

## CHILTERN DISTRICT COUNCIL

### MINUTES of the Meeting of the CHILTERN DISTRICT COUNCIL

held on **15 MAY 2019**

**PRESENT:** Councillor P Shepherd - Chairman of the Council  
G Harris - Vice-Chairman of the Council

Councillors:	D Bray	Councillors:	D Phillips
	J Burton		N Rose
	I Darby		C Rouse
	M Flys		J Rush
	C Ford		L Smith
	A Garth		M Smith
	J Gladwin		M Stannard
	M Harker		M Titterington
	M Harrold		D Varley
	C Jackson		N Varley
	C Jones		H Wallace
	R J Jones		E Walsh
	J MacBean		J Waters
	P Martin		C Wertheim
	V Martin		F Wilson
	S Patel		

**APOLOGIES FOR ABSENCE** were received from Councillors A Bacon, E Culverhouse, P Hudson, P Jones, M Shaw and N Southworth

#### 172 MINUTES

The minutes of Full Council held on 17 April 2019 were approved and signed by the Chairman as a correct record.

#### 173 DECLARATIONS OF INTEREST

Councillor F Wilson declared a personal, but not prejudicial interest under the Council's Code of Conduct for item 7.1, Approval of the Publication version of the Chiltern and South Bucks Local Plan 2036 in relation to site allocation SP BP2 - Chesham.

## **174 ANNOUNCEMENTS**

### **(a) Chairman's Engagements**

A list of Engagements carried out by the Chairman and Vice-Chairman of the Council between 9 April 2019 and 7 May 2019 had been circulated.

### **(b) Chairman's Announcements**

The Chairman had no announcements to make.

### **(c) Announcements from the Leader of the Cabinet**

The Leader of the Cabinet reported an update on unitary transition and advised that the Structural Changes Order had been laid in Parliament on 2 April 2019 and had been debated by the House of Commons on 7 May 2019. A debate was expected to be held imminently by the House of Lords after which the Secretary of State would make the order. Following this the Shadow Authority would then have to meet within 14 days, with the Shadow Executive expected to meet 7 days after that. Further, Members would have received an invite to an informal meeting of the Shadow Authority which would take place Tuesday 21 May 2019.

The Leader confirmed that the Council's nominees to the Shadow Executive would be Councillors I Darby and F Wilson, the substitute Members would be Councillors J Rush and L Walsh.

### **(d) Announcements from the Head of Paid Service**

The Chief Executive reported that the EU Parliamentary Elections would be taking place on 23 May 2019. Polling stations across the district would be open from 7 a.m. to 10 p.m. and Members were reminded that as a result of this, the Planning Committee had been re-arranged from 23 May 2019 to 10 June 2019.

## **175 APPROVAL OF THE PUBLICATION VERSION OF THE CHILTERN AND SOUTH BUCKS LOCAL PLAN 2036 - JOINT COMMITTEE - 1 MAY 2019**

Full Council had before it a report which asked Council to consider the publication of the Chiltern and South Bucks Local Plan 2036 for a six-week public consultation on whether it was 'sound' (i.e. fit for purpose) and complied with the legislation governing the preparation of local development plans.

This was intended to be the final iteration of the Local Plan before its submission to the Secretary of State for Housing, Communities and Local

Government for independent examination. The Plan had been prepared using the outputs from previous rounds of consultation, a range of background evidence work and input from the Portfolio Holders for Planning and Economic Development and the Joint Planning Policy Member Reference Group.

This report had been presented to the Joint Overview and Scrutiny Committee on 29 April 2019, and to the Joint Committee on 1 May 2019. The discussion from those meetings was summarised to full Council and the minutes of those meetings can be viewed on the Council's website. Following those meetings a Schedule of Proposed Changes was published as a supplementary document and appended to the reports pack for this meeting.

Following the recommendations having been proposed by Councillor P Martin, and seconded by Councillor J MacBean who requested a recorded vote, a presentation was given to Members by Officers. Prior to the presentation, Councillor P Martin reported that South Bucks District Council had agreed the recommendations outlined in the report at its Full Council meeting on 14 May 2019 and reminded Members that the draft plan attached was not necessarily the final iteration and members of the public and stakeholders would be able to submit comments through the Council's portal which will be submitted to the independent examiner during the consultation period who had authority to make changes. Further, masterplans would be created for site allocations and shared at the appropriate point of time.

The presentation detailed why a Local Plan was required at this time; the strategic context; spatial vision; housing numbers; affordable housing; infrastructure and CIL; proposed changes to Green Belt boundaries; place making and design; outcome following consideration by the Chiltern and South Bucks Overview and Scrutiny Committee and Joint Committee and the timetable for the Local Plan, all of which could be seen in further detail in the report and appendices as set out on pages 21 - 244 of the reports pack.

