

## **CHILTERN & SOUTH BUCKS JOINT OVERVIEW & SCRUTINY COMMITTEE**

### **Meeting - 29 April 2019**

Present:

P Bastiman, M Bezzant, M Bradford, T Egleton, M Lewis, V Martin, C Rouse and J Waters

Also Present:

I Darby, J Gladwin, B Harding, M Harrold, P Jones, P Martin, N Naylor, D Phillips, J Read, R Reed, J Rush, D Saunders and L Sullivan

Apologies for absence:

A Bacon and N Varley

#### **11. MINUTES**

The Minutes of the previous meeting held on 21 January 2019 were approved as a correct record.

#### **12. DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **13. APPROVAL OF REVISED LOCAL DEVELOPMENT SCHEME**

The Committee received a report on the updated Local Development Scheme (LDS) which would need to be published on the Councils websites once it was approved by Joint Committee and Council.

The Lead Local Plan Consultant reported that the LDS contained the timetables for the Local Plan, the Community Infrastructure Levy (CIL) and the Statement of Community Involvement and approving the LDS timetable enabled the production of the Local Plan and CIL. The CIL Draft Charging Schedule had already been agreed by Chiltern District Council (CDC) Cabinet and South Bucks District Council (SBDC) Portfolio Holder and the critical dates for the Councils were public consultation in June/July 2019 with submission to an Examiner in September 2019. After this point the timetable would become the responsibility of the Examiner. Public examination was anticipated in December 2019 with the Inspector's report in February 2020 and the adoption of CIL in March 2020.

In terms of the Local Plan once the recommendations had been considered and approved by the Joint Committee on 1 May and Councils on 14 and 15 May a public consultation would be carried out in June/July with the submission to the Secretary of State in September 2019 which would include any representations from the public.

The timetable included an examination hearing commencing in December 2019, followed by an Inspector's report (October 2020) and adoption in December 2020 (by the new Unitary District Council).

A Member asked whether there was a contingency plan for the timetable and if there was any delay how the decision making process would be impacted with the creation of the new Unitary District Council. The Lead Local Plan Consultant reported that if any further decisions were required this would then need to be discussed by both Councils and with any further delay the decision would move to the new Unitary District Council. Emphasis was made on the importance of having an up-to-date plan for Chiltern and South Bucks District Councils consistent with those for Aylesbury Vale and Wycombe to protect local communities. Another Member commented that the timescale was quite optimistic to submit in September 2019. The Lead Local Plan Consultant reported that with the previous consultation on the CIL Draft Charging Schedule the response rate had been low. The Planning Policy and Economic Development Manager reported that with the Regulation 19 consultation on the Local Plan representations from the public would go straight to the Inspector and were not for consideration by the Councils.

The Lead Local Plan Consultant reported that it was important that the CIL was adopted in a timely manner as neither Council has a CIL in place at the moment and it was a £ per square metre, tariff-based charge on planning developments and it provided potential to capture infrastructure funding from liable developments. The proposed CIL rates for residential development remained at £150 per square metre with retail developments at £150 per square metre also.

In response to a question, Members noted that the CIL could be looked at separately to the Local Plan and that the CIL could be approved before the Local Plan so that infrastructure funding could be captured as soon as possible.

A Member asked about reviewing objections. In response the Lead Local Plan Consultant reported that with any Local Plan there would always be areas within the document which would not be supported by residents. However, they would make an objective assessment and ensure that they meet all regulations to produce a legal and sound Local Plan. It was important to adhere to the timetable as far as possible to ensure that there was a framework in place to safeguard areas of land. A Member commented that it was always a challenge with a Local Plan to get unanimous support and that the Councils would protect the locality as far as they could. The balance was to produce a Plan that was palatable to residents but also met the needs of Government.

