



FYLDE BOROUGH COUNCIL

## Meeting Agenda

**Special Planning Policy Scrutiny Committee  
Lowther Pavilion, Lytham  
21 February 2008, 19:00pm**

# PLANNING POLICY SCRUTINY COMMITTEE

## MEMBERSHIP

CHAIRMAN - Councillor John Bennett  
VICE-CHAIRMAN – Councillor William Thompson

### Councillors

Ben Aitken	George Caldwell
Michael Cornah	Trevor Fiddler
Keith Beckett	Maxine Chew
Lyndsay Greening	

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## **CORPORATE OBJECTIVES**

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

## **CORE VALUES**

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



## A G E N D A

### PART I - MATTERS DELEGATED

ITEM	PAGE
<p><b>1. DECLARATIONS OF INTEREST:</b> <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Legal Services Executive Manager in advance of the meeting. (For the assistance of Members an extract from the Councils Code of Conduct is attached).</i></p>	4
<p><b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the Minutes of the Planning Policy meeting held on 5 November 2007 attached at the end of the agenda.</i></p>	4
<p><b>3. SUBSTITUTE MEMBERS:</b> <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i></p>	4
<p><b>4. CENTRAL LANCASHIRE, BLACKPOOL GROWTH POINT BID</b></p>	7-10

**Personal interests**

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
  - (aa) exercising functions of a public nature;
  - (bb) directed to charitable purposes; or
  - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
  - (ii) any person or body who employs or has appointed you;
  - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
  - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
  - (vii) any land in your authority's area in which you have a beneficial interest;
  - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - (ix) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

**Disclosure of personal interests**

9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

**Prejudicial interest generally**

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
  - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
  - (c) relates to the functions of your authority in respect of—
    - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
    - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
    - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
    - (iv) an allowance, payment or indemnity given to members;
    - (v) any ceremonial honour given to members; and
    - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

**Prejudicial interests arising in relation to overview and scrutiny committees**

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

**Effect of prejudicial interests on participation**

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
    - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
  - (b) you must not exercise executive functions in relation to that business; and
  - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
EXECUTIVE MANAGER: STRATEGIC PLANNING & DEVELOPMENT	PLANNING POLICY SCRUTINY COMMITTEE	21 <sup>ST</sup> FEB 2007	4

## CENTRAL LANCASHIRE, BLACKPOOL GROWTH POINT BID

### Public/Exempt item

This item is for consideration in the public part of the meeting.

### Summary

The report considers whether Fylde Borough Council should become a full partner within the proposed Growth Point Programme Area.

### Recommendation/s

On the basis of the matters contained in this report and the further information to be provided prior to the Committee meeting, the Committee recommends to the Portfolio Holder whether this Council should seek to become a full partner within the Central Lancashire and Blackpool Growth Point bid, should the bid be successful in moving to the second round stage.

### Cabinet Portfolio - Development & Regeneration, Councillor R Small

### Report

### Background

A report on the Growth Point Bid was considered by Cabinet on 14<sup>th</sup> November 2007 following the submission of a formal Expression of Interest by the participating Councils.

This report gave basic details of the bid and its main features.

Cabinet resolved 'to support the Growth Point Bid in principle and ensure that the interests of the Borough Council are protected through future officer and member involvement in the development of the Bid, if successful'.

The decision of Cabinet was the subject of a call-in request for consideration by the Policy and Service Review Committee. This Committee met on the 13<sup>th</sup> December 2007 and resolved (inter alia):

1. Not to call-in the decision, on the grounds that it had been taken in the best interests of the residents of Fylde.
2. To recommend, however, that the matter be heard by the Planning Policy Scrutiny Committee.

The Portfolio Holder considered the recommendation of the Policy and Service Review Committee and has supported a further reference to Planning Policy Scrutiny Committee.

### Current Consideration

In discussions with the other GPP authorities, it is understood that DCLG have indicated that the Growth Point bid would be strengthened if Wyre and Fylde Councils became full members of the bid partnership and the two local authority areas included within the Growth Point bid area. Wyre Borough Council has already resolved to join the partnership if the bid proceeds to the next stage.

The current consideration is therefore whether this Council should similarly resolve to formally join the Growth Point Bid Partnership should the bid be successful in going through to the next round.

Members will be aware that whilst the submitted bid has been made in respect of the council areas of Blackpool, Preston, Chorley and South Ribble, the main document identifies the M55 Hub and Blackpool Airport as Economic and Development Hubs which are core elements of the Growth Point Programme. Appendix 3 to the submission document also makes specific mention of Whitehills Park and Whyndyke Farm. It indicates that 'discussions with Fylde Borough Council are on-going to discuss their role in the Growth Bid Programme'.

