

EXTRACT of MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Remote meeting using Microsoft Teams on THURSDAY, 15 OCTOBER 2020

Present: Councillor J Bridges (Chairman)

Councillors D Harrison, D Bigby, R Boam, J Hoult, R Johnson, J Legrys, V Richichi, A C Saffell, N Smith and M B Wyatt

In Attendance: Councillors D Everitt, R Ashman and M D Hay

Officers: Mr I Nelson, Mr C Elston, Mrs C Hammond, Miss S Odedra, C Colvin and Mr T Delaney

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The Planning Policy Team Manager presented the report to members. He presented each of the three pillars set out in the consultation document one by one taking questions after each one.

Pillar 1: Planning for development

The Planning Policy Team Manager advised that a member had raised a question prior to the meeting about the response to question 5, in relation to areas designated as one of three categories. The member had raised concerns about the wording of the second paragraph and after discussions, officers agreed that a slight change to the wording was required. Therefore it was proposed that an amendment be made so that the paragraph reads:-

“Such an approach also does not provide sufficient flexibility to deal with changing circumstances. For example, if an area is identified as being Protected but a major proposal arises for the creation of a significant number of new and well paid jobs as a result of inwards investment, and the Council representing the local community wished to support it, then such a proposal could not be supported. The wording at page 29 of the White Paper suggests some development might be permissible in Protected areas. If this is what is intended, how is this different to the current approach? “

The member in question thanked Mr Nelson for the slight change of wording, even though in his opinion it was not 100% satisfactory, he was happy to support the proposed responses. The member raised concerns about the the amount of flexibility suggested within the White Paper in respect of Protected areas. He felt that the authority should not find itself back in the situation that it had found itself in with the current Local Plan where there were too many caveats in relation to the protection of the countryside.

The Planning Policy Team Manager understood these concerns and highlighted that page 29 of the White Paper seemed to suggest that some development would still be permissible, although further clarity was required from Government.

Thanks were conveyed to Mr Nelson for addressing the concerns that had been received and for the excellent responses that had been provided to the 25 questions. He accepted that planning legislation needed updating but noted that there was countrywide concern over the White Paper. He felt that the paper put the developer first and hoped that the final consideration of the changes did not get put back. He hoped that following all the hard work of the officers, Cabinet would support the response to be submitted to Whitehall and that Whitehall would take note of the responses and work across the political parties to develop a planning act fit for the 21st Century.

A member noted that there was no inclusion in the paper about nature accessible green spaces in the new proposed Growth or Renewal areas and that wildlife was the foundation of nature. It was further noted that the paper sought to abolish the legal duty of care. The member queried, how safe was the Hugglescote and Donington-le-Heath Neighbourhood Plan was without the duty to co-operate?

The Planning Policy Team Manager advised that he did not think that the abolishment of the legal duty of care would make any difference to the Neighbourhood Plan, as such plans were prepared under their own separate pieces of legislation.

Members reiterated their support in relation to the robust responses that the officers had provided. They felt that the White Paper, as proposed, had not addressed all of the issues and Responses from other external professional planning groups, who were in opposition to the paper was also highlighted. Members noted the response to question 7b and felt that it was an ideal opportunity to add that the authority was in favour of high level strategic plans, and that without these plans it would be difficult to resolve cross boundary issues. It was asked if some wording could be added about the general support for increased regional planning strategies.

The Planning Policy Team Manager advised that if the committee was minded to support the inclusion of wording that referred to the need for wider strategic planning he would be happy to add something to the response.

The proposals were supported by the committee.

Pillar 2: Planning for beautiful and sustainable places.

There were no comments from the committee.

Pillar 3: Planning for infrastructure and connected places.

A member felt that the responses were fair and honest, but noted that the 3rd pillar was the most difficult to understand. Concerns were expressed over developers who backtracked on their S106 responsibilities after permission had been granted and it was felt that the White Paper did not address this issue. The same member highlighted that under the current Government proposals local authorities and private infrastructure providers would have to first borrow money to put services/infrastructure in place, whilst waiting for the developer to pay the monies secured pursuant to the development. The member urged all members to lobby the LGA to respond to Government to ask how local authorities and service providers would reclaim their funds if the developer subsequently went into liquidation.

A member praised the response to question 22a in relation to the proposed levy and viability, as it was felt that there were significant issues that had been picked up within the response. It was felt that developers should not pay more for the land being purchases than necessary so that future requirements including the provision of infrastructure could be met. Member's hoped that the Government would listen to the response.

It was moved by Councillor J Legrys, seconded by Councillor D Harrison and

RESOLVED THAT:

The Committee recommends that Cabinet responds to the consultation in respect of the Planning for the Future White Paper as set out in sections 3 to 5 of the report, subject to the following amendments:-

1. The second paragraph of question 5 be amended to state:
“Such an approach also does not provide sufficient flexibility to deal with changing circumstances. For example, if an area is identified as being Protected but a major proposal arises for the creation of a significant number of new and well paid jobs as a result of inwards investment, and the Council representing the local community wished to support it, then such a proposal could not be supported. The wording at page 29 of the White Paper suggest some development might be permissible in Protected areas. If this is what is intended, how is this different to the current approach? “

And

2. At the end of question 7b the following be inserted:
“It is also suggested that cross boundary issues could be best addressed through some form of formal strategic planning (i.e. greater than local authority level).”
 - (I) the infrastructure study and landscape sensitivity appraisal be noted;
 - (II) None of the four sites identified in the report are to be discounted at this time be noted; and
 - (III) The intention to develop options for a potential future development strategy be noted.

Councillor M B Wyatt left the meeting at 6.45pm
Councillor T Saffell left the meeting at 7.07pm.

The meeting commenced at 6.00 pm

The Chairman closed the meeting at 7.07 pm