

Planning Policy Scrutiny Committee



Date	5 June 2008
Venue	Town Hall, St Annes
Committee members	Councillor John Bennett (Chairman) Councillor William Thompson (Vice-Chairman) Ben Aitken, George Caldwell, Michael Cornah, Maxine Chew, Kevin Eastham, Trevor Fiddler, Elizabeth Oades
Other Councillors	Karen Buckley, Linda Nulty, Paul Rigby, Roger Small
Officers	Phillip Woodward, Ian Curtis, Paul Walker, Tony Donnelly, Julie Glaister, Lyndsey Lacey
Members of the public	F. Moor, B. Moor, E. Cook, Arnold Sumner

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Planning Policy Scrutiny Committee meeting held on 10 April 2008 as a correct record for signature by the chairman.

3. Substitute members

The following substitutions were reported under council procedure rule 22.3:

Councillor Elizabeth Oades for Councillor Lyndsay Greening

Councillor Kevin Eastham for Councillor Keith Beckett

4. Strategic Flood Risk Assessment

Tony Donnelly, Head of Planning (Policy) reported that Wyre Borough Council had recently carried out a Strategic Flood Risk Assessment (SFRA) on behalf of Fylde Borough Council in accordance with Planning Policy Statement 25 (PPS25). The Council had received an advanced draft of the document.

Mr Carl Green who was commissioned to undertake the work attended the meeting and addressed the committee on the contents of the assessment. He explained that the area covered by the assessment included the whole borough but essentially concentrated on the strategic development areas as shown on the map attached to the report.

Mr Green advised that the SFRA would form an essential part of pre-production/evidence gathering stage of the Local Development Framework process. It was not a policy document but provided evidence in respect of sites which might be put forward for development.

In brief, the report provided an overview of the background to the matter and highlighted the application for sequential and exception tests.

The SFRA had identified flood risk zones within the borough and had assessed the potential of various possible development sites. This had created a hierarchy of preferred potential development sites in line with the sequential approach identified in PPS25.

Mr Green indicated that the Environment Agency had been consulted on the document and a number of amendments requested by the Agency had been incorporated in the document.

After a full discussion the Committee RESOLVED:

1. To thank Mr Green for his attendance at the meeting.
2. To note the findings of the Draft Strategic Flood Risk Assessment as part of the evidence base for the Local Development Framework.
3. To make the document publicly available as soon as an Executive Summary has been prepared and the final amendments presented to the Chairmen and Vice-Chairman of Committee.
4. To consider the findings of the PITT report at the next meeting of committee.

5. Alterations Review to the Fylde Borough Local Plan Saved Policies

Tony Donnelly Head of Planning (Policy) provided the committee with an update on the Alterations Review to the Fylde Borough Local Plan saved policies.

Mr Donnelly explained that the Planning and Compulsory Purchase Act 2004, provided for the saving of policies in adopted local plans for a period of 3 years from the commencement date of the Act, which was 28th September 2004, or for a period of 3 years from their adoption.

The committee was advised that in March this year the Secretary of State issued a Direction in respect of policies in the Joint Lancashire Structure Plan (JLSP) 2001 - 2016. All policies in the JLSP were directed to be saved. Those policies introduced by the Alterations Review to the Fylde Borough Local Plan were in general conformity with the JLSP.

The nine policies (housing related) introduced in the Alterations Review to the Fylde Borough Local Plan were adopted on 10th October 2005, and they remain saved until 9th October 2008.

The matrix (included in the report) related to the nine policies which were the subject of consideration. The matrix proposed that all nine saved policies should be extended beyond the 3 year saved period for the reasons stated and that an application should be made to GONW to do so.

It was RESOLVED to note the list of saved policies attached to the report and recommend to Council that an application to save the policies should be formally submitted to Government Office for the North West.

6. Interim Housing Policy

Tony Donnelly Head of Planning (Policy) presented a comprehensive report on the responses received as a result of consultation exercise undertaken on the Interim Housing Policy. A copy of report was circulated to all members for consideration.

Mr Donnelly reminded the committee of the reasoning behind the Interim Housing Policy outside the concept of the Local Development Framework. He stated that the purpose of the document was to facilitate development within existing settlement boundaries.

In brief, the report made reference to the consultation responses, the substance of the responses, the main issues and changes proposed to be included in the urban and rural policies together with information appertaining to the main features of the preamble.

Members expressed their concerns about the possibility of building on Greenfield sites within the borough. In particular there was an express wish not to see settlements joined together. Mr Donnelly addressed this point.

Members commented that in planning legislation/ the Local Plan there were no clear definitions of Greenfield/ countryside/ greenbelts. This was confusing to the public and consideration should be given to include in the policy a statement clarifying such matters.

A debate also took place about the issue of affordable homes and low cost market housing.

Members commented on the relevance of the exiting housing waiting list in so far as it related to the real problem or desirability of people needing social/affordable market housing in the Fylde area.

1. Following discussion it was RESOLVED to recommend to Council that the amended draft Interim Housing Policy as detailed in the report be adopted for planning policy and development control purposes subject to the following modifications:
 - To remove Freckleton from the rural policy and include in the urban policy;
 - To include a statement in the preamble of the Policy to make it clear that developers would not be allowed to avoid the provision of affordable housing on development sites by submitting a series of applications of 15 dwellings or less on large sites.
 - To include the words “and the council will negotiate” in the relevant parts of Criterion 6 and 7 of the urban and rural options;
 - To include a note of explanation at the end of the policy to clarify Green belts, Countryside, Greenfield, Brownfield etc;
 - To include the word “normally” (Criterion 8 rural policy 1st line refers) after the words “ All affordable dwellings should”
 - To include the words “including recreational play areas” after the words “public open space” (other Community Infrastructure refers)
2. To ask the Chairmen and Vice-Chairmen of the Planning Policy/ Development Control committees, together with the Portfolio Holder and appropriate officers, to explore the feasibility of introducing restrictive covenants for low cost market housing to restrict the resale value of the homes and report back on their findings to the next meeting of the committee.

7. Planning Obligations

Paul Walker, Executive Manager for Strategic Planning and Development presented a report on issues surrounding the operation of planning obligations.

Mr Walker made reference to a previous report on the matter. In addition, he provided the committee with information on the use of planning obligations within the legal framework and the requisite five tests which developers are required to meet. He outlined the current situation/ issues, the implications of the Interim housing policy, the affects of the proposed community infrastructure levy.

Mr Walker stated that there were several issues that had arisen with the increase in planning obligations:

- The methodology for agreeing contributions from housing developers where this was not defined in percentage payments
- Determining how and where contributions were actually spent
- Whether planning obligations should be extended to mitigate the impact of non-housing applications,

Mr Walker stated that no work was currently planned in the DC or planning policy work plans to address any of these issues.

The Committee was presented with the following options, which could be pursued:

1. Do nothing until the details of the Community Infrastructure Levy are known
2. Prepare work in anticipation of the CIL
3. Prepare a Development Plan Document (DPD) and Supplementary Planning Document (SPD)
4. Prepare an informal document identifying priority schemes/projects for investment

Reference was also made to the feasibility of undertaking joint work across the three Fylde coast authorities to produce formal planning policy on planning obligations.

Following detailed consideration of this matter the committee RECOMMENDED to Cabinet:

1. To accept the concept of pre application discussions between applicants/ members and officers being implemented at the earliest opportunity.
2. To agree to the undertaking of joint work across the three Fylde Coast authorities on producing a formal policy on planning obligations.
3. To accept the interim arrangements of dealing with each application on its merits.

8. The Island - Seafront Masterplan

The item was withdrawn.