At the present time, the Fylde lands have been referred to in the submission document, potential housing numbers have been estimated in respect of the above sites and an indicative timetable for housing development produced.

On this basis, the Fylde lands appear to be in an undefined 'grey' area which are not formally part of the Growth Point Bid area but are referred to in the documents as core elements.

The options appear currently to be either:



- a. support the Growth Point Programme in the other local authority areas. Do not join the partnership but consider the proposed development within Fylde at the M55 Hub and the Airport as options within the Council's Core Strategy; or
- b. resolve to formally join the Growth Point Programme authorities with a view to defining the whole of Fylde Borough as part of the Growth Point Programme Area. (This would still require the growth point issues to be considered within the Council's Core Strategy.)

### Material Considerations

The following considerations are identified for Members' consideration.

- The government is looking for Councils with a genuine appetite for and ability to deliver high levels of house building (above the levels indicated in draft RSS). However, we still do not know what housing figure will appear in draft RSS when 'proposed changes' to draft RSS are published at the end of February 2008.
- Additional house building would more than likely involve greater amounts of development on greenfield sites within the borough.
- Some central government funding for essential infrastructure may be available to help bring forward Fylde Housing sites. At the initial submission stage there is no information regarding what funding is being made available or what might be made available in the future (for any of the partnership councils).
- It is understood that some other Councils have significant reservations about the bid if essential infrastructure is not adequately funded by government.
- If the suggested tariff mechanism is introduced, then a significant part of the value generated by residential development sites in the borough may have to be handed to the partnership, rather than being retained within Fylde. There is thus a possibility that Fylde could be a net loser if it joined the partnership.
- Joining the partnership is likely to involve additional non-programmed work for planning policy staff and increase the need to engage consultants. There is therefore a cost element to the decision.
- In the medium term, additional planning applications for housing may increase the current need to employ additional development control staff.
- At the present time, it is not clear what benefits would accrue to the Council in return for higher levels of house building throughout the borough. The Council has not defined what it would like to see coming out of the process.
- A decision to join the partnership at this time would not preclude a future decision to leave the partnership if the terms are considered not adequate.

It is understood that representatives from GONW and Blackpool Council are to address senior members and managers to provide further information and clarification prior to the committee meeting. This clarification it is hoped will include information on value of Fylde joining the partnership and the timetable for decisions on the first round submissions and second stage procedures.

Without this further information it is difficult for officers to make a formal recommendation.

<b>IMPLICATIONS</b>	
Finance	Significant implications arising if a decision to join the partnership is made.
Legal	None arising directly from the report.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability	Sustainability issues will be examined as part of the bid process
Health & Safety and Risk Management	None arising directly from the report.

REPORT AUTHOR	TEL	DATE	DOC ID
Tony Donnelly	(01253) 658610	Feb 2008	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Central Lancashire and Blackpool Growth Point Bid	Oct 2007	Planning Policy Section, Town Hall

## Planning Policy Scrutiny Committee



Date	5 November 2007
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, Lyndsay Greening
Other Councillors	Elizabeth Oades, Heather Speak
Officers	Philip Woodward, Clare Platt, Paul Walker, John Cottam, Tony Donnelly, Mark Evans, Julie Glaister, Mark Sims, Lyndsey Lacey
Members of the Public	Tony McAteer- Erinaceous Planning  Peter Liversidge - Kensington Developments  John Hayfield - Newfield Jones Homes

### 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 23 October 2007 as a correct record for signature by the chairman.

### 3. Substitute members

The following substitution was reported under council procedure rule 22.3:

Councillor Kevin Eastham for Councillor Keith Beckett.

#### 4. Interim Housing Policy

Following deferment of this matter at the last meeting, a special scrutiny workshop was held to allow a full discussion on the proposed Interim Housing Policy. In addition, Tony Donnelly, Head of Planning (Policy), Mark Sims (Principal Planning Officer) and Julie Glaister (Principal Planning Officer) presented a comprehensive report to committee on the matter. John Cottam (Principal Housing Officer) also addressed the committee on the affordable housing element of the policy.

Mr Donnelly explained the reasoning behind the development of an Interim Housing Policy, outside the concept of the Local Development Framework. He added that the need stemmed mainly from the fact that a revised draft Regional Spatial Strategy (RSS) was now nearing completion and contained a much higher dwelling requirement for Fylde Borough (306 dwellings pa compared with 155 dwellings pa in the existing Joint Lancashire Structure Plan (JLSP)). This meant that Policy HL1 in the Fylde Borough Local Plan (As Altered) (Oct 2005) would cease to have relevance and some form of replacement policy was needed. Members were advised that that the policy would inform future decisions on planning applications for housing.

