADOPTION**  
(Report CAB2422 (LDF) refers)

The Committee agreed to the following for the reasons outlined in the Report.

RESOLVED:

1. That the 'Planning Guidance' of the Colden Common Village Design Statement, as proposed to be amended, be adopted as a Supplementary Planning Document.
2. That 'Commonview' be thanked for producing the Design Statement.

The meeting commenced at 10.00am and concluded at 12.10pm.

Chairman