A further question was asked about Neighbourhood Plans. The Lead Local Plan Consultant reported that there was provision in the National Planning Policy Framework (NPPF) for communities to shape the development and growth of their local area through a Neighbourhood Plan. A neighbourhood plan should support the strategic development needs as set out in the Local Plan and plan positively to support local development. It was important to minimise any conflicts between

policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies.

Having considered the report, Members were in support of the recommendations being discussed at the Joint Committee.

14. **APPROVAL OF THE PUBLICATION VERSION OF THE CHILTERN AND SOUTH BUCKS LOCAL PLAN 2036**

The Committee received a report on the approval of a six week public consultation on whether the Chiltern and South Bucks Local Plan 2036 was sound and complied with legislation governing the preparation of local development plans. The recommendations in the report would need to be approved by Joint Committee and the Council and Members of the Joint Overview and Scrutiny Committee were asked for their views.

An additional recommendation was added as follows:-

"8. Delegates authority 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 Memoranda of Understanding under the Duty to Cooperate".

The Planning Policy and Economic Development Manager reported that if this additional recommendation was agreed, a Statement of Common Ground (Memorandum of Understanding) with Natural England in regards to recreation and air pollution mitigation for Burnham Beeches could be signed. This would help to demonstrate that the duty to co-operate had been satisfied.

The Planning Policy and Economic Development Manager gave a presentation on the Plan which is a supplement to the agenda. The main points were as follows:-

**Spatial vision**

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.

**Strategic Context**

Consideration needed to be given to major projects such as the Oxford-Cambridge Arc (Government ambition for 1 million new homes by 2050), Heathrow Airport third runway, Western Rail Link to Heathrow, Crossrail, HS2 and the Wider Area (Slough) Growth Study (which was not relevant to this Plan).

A Member expressed concern about the Wider Area Growth Study and the impact this could have on the Councils including housing supply. The Head of Planning and Economic Development reported that the draft Local Plan included no housing

provision for Slough and that this Growth Study would not need to be considered in the production of this Plan.

#### Housing Numbers

- 15,260 new homes needed 2016 – 2036 (763 homes per year)
- 5,687 homes needed from the Aylesbury Vale Local Plan
- 5,200 homes to be provided on new sites
- 3,658 homes from completions and commitments
- 1,791 homes from HELAA sites
- 450 homes from 'windfalls' (90 homes per year for years 1-5)
- 16,786 total proposed supply (allowing for 10% buffer)
- (Balanced housing strategy 1/3 completed homes and brownfield sites - 1/3 Local Plan allocations – 1/3 Vale of Aylesbury Local Plan)
- Strategy for providing 85 pitches for Gypsies and Travellers and 4 plots for travelling showpeople

Reference was made to the village of Penn where residents had commented that they were surprised by the policy in relation to infill and a Member asked what consultation had been carried out. The Planning Policy and Economic Development Manager referred to Policy DM PP1 – Protected – Infilling within villages in the Green Belt (page 186 of the agenda) where Penn would be protected from infilling. The residents had not been consulted because there had been no change to previous policies in relation to the Green Belt. The Member commented that it would be helpful to ensure that this was communicated with residents.

A Member referred to the Strategy for delivering 85 Gypsy and traveller pitches over the Plan period and whether this was sufficient provision. The Principal Planner referred to the Gypsy and Traveller accommodation assessment (GTAA) which showed the level of needs in the Local Plan area. The pitch size should be about 500 square metres per pitch as a general guide. According to the GTAA there were currently around 140 families living in the two Districts. The GTAA was carried out in 2016 by independent consultants. There had been earlier GTAAs and stakeholder consultations was part of the GTAA process. Local Plan consultations included adverts on the Travellers Times website. A Call for Sites included an invitation to submit sites which could be appropriate for the travelling community. The Gypsy and Traveller Topic Paper included an appendix of sites with outstanding or pending planning applications which could help deliver new pitches as a practical approach (Appendix 5) alongside the pitches referred to in relation to the four site allocations in the Local Plan. It was important for the Local Plan to include a criteria based policy for traveller pitches from windfall sources. The GTAA figure of 85 pitches took into account survey information from existing families in the plan area.

