

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Development Control Committee**
held via video conferencing at 2:00 p.m. on
Monday 21 September 2020

PRESENT

Councillors: Jeff Haine (Chairman); Ted Fenton (Vice Chairman); Richard Bishop, Mike Cahill, Nathalie Chapple, Julian Cooper, Maxine Crossland, Harry Eaglestone, Duncan Enright, Hilary Fenton, David Jackson, Nick Leverton, Kieran Mullins, Alex Postan, Carl Rylett and Geoff Saul.

Also in attendance: Councillors Andy Graham, Liz Leffman, Dan Levy and Elizabeth Poskitt.

Officers: Chris Hargraves (Planning Policy Manager), Phil Shaw (Business Manager Development Management), Keith Butler (Head of Democratic Services), and Ben Amor (Strategic Support Officer).

1. MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 2 March 2020 be approved as a correct record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

Apologies for absence were received from Councillors Merylyn Davies, Neil Owen and Harry St John. There were no temporary appointments.

3. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers relating to items to be considered at the meeting.

4. GOVERNMENT WHITE PAPER: PLANNING FOR THE FUTURE

The Committee received and considered the report of the Planning Policy Manager, which would be considered by the Cabinet at its meeting on 23 September 2020.

The Planning Policy Manager introduced the report and explained that the White Paper promoted a 'shake up' of the planning world with the main proposals separated into three pillars. He explained the first pillar was related primarily to local plans and development management, the second primarily to design, but also including heritage and climate issues and the third, infrastructure provision. He added that in respect of plan making, local plans would be stripped back and delineate three types of planning zone including growth areas (major building permitted), renewal areas (some controlled building) and protected areas (e.g. AONB, green belt) with most policies expected to be deferred to a national level. The Planning Policy Manager continued that the paper promoted much criticism of the current planning system and sought to fast track many planning applications through the removal of the requirement for outline planning applications in many cases. He added that the plans would also see the removal of the Community Infrastructure Levy (CIL) and Section 106 payments which would be replaced by a national infrastructure tariff.

The Chairman reminded the Committee that the contents of the report were to be noted and comments made by the Committee at the meeting would be submitted to Cabinet for consideration at its forthcoming meeting.

Councillor Rylett commented that he shared the fundamental concerns raised by Officers regarding the removal of public involvement in planning decisions and questioned whether Officers could make this point stronger in their response to the Consultation. In response, the Planning Policy Manager suggested that a covering letter could be submitted with the consultation response highlighting concerns raised by Members.

Councillor Enright expressed concern that the proposals could be regarded as a power grab by the Government and that there was a moral and practical case for local authorities to make decisions on local applications. He added that there were issues regarding the practicalities of local communities producing neighbourhood plans and that the plans now proposed by Government were limited in regard to zero carbon targets and generally favoured large developers. He requested that the Council's response was also sent to the Local Government Association (LGA).

Councillor Postan expressed concerns about future lack of control and loss of power to central Government as well as the role of the Planning Inspectorate which he felt should be limited to the due process of plan-making rather than content. He also highlighted the importance of achieving genuine housing affordability including through the use of modern methods of construction.

Members expressed overall support for the Officer's proposed response and highlighted that this was a Government attempt to 'water down' the current planning system which they considered needed the existing checks and balances to ensure control over developers.

Councillor Leverton expressed concerns about the proposals to implement copybook housing developments across the board along the lines of a 'Henry Ford' mentality of 'what colour do you want?'.

Councillor Crossland questioned whether there was an option for unused Ministry of Defence land to be included in the 'surplus public land' referred to. In response, the Planning Policy Manager explained that he expected this would be included but that it was a matter of defining 'surplus' within that context.

Councillor Rylett explained that zonal plans were often actually quite lengthy documents and needed to be supported by extensive evidence. They also resulted in an inflexible approach and one that would require additional financial resource from the Council given that the onus of securing outline permission would now fall to the local authority and not developers. He also highlighted the importance of locally based documents such as the Garden Village Area Action Plan which he felt had been overlooked in the White Paper. He added that there would also be cross boundary issues such as with Oxford City Council, which was unable to meet its required housing targets.

Councillor Poskitt considered that any covering letter should make clear that the Council could not give proper consideration to the Consultation where various matters were still to be confirmed. She also considered that there needed to be a greater recognition of the differences between urban and rural areas and that the blame for any failings in the planning system should not be put on local authorities or local communities.

Whilst recognising the need to respond to the survey, Councillor Postan requested that Officers start to prepare responses to the Consultation, should the proposals constitute an unstoppable process.

Councillor Saul emphasised his concerns about the centralisation of power and a worryingly process-driven approach, as well as the general lack of content on climate issues.

Councillor Rylett highlighted the importance of digital connectivity and the potential for improvements, including in particular the use of decision supporting tools which were becoming increasingly important in a number of settings.

Councillor Mullins expressed concerns about the broad-brush nature of zonal planning and the potential impact on house prices and highlighted that a lack of housing delivery was not down to local authorities, as around 40% of permitted houses were not being constructed by developers.

Councillor Haine queried the response to Question 9b on page 17 of the report and the suggestion that the Council should support a presumption in favour of development. In response, the Planning Policy Manager highlighted that the presumption in favour of sustainable development was not new and was already a central element of the National Planning Policy Framework (NPPF).

