

LOCAL PLAN COMMITTEE

28 JANUARY 2013

Present :- Councillor Bill Frame (Chairman)
Councillors Elizabeth Blundell, Martin Goss, Kim Naish
and Colin Sykes

Also in Attendance :- Councillor Tim Young

23. Minutes

The minutes of the meeting held on 17 December 2012 were confirmed as a correct record.

24. Planning Applications // Member Call - In Arrangements and speakers at Planning Committee

Vincent Pearce, Development Services Manager, explained the process by which planning applications could be called in by Councillors. This allowed for any Councillor to call in any application to be considered by the Planning Committee, although any call in needed to be supported by valid planning reasons. Any application called in within the 25 day call in period would automatically be referred to the Committee. Any application called in after that period would be considered by the Chairman of Planning Committee and group spokespersons who had the discretion to allow the call in. It was also possible to call in an application on a conditional basis, so that the call in was made subject to a particular recommendation. Where a Councillor called in a planning application, the Planning Committee had indicated they expected the Councillor to attend the Committee meeting to explain their reasons, or to send a substitute if they were unable to attend.

Members of the Committee stated that from their experience the call-in system worked effectively. It was also stressed that a member could request a site visit so that when the Planning Committee considered an application that had been called in, members had a good understanding of the application and its potential impact.

RESOLVED that the arrangements for the call in of planning applications by Councillors be noted.

25. Myland and Braiswick Neighbourhood Area

The Head of Strategic Policy and Regeneration submitted a report inviting the Committee to designate the Myland and Braiswick Neighbourhood Area, as set out by section 61G of the Town and Country Planning Act 1990, as amended.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations.

Councillor Peter Hewitt, Vice Chairman of Myland Community Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He thanked Karen Syrett and James Firth, Planning Policy Officer, for their help in bringing forward the proposals for the Myland and Braiswick Neighbourhood Area. Clarification was sought about the arrangements for funding the introduction of the Neighbourhood Area as it was understood that the Borough Council was responsible for funding the examination and community referendum.

The Spatial Policy Manager explained that the Borough Council was responsible for consultation costs and the costs of the examination and community referendum. However, it would be able to recoup the costs from the Department of Communities and Local Government (DCLG) Frontrunner Grant and additional DCLG grants, as the Neighbourhood Plan progressed through the process. In response to questions from members of the Committee, it was confirmed that the costs of the consultation, referendum or examination were not known yet and would depend on the levels of public interest. However, it was confirmed that no other spatial policy project had lost funding as a consequence of the support for the Neighbourhood Area.

RESOLVED that the Myland and Braiswick Neighbourhood Area be formally designated as set out by Section 61G of the Town and Country Planning Act 1990 (as amended).

26. Adopted Borough Local Plan // Review

Councillor Frame and Councillor T. Young (in respect of their membership of the Board of Colne Housing) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Strategic Policy and Regeneration submitted a report setting out proposals for a review of the Local Plan.

Karen Syrett, Spatial Policy Manager, attended to assist the Panel in its deliberations. The Spatial Policy Manager explained that the Council had agreed to undertake a review of the Core Strategy which commenced at the end of 2012. The Local Plan also needed to be reviewed to ensure consistency with the National Planning Policy Framework (NPPF). A focused review was proposed which would enable revisions to be made quickly. The review would also enable the Council to be on similar footing and timescale with neighbouring authorities, in line with duty placed on authorities to co-operate.

Councillor Peter Hewitt, Vice Chairman of Myland Community Council, attended and addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He enquired whether the consultation proposed in the review process would include the data and details on which the Site Allocations DPD was based. In the interests of transparency, the basis of the targets in the DPD needed to be demonstrated. There were a number of contradictions and conflicts with the NPPF which needed to be resolved.

In response, the Spatial Policy Manager explained that the evidence base documents would be made available as part of the consultation, although possibly not as part of the first stage of the consultation. However, it was not proposed to review all policies, allocation and targets. Where these were known to be sound there would be nothing to be gained from reviewing at this stage. The issues that had already been identified for the review were set out in paragraph 4.7 of the Head of Strategic Policy and Regeneration's report, but this was not exhaustive and other issues could be addressed as and when they became apparent.

Members of the Committee considered that the prospect of the review had raised hopes that the Site Allocations DPD might be reviewed. There had been some expectation that a more fundamental review would have been undertaken that would have allowed some sites to be removed from the Site Allocations DPD. The Spatial Policy Manager explained that the need to ensure a fifteen year supply of housing sites would ensure that it would be reviewed in future. The Committee considered that it should approve the focused review on the understanding that Site Allocations DPD would be reviewed in due course.

The Spatial Policy Manager clarified that the reference to European Sites in paragraph 4.8 of the Head of Strategic Policy and Regeneration's report was a reference to sites designated under European legislation.

RESOLVED that a focused review of the Local Plan and in particular the Core Strategy and Development Policies Development Plan Document be undertaken in light of the National Planning Policy Framework, subject to an understanding that the Site Allocations DPD be reviewed in due course.

27. Community Infrastructure Levy

Councillor Frame and Councillor T. Young (in respect of their membership of the Board of Colne Housing) and Councillor Naish (in respect of his association with the Environment Agency) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Strategic Policy and Regeneration submitted a report setting out the content of the Community Infrastructure Levy (CIL) Charging Schedule and inviting the Committee to approve public consultation and submission to the Secretary of State.

Karen Syrett, Spatial Policy Manager, attended to assist the Panel in its deliberations. The Spatial Policy Manager explained that it was now proposed that the consultation would take place later in the year and not in February/March as proposed in the report. This would allow time for consideration to be given to the implications for CIL charges arising from the Local Plan Review and the NPPF. This was in line with advice from central government. In addition it would allow time for tailored advice from the Planning Inspectorate which was due later in 2013.

The Committee welcomed the CIL charging proposals. It would provide greater certainty over the level of funding from developers towards infrastructure and would

ensure that funding was not at the mercy of last minute negotiations. It was suggested by members of the Committee that lessons need to be learnt from the introduction of the section 106 system to ensure that standard legally sound documentation was in place from the start. The Spatial Policy Manager explained that CIL was a simpler process than section 106 and that it would be a statutory charge, levied at the commencement of development, although there was scope to stagger payments where appropriate.

In response to question from members of the Committee, the Spatial Policy Manager confirmed that CIL funding received by town and parish councils as a consequence of drawing up a neighbourhood plan could be spent as that Council saw fit and was not limited to infrastructure on the 123 list. The meaning of the phrase “per council tax dwelling” would be clarified.

It was also confirmed that the Town Centre zone where there would be a nil charge for retail applied to the whole of Castle, Christchurch and New Town wards.

RESOLVED that:-

- (a) The content of the Community Infrastructure Charging Schedule and background documents be agreed.
- (b) The Draft Charging Schedule and all supporting information be agreed, published and made available so that representation can be made.
- (c) The Charging Schedule be subsequently submitted to the Secretary of State.
- (d) Authority be delegated to the Spatial Policy Manager to make minor revisions to the document prior to publication, submission and during the examination.