Full Council was further advised that post-publication of the reports pack, Members had been emailed further important components of the evidence base, including the viability study which had been published and could be viewed at <https://www.chiltern.gov.uk/planning/localplanevidence>

Highlighted during the presentation were the following points:

- Local Authorities were expected to have up to date plans to guide development within their area to positively plan for the infrastructure, homes and jobs that residents and businesses need. Failure to have an up to date plan risked intervention and a resulting loss of control of the process as well as potentially more new development than was planned for. An up to date plan would mean retaining control over where

development should be located rather than it being delivered in an ad hoc way as a result of speculative development, sometimes without sufficient or any benefit to local communities.

- Buckinghamshire Council would prepare a plan for the new unitary authority, however this would not be in place for at least five years from 2020, meaning that with no up to date plan, planning decisions would be taken based on up to date evidence but out of date policies and the area would not be able to demonstrate a 5 year supply of housing.
- Strategic context, which noted the Government ambition of 1 million new homes by 2050 within the Oxford – Cambridge arc, Western Rail Link, Crossrail, HS2 and the third runway at Heathrow and related Development Consent Orders.
- The spatial vision that the plan would be a blueprint for the future of Chiltern and South Bucks until 2036 to meet the development needs of all local communities, both now and expected within the plan period and develop exemplar developments.
- 15,260 new homes were needed across the two districts' between 2016 and 2036 (763 homes per year). This totalled 16,786 when allowing for a 10% buffer. Further, there was a strategy for providing 85 gypsy and traveller pitches.
- 4,340 affordable homes were needed over the plan period, equating to 28% of the overall housing requirement.
- Community Infrastructure Levy (CIL) would be used to provide infrastructure to support growth and would be used as the main funding stream for infrastructure for sites up to 400 homes / 10 hectares. It had been planned for the CIL Draft Charging Schedule consultation to run in advance of the draft Local Plan consultation.
- Proposed changes to Green Belt boundaries which included 13 sites being removed from the Green Belt were detailed in the reports pack. 12 villages currently 'washed over' by the Green Belt were proposed to be removed with the total proposed reduction of Green Belt area being 2.7%. These were difficult decisions; however the Council had a duty to prepare a plan and do so in the best interests of its residents and businesses which is why the plan proposed a balanced development strategy, prepared in conjunction with the other Bucks authorities.
- There would be an emphasis on place making and high quality design was a strong feature of the new plan. Houses would be built to 'Building for Life 12' design standard and policies to address energy efficiency and fuel poverty were included. An emphasis was also placed on reducing reliance on private vehicles, providing cycle parking and access to electric vehicle/bicycle charging points.

During the debate, a range of comments were raised by Members. These included:

- Local people possessed the best knowledge of the areas they lived in and it was asked how residents and businesses could get involved ahead of masterplans being created for any of the sites identified. The relevant Portfolio Holder explained that the masterplans had not been developed at this stage as the sites themselves were yet to be approved by the independent examiner; however the vision was that public meetings would be arranged at the appropriate time to ensure that input could be captured in a meaningful way. Public engagement with the consultation process to refine the plan was encouraged and Parish Councils too were urged to put forward their views in the consultation.
- A number of members acknowledged that local concern was justified, however noted that taking no action was not an option as it risked either Government intervention or the new unitary authority having to re-start the process. Both could take the view that the 5,750 homes being taken by Aylesbury was not appropriate and these would then need to be accommodated elsewhere in the Chiltern district. This view was echoed by many Members who spoke during the debate. The design led nature was viewed positively and on balance it was believed that the Local Plan presented was the best option for the district's residents and businesses.
- Concerns over land being removed from the Green Belt were raised with many members noting that they had spent significant amounts of time aiming to protect Green Belt land, however it was recognised that local development and future generations needed to be supported and it was important to see continuous improvement of the district's town and villages.
- Residents must be confident that current services would not suffer and infrastructure must be in place to handle growth. Residents would want to have some reassurance that infrastructure needs were assessed before and not after any significant development. Concern was raised that in a changing environment the additional retail (supermarket) provision may not be required. The housing needs were countywide and to meet this need the Local Plan was needed to show that Chiltern and South Bucks were facing the challenges.
- A fear was raised that if the Council had no Local Plan, the balance for applications that went to appeal could favour the developer. It was noted by a Member that 15 Councils had received Government warnings for having out of date plans whilst two Councils experienced Government intervention. This was not viewed as a situation that would be of any benefit to residents of the Chiltern district.
- Further, a Member advised that from discussions with officers, assurances had been given that the buffer zone between the PACCAR Scout Camp in Chalfont St Peter and proposed development would be relooked at to ensure the heavily used Scout Camp did not face the possibility of closure.