In response to comments that there might be additional points to be made, the Head of Democratic Services advised the Committee that Members could choose to attend the meeting of the Cabinet on 23 September 2020 to make any further comments. It was anticipated that Cabinet would be recommended to agree the draft response to the Consultation and to grant authority to the Cabinet Member to sign off the final response, which would incorporate any additional points.

The Business Manager Development Management explained that the proposals within the consultation represented the Government's intention to speed up development but the matter of classing every piece of land also raised the issue of legal challenge which would almost certainly take any adoption well over a 30 month period. He added that it would also remove the political, but democratic, process of Members being consulted on and determining local applications and questioned why the Government had not chosen to amend the NPPF to achieve a similar result. He also suggested that in addition to any response being sent to the LGA, it should be sent to Robert Courts MP.

The Chairman concluded the discussion and informed the Committee that in addition to the comments being presented to Cabinet, the response would also be sent to the LGA and Robert Courts MP.

RESOLVED: That the content of the report be noted, and the Committee's comments be reported to Cabinet for consideration.

5. CONSULTATION ON CHANGES TO THE CURRENT PLANNING SYSTEM

The Committee received and considered the report of the Planning Policy Manager, which detailed the proposed response to the Government's consultation on changes to the current planning system.

The Planning Policy Manger introduced the report and explained that the Consultation had been released at the same time as the White Paper and would end on 1 October 2020. He informed the Committee that it related to four main proposals including amendments to the current standard method for assessing housing need, delivery of First Homes as a form of affordable housing targeted at first-time buyers, supporting smaller developers through increasing the threshold for affordable housing and extending permission in

principle from brownfield register and smaller sites to much larger schemes of up to 150 homes.

In terms of the method for assessing housing need he explained that under the current method, the West Oxfordshire District figure was 563 homes per year (less than the Council's Local Plan which was informed by the Oxfordshire SHMA) and that under the revised standard method, this was expected to be increased to 653.

The Planning Policy Manager added that the figure represented a starting point for assessing housing need but that in arriving at a housing requirement, opportunities and constraints such as the AONB would need to be taken into account.

In respect of First Homes the Planning Policy Manager explained that the proposals sought to stipulate a specific percentage of affordable homes as First Homes, representing a risk to the delivery of other affordable tenures including those to rent. He added that the proposals sought to increase the threshold for affordable homes on to 40-50 dwellings thus potentially impacting on affordable housing delivery in West Oxfordshire where many housing schemes fell below this threshold.

He also explained that in respect of 'permission in principle', the proposals sought to extend this from sites on brownfield registers and sites of fewer than 10 homes to much larger schemes. Members expressed support for the Officer's draft consultation response including the concerns raised regarding the increased threshold for affordable housing provision. With specific regard to the proposed standard housing method, it was suggested that the District Council's response should be augmented to emphasise the importance of taking into account the future impacts of COVID-19 on housing need e.g. in relation to new travel patterns and increased home-working as well as highlighting more strongly the significant regional and local differences in housing need that were generated by the standard method including the potential impact this could have on adjoining local authorities.

RESOLVED: That the content of the report be noted, and the Committee's comments be reported to Cabinet for consideration.

6. CONSULTATION ON ENGLAND'S ECONOMIC HEARTLAND DRAFT TRANSPORT STRATEGY

The Committee received and considered the report of the Planning Policy Manager, which detailed the proposed response to the England's Economic Heartland (EEH) Draft Transport Strategy.

The Planning Policy Manager introduced the report and explained that the Strategy was for the area defined as 'England's Economic Heartland' and that the consultation would run until 6 November 2020. He added that the Strategy's commitments were in relation to partnership working; with a strong emphasis on decarbonising the transport system and explained that in the draft consultation response, whilst being generally supportive of the draft strategy, Officers had made recommendations regarding the inclusion of the impact of Covid-19 and the importance of the Garden Village along the A40 corridor. In addition, Officers had also highlighted the lack of reference to healthy place shaping.

Councillor Cooper asked about the process used to determine which consultations warranted a formal response. In response, the Head of Democratic Services explained that this had been referred to the Committee at the request of the Chief Executive who wished

for the Consultation to be considered by the Cabinet, but recognised there was no formal referral process for Consultations to be presented to Members.

In response to Councillor Fenton, the Planning Policy Manager confirmed that the Oxford to Cambridge expressway was not included within the Strategy and had been paused by Government in March 2020 to allow other options within the Oxford to Cambridge corridor to be explored.

Councillor Postan requested that greater emphasis be given to the importance of personal transport in rural areas and digital technology in the response. He also considered that instead of high capital railways, research should be made into autonomous vehicles to create additional capacity on the road network.

Councillor Crossland emphasised that in respect of the A40, any response should highlight the importance of Carterton.

RESOLVED: That the content of the report be noted, and the Committee's comments be reported to Cabinet for consideration.

7. NEXT MEETING OF THE COMMITTEE

Immediately before closing the meeting, the Chairman indicated that the Committee would need to meet again before Christmas to enable initial consideration of the Garden Village application, which would be determined by this Committee rather than by the Lowlands Area Planning Sub-Committee.

The meeting closed at 3.35 p.m.

CHAIRMAN