Another Member made reference to the need to avoid unauthorised encampments and the Principal Planner reported that by having an up to date Local Plan in place including a strategy for delivering pitches this would help the Council in dealing with

unauthorised development. There are no site allocations to meet traveller need in the current development plans. However, the Chalfont St Peter Neighbourhood Plan states that if additional plots for travellers were required further development of six pitches at the existing approved site would be supported (The Orchards). All of the existing gypsy and traveller sites in the Plan were located in the Green Belt. It was difficult to find sites for new pitches, for example the built-up areas of the Districts were not usually appropriate for provision. She referred to Policy DM LP9 – accommodation for gypsies, travellers and travelling showpeople (page 105 of the agenda) which included the criteria to be met if planning permission was to be granted for new pitches from windfall sources.

### **Economic and retail development**

- Projected need for 40,000m<sup>2</sup> of office and R&D floorspace
- Projected need for 48,000m<sup>2</sup> of warehouse floorspace
- Probable need for 1 new supermarket in Amersham / Chesham and 1 in Beaconsfield (need for 6,500m<sup>2</sup> convenience / 1,800m<sup>2</sup> comparison goods)

A Member asked whether there was a need for a new supermarket particularly as many people were now buying online. The Lead Local Plan Consultant reported that when they were preparing the plan a retail capacity study was undertaken which identified the need for an additional supermarket because of population growth – so this was evidence based.

In relation to economic and retail development, a Member commented that High Streets were changing with the increase in online shopping and local towns now included fitness clubs, coffee shops and restaurants and beauty services and if residents wanted to go shopping they went to particular destinations such as Westfield or city centres. He was concerned that there was no 'footfall' in local town centres.

Another Member referred to online shopping and the use of home delivery. The Head of Planning and Economic Development reported that there had been research into the role of the supermarket and future trends. He referred to the loss of Iceland in Amersham which had concerned a number of residents; Iceland had been replaced by Fatface and other retailers. There was a genuine demand for more retail.

Reference was made to Beaconsfield as an example and the need for further retail. A Member commented that there was not enough capacity in the town for car parking and therefore if more retail was encouraged further parking would be required. The Lead Local Plan Consultant reported that shops in the Districts such as Waitrose and Sainsbury overtraded by around 15% so a demand for further retail outlets could be identified otherwise there was not fair competition in the market e.g. there could be opportunities for Aldi or Lidl and it was important to respond to the needs of a growing population. Parking could be design led for example parking facilities could be installed on a supermarket roof or underground to make more efficient use of

land. Looking at supply and demand it was important to have a mix of housing and economic and retail development. The Lead Local Plan Consultant reported that the appendices in the Plan identified what areas should be protected to ensure that the right infrastructure was in place.

In terms of permitted development rights a Member commented that it was important to protect employment sites from housing. Members noted that the Local Plan identified key employment sites and new economic sites.

**Site allocations** for homes had been included in the plan on page 189 of the agenda pack as follows:-

- BP2 – Chesham (500 homes)
- BP3 – Holmer Green (300 homes)
- BP4 – London Road West, Amersham Old Town (40 homes)
- BP5 – South-east of Whielden Street, Amersham Old Town (50 homes)
- BP6 – Little Chalfont (700 homes)
- BP7 – Chalfont St Peter – north-east (360 homes plus retirement homes)
- BP8 – Chalfont St Peter – south-east (200 homes)
- BP9 – Beaconsfield (1,600 homes / 20,000m<sup>2</sup> employment)
- BP10 – Iver Heath (360 homes)
- BP11 – North of Iver Station (1,000 homes / 12,000m<sup>2</sup> employment)
- BP12 – East of Ridgeway Business Park, Iver (90 homes / 4,000m<sup>2</sup> employment)
- BP13 - North of Denham Roundabout (16,000m<sup>2</sup> employment)
- BP14 - Land adjacent to Taplow Station (4,000m<sup>2</sup> employment)