During the debate, a number of Members supported the protection of the Scout Camp which was described as a national asset. A number of Members raised concerns around the PACCAR Scout Camp and wanted reassurances that this asset would be protected.

- Concern was raised by a Member that despite the consultations and amount of time spent on the draft local plan to date, a short delay to should not cause a major issue. The Member spoke of previous planning appeals that had not used the lack of a 5 year housing supply as a reason to grant appeals the way of developers. It was described as being unlikely that personal car usage would decline and the increased number of residents would add to existing traffic issues. It was further raised as a concern that alternative sites for development had not been explored as fully as they should have been. Members were asked to consider deferring the decision so that these matters could be considered prior to submission for independent examination.
- It was welcomed that none of the 'washed over' sites proposed for removal from the Green Belt had been earmarked for development and fear was expressed that the character of these areas would be placed at further risk if there were no up to date local plan in place. The Portfolio Holder was asked to provide assurances that the local plan would not alter existing Neighbourhood Plans, and that a townscape character assessment would be undertaken to assess what type of development would be allowed. The Portfolio Holder confirmed that the conservation area would remain and these areas would continue to be protected. Where there was a conflict between a Neighbourhood Plan and the Local Plan, the most up to date plan carried the most weight in terms of decision making.
- It was a shared view that affordable housing was required to keep younger people living in the district and many of these residents wished to feel near to town centres.
- It was acknowledged that the current Local Plan was outdated and that the Council was unable to demonstrate a deliverable 5 year supply of housing. A Member spoke of the importance of ensuring the Council does not lose control of the extent of developments at planning appeals and by having an up to date Local Plan, the Council was placed in a stronger position.
- Members spoke positively of member/officer engagement, with officers reviewing Member concerns in relation to, amongst a range of issues, basing parking spaces on bedroom numbers and ensuring care homes had adequate parking provision as well as ensuring the size of amenity spaces was ample.
- Developments being built to 'Building for Life 12' design standard was recognised as being a major positive as was the assurance that new developments had to meet certain energy efficiency standards. It was noted that the manual for streets included in the plan would be helpful to the Planning Committee when assessing applications. A Member suggested a working group could be formed to ensure community reservations and future actions were addressed in relation to gypsy and

traveller sites. The Member said that he believed that there would not be any pressure for new housing developments to accommodate gypsies and travellers within the first five years of the plan, although these groups would need to be accommodated somewhere and Government guidance was that a certain number of sites had to be found over the 20 year period of the Local Plan.

- It was recognised that the Local Plan looked to build the conservation areas of tomorrow and thanked Members and Officers for their input throughout the process of drafting the plan.

The Director of Services thanked Members for their comments and spoke of the high level of work that had gone in to the plan to date. It was acknowledged that it was important to have a mix of different sized developments to accommodate smaller or larger families and the draft Local Plan provided a proportionate number of houses across all sizes. Full Council was advised that necessary infrastructure would be identified as part of the masterplan approach for the larger sites identified and consultations would be held with infrastructure providers to ensure that exact requirements were captured.

The Draft Local Plan presented what Officers had regarded to be the most appropriate response to the wide range of evidence gathered. It was an expectation that Local Authorities had an up to date Local Plan and there had been examples where Central Government had intervened across the country where Local Authorities had not performed and met their published Local Development Scheme. The expectation was that the Local Plan would be reviewed every five years from adoption.

In response to a question from a Member on staffing and resources, the Director of Services confirmed that the Planning Policy team was adequately resourced to progress through the consultation and sessions would be offered to Members to ensure that officers were available to give information and advice where it was needed.

The draft Local Plan set out the reasons for 'washed over' villages to be removed from the Green Belt and it was confirmed that the entire draft plan would be tested for soundness. It was noted that if there was a conflict between a Neighbourhood Plan and the Local Plan, the most up to date plan carried the most weight in terms of decision making.

The Portfolio Holder for Planning and Economic Development reassured Members that there was no aim to condemn the PACCAR scout camp and stated his belief that a sensible, adequate barrier could be included in the masterplan.

It was moved by Councillor P Martin, seconded by Councillor J MacBean and on being put to the recorded vote the recommendations were agreed, with the votes being cast as follows:

For (31): Councillors: D Bray, J Burton, I Darby, M Flys, C Ford, A Garth, J Gladwin, M Harker, G Harris, M Harrold, C Jackson, C Jones, R Jones, J MacBean, P Martin, V Martin, S Patel, D Phillips, N Rose, C Rouse, J Rush, N Shepherd, L Smith, M Smith, M Stannard, M Titterington, D Varley, N Varley, J Waters, H Wallace, E Walsh, J Wertheim and F Wilson.

