

# Local Plan Working Group – 01 September 2015 – Minutes

## **Attendees**

Cllr Sheila Orchard (SO)

Cllr John Thompson (JT)

Cllr Elaine Martin (EM)

Cllr Margaret Clark (MC)

Cllr Malcolm Smith (MS)

Cllr John Tompkins (JT)

Cllr Richard Sealby (observer)

Gwyn Clark – Head of Planning (GC)

Paul Fellows – Principal Planning Officer (Policy) (PF)

John Boardman – Planning Officer (Policy) (JB)

## **Absent**

Cllr Michael Slee (MSI)

Cllr John Owen (JO)

## **1) Welcome**

PF chaired the meeting in the absence of MSI.

No matters arising from the previous minutes.

## **2) Questions/feedback from last meeting**

None

## **3) Latest Timetable**

PF explained the current timetable for publication, submission and adoption of the Local Plan.

- Executive committee – 6<sup>th</sup> October 2015
- Publication consultation – October to November 2015 (6 Weeks)
- Submission the Secretary of State - late 2015
- Public Examination – spring 2016
- Adoption – late summer 2016.

PF explained that the Publication version will be the finished plan and the consultation exercise is solely for the purpose of collecting representations for consideration at the Examination in Public.

MS requested clarification on the status of "Saved Policies". PF explained these would be replaced by the emerging Local Plan Policies and that subject to the level of objection to policies the emerging Local Plan could be used in Development Management decisions following submission to the Secretary of State.

MS/JT requested details on the handling of Gypsy and Traveller Site allocation. PF explained that following objection to the proposed land allocation agreement had verbally been reached for extension to the existing facilities at "Lakeland View".

JT queried the status of allocations in the emerging Local Plan and PF reiterated the advice above regarding the increasing weight to be attached to the Plan allocations as the Plan progressed through to adoption.

MS requested clarification on who was the determining authority for planning applications made within Neighbourhood Plan areas. GC confirmed that planning applications would still be determined by Eden District Council in these circumstances.

EM sought clarification on the differences between Neighbourhood Plans (NPs) and Neighbourhood Development Orders (NDOs). PF explained that NPs provided detailed locally derived planning policies to inform decision making by EDC whilst NDOs granted planning consent for development of the type specified within the NDO.

#### **4) Planned Changes**

PF detailed main areas of Policy change flowing from consultation

- Housing number calculation
- Settlement hierarchy
- Site Allocations
- Affordable Housing/Local Occupancy
- Wind Energy Policy

#### **Housing Number Calculation**

PF detailed the methodology for calculating Housing requirements. No actual change to proposed housing numbers or their distribution just method of calculation.

#### **Settlement Hierarchy**

PF explained revisions to the Settlement Hierarchy in the Publication Plan. This includes a new list of 27 "Key Hubs", revised list of identified villages and revised methodology for the identification of "Key Hubs" and villages.

Key Hubs are no longer primarily defined by public transport provision but via the following criteria:

1. 100+ properties
2. 3+ of the following services

- Primary School
- Post Office
- Shop
- Village Hall
- Pub
- GP Surgery
- Church

3. Qualifying villages excluded if in the AONB (Nenthead and Melmerby)

Key Hubs to accommodate 20% of housing requirement (Market Housing with 30% affordable housing)

Now 100 identified villages and hamlets accommodating 10% of housing requirement to address local needs only through infill and rounding off development only.

PF explained that there will be no housing allocations within Key hubs or Villages. Much of this requirement was already within the system through commitments and completions.

JT enquired as to whether this change indicated that Parish council inputs regarding housing distribution had been disregarded. PF confirmed this was not the case and broad distribution remained unchanged.

JT queried Nenthead's status and which criteria would allow permission for dwellings. PF confirmed that Policy HS2 would allow for appropriate development to occur.

MS queried the criteria used to establish "Local Occupancy". PF explained either residence or family connections for 3 years within the Parish as the starting point followed by a gradual cascade to wider geographical areas.

JT suggested that the policy for villages should allow for market housing to facilitate the delivery of affordable units. JT felt that affordable units would not be deliverable in rural settlements without an element of market housing. PF responded that viability testing was currently being completed to justify the policy stance and that exceptions were catered for in Policy wording.

JT queried the need to provide guidance within policy as to the timeframes for cascading through Local Occupancy tiers. PF explained that the concern with timeframes for marketing may promote speculative developers building these timeframes into development costs in order to obtain open market housing in areas where they would not normally be permitted.

### **Site Allocations**

PF explained amendments to site allocations at Penrith, Alston and Kirkby Stephen, reiterating the removal of allocations to Key Hubs and villages.

JT supported the site visits of Planning Officers to establish site suitability as opposed to office based site identification. JT also supported the removal of allocation P101 at Pategill.

## **Affordable Housing**

PF confirmed that there would be no change to affordable housing policy following a legal challenge that quashed recent changes to Government guidance on affordable housing. This meant a contribution of 30% affordable units of schemes of 4 or more dwellings and a 3% contribution on sites below this threshold.

JT sought clarification on this policy in terms of what the 30% related to and what the 3% contribution derived from. PF explained 30% of units on larger sites should be affordable and that on smaller sites a financial contribution of 3% Gross Development Value (GDV) would be sought.

MC questioned the level of involvement in District Wide Local Plan policy development by Housing Associations. PF explained that whilst they had been consulted during plan development their input tended to be more operational and practical implementation orientated.

MS noted that the New Homes Bonus (NHB) was still active and provided financial incentive for the provision of further housing. GC commented that unless the NHB was ringfenced for use on the application site NHB was not a material planning consideration.

## **Wind Energy Policy**

PF introduced revised wind energy guidance dated June 2015. This places a requirement to identify areas within the District that may be suitable for wind energy. The guidance also requires that planning permission only be granted if planning issues identified by local communities have been fully addressed and the proposals are therefore supported by the local community.

Members and Officers present expressed a general consensus that the issue of wind energy was likely to be contentious. It was agreed that the revised guidance required the identification of wind energy areas within the Publication Plan.

GC pointed to the existing Cumbria wide Wind Energy SPD as a potential starting point for identifying the appropriate area to include within the Plan. PF referred to a recently produced Wind Energy Policy Background Paper as potentially identifying appropriate areas for inclusion.

PF also suggested that the likelihood of being able to meet the tests of community approval for wind turbine development as required by the guidance above was extremely small.

## **5) Progress on the evidence base**

PF explained the progress to date on the evidence base to support the Local Plan. PF identified that the majority of Planning Policy work was targeted at completing the Evidence Base prior to Publication consultation.

## **6) Any other business**

PF indicated that Mott Macdonald were currently conducting studies to assess the need for additional/amendments to infrastructure within Penrith to address traffic and congestion issues. This linked to the Infrastructure Delivery Plan prepared as part of the evidence base.

JT queried the situation regarding flooding at Wetheriggs recreational area. MC stated that there had been no flooding at the location recently. GC indicated that United Utilities had not raised the issue with EDC as of concern or exhibiting problems.

JT/MS/EM queried the need for a separate policy to consider applications for solar panel arrays. PF and GC responded that the existing renewable energy policy (Policy ENV6) would be adequate for the consideration of Planning Applications including solar array proposals.

MS proposed the minutes of the Local Plan Working Group dated 22 April 2015 be approved. SO seconded the proposal.