### **Proposed changes to Green Belt boundaries**

- 13 sites to be removed from Green Belt
  - 12 villages\* currently 'washed over' by the Green Belt to be removed
  - Mill Lane, Taplow and Pinewood Studios currently 'washed over' by Green Belt to be removed
  - Removal of some anomalies through IGBBR
- \* Botley, Denham, Dorney Reach, Higher Denham, Hyde Heath, Jordans, Ley Hill, Little Kingshill, South Heath, Tatling End, Wexham Street and Winchmore Hill

A Member queried whether so many sites needed to be released from the Green Belt. The Head of Planning and Economic Development reported that it was important to have a balanced housing strategy and that homes should be placed where they best met the local community's needs. Over a third of the housing requirement had already been allocated within the Aylesbury Vale Local Plan, which meant that some families would be a reasonable distance from Chiltern and South Bucks which created difficulties with childcare arrangements and employment. It was critical that homes were placed in the right location.

In response to a question it was noted that the Green Belt could be released only in exceptional circumstances when the Council can demonstrate that the Council have

examined fully all other reasonable options for meeting their identified development requirements e.g. making effective use of suitable brownfield sites, optimising the proposed density of development, looking at underused land or exploring whether other authorities could help meet some of the identified development requirement.

Additional affordable housing could be provided at no cost to the public purse as it would be subsidised by developers. The Head of Planning and Economic Development reported that it was important to have a mix of different sized developments to accommodate smaller or larger families. A Member expressed concern that a lot of affordable housing was not affordable because of the local market prices.

A Member commented on the need for a robust communications plan and particularly referred to the 12 villages currently 'washed over' by the Green Belt to address any concerns that they may have and to reassure them that protections would be in place for village greens and open spaces. The Planning Policy and Economic Development Manager reported that this was national policy and they no longer met the criteria. He informed Members that he had been liaising with those Parishes affected so they should be aware of these changes. They would be protected from radical intensification and any proposed development would be subject to a Landscape Character Assessment. The Lead Local Plan Consultant referred to the Policy PM HP1 – Appropriate Development in Local Green Spaces which included recreation and leisure development and the chapter on Healthy Places which made reference to Public Health England's report stating that open spaces play a key role in achieving healthier and more active communities.

In response to a question on windfall sites, Members noted that these sites became available for development unexpectedly which meant that they had not been included as allocated land in the Local Plan. The Head of Planning and Economic Development reported that in relation to these sites they would need to look at the efficient use of land policies and ensure that any scheme would be well designed with a mix of units. The Local Plan was an evidence based document and would provide guidance on the best use of the site. If additional housing sites were identified this would reduce the figures required from the Aylesbury Vale Local Plan.

### **Affordable homes**

- 4,340 affordable homes needed over the Plan period
- Equates to 28% of the overall housing requirement
- [AVDC target is 25% for 'our' 5,750 homes]
- 40% target for housing developments of 10+ homes
  - At least 10% for affordable home (shared) ownership
  - Minimum of 25% for social rent
  - Remainder for affordable rent
- Financial contributions from sites of 5-9 homes

A Member referred to the South Bucks Adopted Core Strategy 2011 which had a target of 40% for the overall housing requirement whereas this draft Local Plan had 40% on allocations and 30% for other developments. He mentioned Policy DM LP2 and 3 – Affordable Homes from Major and Minor Developments and queried why there was a 10% reduction in the target. The Head of Planning and Economic Development referred to the 40% target of 10 plus homes. The Lead Local Plan Consultant reported that the figures for affordable housing were calculated using evidence based information and referred to high house prices in the area and that it was important to encourage genuine affordable housing. The Head of Planning and Economic Development referred to the proportions (listed above) for affordable housing in terms of social and affordable rent and shared ownership. He also commented that many areas in the Country had difficulty delivering affordable housing because of high market prices. Members also noted that it was important for a balanced community to have a mix of different types of housing, including private and affordable to include residents on different income levels.