Against (2): Councillors: A Garth, M Harrold

Abstained (0)

## **RESOLVED –**

### **That Full Council agreed that:**

- 1. Subject to the finalisation of the Sustainability Appraisal report, the Habitats Regulations Assessment and the Exceptional Circumstances report, the Publication version of the Chiltern and South Bucks Local Plan 2036 is published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).**
- 2. Subject to the finalisation of the Sustainability Appraisal report, the Habitats Regulations Assessment and the Exceptional Circumstances report, the Publication version of the Chiltern and South Bucks Local Plan 2036 is submitted to the Secretary of State for Housing, Communities and Local Government under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)**
- 3. Authority be delegated to the Head of Planning and Economic Development to request that the Planning Inspectorate recommends main modifications where necessary to make the Local Plan sound.**
- 4. Authority be delegated to the Head of Planning and Economic Development, in consultation with the Portfolio Holders for Planning and Economic Development, to make minor changes and corrections to the Publication version of the Chiltern and South Bucks Local Plan 2036 prior to publication.**
- 5. Authority be delegated to the Head of Planning and Economic Development, in consultation with the Portfolio Holders for Planning and Economic Development, to produce a schedule of minor amendments to the Publication version of the Chiltern and South Bucks Local Plan 2036 in the light of the responses to the**

- public consultation and prior to its submission for examination, and to submit this list with the Plan.
6. Authority be delegated to the Head of Planning and Economic Development, in consultation with the Portfolio Holders for Planning and Economic Development, to suggest to the examination Planning Inspector during the public examination process any necessary modifications to the Publication version of the Chiltern and South Bucks Local Plan 2036 to secure its soundness, in accordance with the findings of the examination Planning Inspector and subject to any necessary public consultation.
  7. The Publication version of the Chiltern and South Bucks Local Plan 2036 be endorsed as a material consideration in the determination of planning applications.
  8. Authority be delegated to the Head of Planning and Economic Development, in consultation with the Portfolio Holders for Planning and Economic Development, to deal with and sign Statements of Common Ground and Memorandums of Understanding under the Duty to Cooperate.
  9. If there were any significant delays to the draft Local Plan timetable as set out in the LDS, the draft Local Plan should be brought back to the Joint Overview and Scrutiny Committee for consideration.

## **176 CABINET RECOMMENDATIONS**

There had been no recommendations from Cabinet since the last Council meeting was held on 17 April 2019.

## **177 VERBAL REPORTS FROM THE LEADER, CABINET MEMBERS OR CHAIRMAN OF A COMMITTEE**

### **a) Councillor P Martin – Portfolio Holder for Planning and Economic Development**

Councillor P Martin paid thanks to Members for their contributions to the discussion on the Local Plan and for their input, time and help throughout the whole process, particularly Councillors D Phillips and J Gladwin. Councillor P Martin further thanked the officers who had exceeded expectations and had made significantly positive contributions to the plan.

### **b) Councillor L Walsh – Portfolio Holder for Healthy Communities**

Councillor L Walsh reported that the deadline for applications to the Chiltern Community Grant Aid Scheme deadline had been extended to 5pm on 28 June 2019. This was due to the maximum grant which could be applied for

having been increased to £5,000. Further information could be viewed at [this link](#) and would be circulated to Members in the weekly Members Bulletin.

#### **178 QUESTIONS WITH NOTICE (IF ANY)**

There were no questions.

#### **179 PETITIONS (IF ANY)**

There were no petitions.

#### **180 JOINT ARRANGEMENTS AND OUTSIDE ORGANISATIONS (IF ANY)**

There were no reports.

#### **181 MOTIONS (IF ANY)**

No Motions had been received.

#### **182 MEMBER ALLOWANCES REPORT**

Full Council had before it a report which presented the recommendations of the Independent Review of Members Allowances Panel following a proposal received to consider the introduction of Special Responsibility Allowances (SRA) for the roles of Chiltern and South Bucks Joint Overview and Scrutiny Committee Co-Chairman and Chairman of the Chiltern Lifestyle Centre Scrutiny Sub-committee. Full Council acknowledged the responsibility and time involved with both of these roles.

It was moved by Councillor M Stannard, seconded by Councillor N Rose and

#### **RESOLVED**

- 1. That SRAs for the below roles as per the Panel's recommendations be agreed:**
  - **Joint Overview and Scrutiny Committee Co-Chairman: £1,714 pro-rata**
  - **Chiltern Lifestyle Centre Scrutiny Sub-committee Chairman: £98 per meeting.**
- 2. That the Members Allowances Scheme for 2019/20 be amended subject to the inclusion of the allowance figures agreed by the Council as noted in the above recommendation.**
- 3. That the budget for 2019/20 for Members Allowances be amended, as required, to put into effect point 1 above.**

**The meeting ended at 8.43 pm**