### **Infrastructure and CIL**

- CIL would be used as main funding stream for infrastructure for sites up to 400 homes / 10 hectares
- Larger sites above 400 homes / 10 hectares would be CIL-exempt and infrastructure to mitigate impacts would be secured through S106 regime
- Affordable homes would be delivered via S106 obligations in all cases
- The consultation on the CIL draft charging schedule would be in parallel with Local Plan

A Member asked for reassurance that the policies were robust enough to challenge local developers who said that it was uneconomic to provide affordable housing. The Head of Planning and Economic Development reported that both Councils would continue to work actively and collaboratively with the development industry to accurately assess viability matters and judge their financial viability assessments against the Local Plan policies and NPPF. As mentioned above larger sites above 400 homes / 10 hectares would be CIL-exempt and infrastructure to mitigate impacts would be secured through S106 regime.

In terms of road infrastructure a Member asked whether partners were content that the proposals were adequate in the Local Plan. He particularly made reference to the A355 and to Penn Road, Beaconsfield. The Head of Planning and Economic Development reported that Bucks County Council undertook detailed transport modelling to identify any impacts on the local road network to ensure that there were no barrier to highway capacity and they worked with partners closely on this area. He also referred to the Transport Topic Paper for the Chiltern and South Bucks Local Plan which was available on the website which also covered evidence from other agencies such as Highways England. There was a summary of recommended transport schemes to mitigate the impact of growth.



### **Development management policies**

There would be an emphasis on place-making and good design with houses being built to Building for Life 12 design standard. In addition there would be:-

- 20% renewable energy target for schemes of 10+ homes (cheaper energy bills and less fuel poverty)
- Reduce reliance on private vehicles – cycle parking required
- Access to electric vehicle / bicycle charging points

A Member asked how the emphasis on place-making and good design would be managed through the Planning Committee and with current staffing levels as the Planning Department had limited resources. The Head of Planning and Economic Development referred to the recent decision made to agree a revised fee pricing structure for the pre-application planning advice service to ensure that the Department was adequately resourced and realistically covered its costs. They also brought in specialist advice when required e.g. a Leading National Urban Designer.

The Director of Services reassured Members that there would be clear advice given at Planning Committee in the implementation of the policies of the Local Plan and would provide objective reasoning on what was good or bad design – if officers thought that the design was not adequate they would recommend to refuse the application.

Reference was made to sustainable development and reusing rain water to flush toilets. The Lead Local Plan Consultant reported that the standards for water efficiency were set out in Part G of the Building Regulations and that the mandatory national standard was a maximum 125 litres per person per day. However Local Planning Authorities were able to set out local plan policies requiring new homes to meet the tighter Building Regulations optional requirements of a maximum 110 litres per person per day. The Plan area was designated as being under serious water stress and therefore it was appropriate to achieve the higher water efficiency standards in new developments (Policy DM DP20). It was important to have the right technology in place to improve the way water resources were managed. The Member also made reference to using solar roofs rather than solar panels.

Members welcomed the policy that developments of 10 or more homes were expected to achieve at least 20% of their energy consumption from renewable or low-carbon technologies. Efficient buildings contribute to reducing climate change and could reduce fuel poverty.

In addition the Member commented on the need for residential and commercial developments to provide opportunities for the parking of bicycles and motorcycles in secure facilities. The Local Plan referred to Cycle Parking Standards which were on page 86 of the agenda. In connection to this a Member referred to local bus services and policies to move away from vehicle use.

Concern was expressed about private amenity space and the size of gardens in new developments, particularly with concerns about child safety and the need for children to have somewhere safe and near to play. The Head of Planning and Economic Development reported that rather than looking at this in terms of size it was important to make the best and most efficient use of land and have good design quality e.g. Old Amersham had a high density of housing but houses retained a high value because of the character of the area. Also with modern lifestyles some people preferred to have smaller gardens and put more value on privacy and open spaces. The Lead Local Plan Consultant referred to Policy DM DP7 – Design and the Efficient Use of Land (page 60 of the agenda pack) and commented that building density should be focussed on design not numbers.

In response to a question on the ageing population it was important to ensure the right types of homes were available and could be adapted when required. The main aim was for older people to remain in their own home if they wished to e.g. providing a shower downstairs for those people with mobility problems and providing for the spectrum of retirement properties and care homes.

**The timetable for the Local Plan and Community Infrastructure Levy** had been included in the previous item. A Member referred to the new Unitary District Council which would be in place by April 2020 and he referred to the need to futureproof the Plan and defer this decision until the new Authority was in place. He commented that a single Planning Authority would be able to take a more strategic view in allocating sites for 15,000 homes. The Planning Policy and Economic Development Manager reported that it was important to have a Plan in place as it could take the Unitary District Council five years to prepare a Plan, which meant that a Plan would not be in place till 2025 therefore it was important in the meantime to protect local communities.

The Head of Planning and Economic Development reported that the Local Plan had been drafted using evidence based methods on how communities should be developed to ensure housing was allocated in appropriate areas which also included 5,700 homes being required from the Aylesbury Vale Local Plan. The new Unitary District Council could then build on this Plan and the impact of any future growth e.g. Milton Keynes was expected to double in size and therefore the north of the County would not have any further capacity for housing. It was important for local areas to provide the homes needed for their communities.

In terms of the public consultation online representations would be encouraged and new software was being introduced for this purpose. It was web based where comments could be uploaded. There would also be a question and answer section to provide additional information. A Member commented that it would be helpful to hold roadshows particularly for those people who were not able to access information online. The Head of Planning and Economic Development reported that people would be able to ask questions over the phone. The Lead Local Plan

Consultant reported that there had been a lot of public engagement already in particular liaising with Parish Councils over the past few years.

### **Discussion of recommendations**

Councillor Bastiman proposed that the decision on the draft Local Plan be delayed whilst a new survey was commissioned by independent consultants to determine the housing need and impact on the green belt for the new unitary planning authority and that the results of the survey be reported back to the two District Councils to consider whether the emerging plan should be amended accordingly. The proposal was not seconded. Councillor Bastiman asked for his dissent to the recommendations as a whole to be noted in the minutes.

Following clarification that major amendments would need to be reconsidered by the Committee, Councillor Bezzant proposed a further recommendation to be considered by the Joint Committee that if there were any significant delays to the Local Plan Timetable as set out in the LDS, the draft Local Plan should be brought back to this Committee for consideration, which was seconded by Councillor Rouse.

Having considered the report, Members were generally in support of the recommendations being discussed at the Joint Committee, including the additional recommendation proposed above by Councillor Bezzant.

#### **15. SHARED SERVICES ANNUAL REPORT 2019**

The Committee received the report of the Chief Executive on the Joint Working Annual Report. The Director of Resources reported that this was the sixth Annual Report which described the achievements of the last year and the planned joint working for the coming year, which would be the last year of the partnership. In particular Members noted that by the end of 2019/20 the cumulative savings from 20 services that had been combined would be £9.5m and the reduction on the original operation budgets, excluding premises costs had been over 10% since the start of the Programme.

The partnership was now entering its final phase with the dissolution of the two Councils at the end of 2019/20 and the creation of the new unitary council. The partnership has shown over the last seven years how to bring together services in a managed way, and how to develop a unified culture for the newly created delivery structure servicing the two Councils. This experience should be useful to the establishment of the new Council in its formative years.

**RESOLVED** that the report be noted.

The meeting terminated at 9.05 pm

This page is intentionally left blank