Mr Donnelly indicated that the policy objectives were as follows:

1. To allow sufficient housing to come forward in the interim period to meet the numerical requirements contained in (draft) RSS and to maintain a five year supply of housing land.
2. To maximise the provision of affordable dwellings to be developed in the interim period to meet identified needs.
3. To provide for market and affordable housing of appropriate tenure, size and type to best meet the needs of the community.
4. To provide housing in sustainable locations and which meets the Code for Sustainable Homes.
5. To ensure that infrastructure needed as a result of the development of dwellings is paid for by the developer.
6. To meet the above objectives without undermining the purpose and function of the future Core Strategy.

In brief, the report made reference to the consultation exercise recently undertaken. This included an appraisal of each matter raised in the questionnaire. The report also provided details of the generation of policy options; sustainability appraisal of the policy options; policy objectives appraisal of policy options; selection of the preferred policies for consultation together with details of off site provision and payment in lieu of affordable housing.

Members were asked to consider the development of two policies which could identify different approaches in the urban and rural settlements having regard in particular to the differences in the scale of development that would normally be expected in these locations.

Taking the above into account, three policy options had been drafted for application in the urban areas, and three for application in the rural villages. These were based on:

1. A delivery option: which has a bias towards delivery of higher housing numbers;
2. A sustainable option: which has a bias towards the provision of sustainable housing in terms of its location and construction;
3. A balanced option which combines some of the advantages of both.

The scrutiny committee examined all 6 options as well as the 'do nothing' option in each case to determine appropriateness and suitability.

Additional documentation relating to PPS3: Housing, programme management for the Local Development Framework and information on the sustainability appraisal was circulated at the meeting.

Following a lengthy and detailed discussion the Committee RESOLVED to recommend to Cabinet:

1. That all policy options (which include the preferred options as amended and attached) be agreed for the purposes of consultation with the general public and other relevant bodies.
2. That the draft Summary Sustainability Scoping Report be agreed for the purpose of consultation with the general public and other relevant bodies.
3. That the 'sustainability' and 'policy objectives' appraisals be agreed for the the purpose of consultation within the general pubic and other relevant bodies.
4. That arrangements for the provision of affordable housing as indicated be agreed for the purpose of consultation with the general public and other relevant bodies.
5. That for the purposes of the policy/ consultation, officers be asked to provide a clear definition of affordable housing and low cost market housing.
6. That as a result of the changes made to the preferred options, the Head of Planning - Policy in consultation with the Chairman and Vice-Chairman, be authorised to deal with any modifications required to the sustainability and policy objectives appraisals.

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### Balanced Option (Urban)

Planning permission for residential development will be granted subject to all the following criteria:

1. The application site is within the settlement boundaries of Lytham St Annes, the urban parts of Blackpool at Squires Gate Lane and Normoss, Kirkham/ Wesham, Freckleton, Warton, Wrea Green, Staining, Elswick, Newton and Clifton as defined in the Fylde Borough Local Plan (As Altered) (Oct 2005);
2. The application site is not designated for other purposes or protected by policies in the Fylde Borough Local Plan (As Altered) (Oct 2005).
3. In respect of greenfield sites within settlement boundaries, the applicant is able to show:
  - a. the need for the development of the site (that there is less than a 5 year supply of land and that the current application would not increase the supply beyond 5 years); and
  - b. the development of the site would not significantly harm the character of the settlement.
4. In respect of proposals involving more than 100 dwellings, the application is either submitted as a mixed development scheme, or would otherwise help to deliver sustainable and mixed communities;
5. The density is in accordance with the requirements set out in PPS 3: Housing;
6. In respect of proposals involving 10 dwellings or more, the mix of housing types and sizes is in line with the findings of the Fylde Sub-Regional Strategic Housing Market Assessment or other relevant document;
7. The dwellings will meet Level 3 in the 'Code for Sustainable Homes'.
8. In respect of proposals involving 9 dwellings or less ( but not including proposals for affordable housing or low cost market housing\*\* and conversions to dwellings of spaces above existing premises in defined town centres) a financial contribution of 5% of the open market value of each dwelling is made towards the facilitation of affordable housing within the borough; \*
9. In respect of proposals of 10 or more dwellings, 30% of the units should be affordable units, within the terms identified within the Council's latest housing needs survey and provided through an RSL;

10. In respect of all proposals, a financial contribution of 2.5% of the open market value of each dwelling is made towards town centre and public realm improvements; \*
11. In respect of all proposals where under the terms of Policy TREC 17 of the Fylde Borough Local Plan (As Altered) (Oct 2005) no provision (or inadequate Provision) of open space is made on the site, or the requirement for open space on the site would be less than 0.2 ha, a financial contribution of 2.5% of the open market value of each dwelling is made in lieu of on site provision; \*

\*

**80% of the required financial contribution(s) shall be paid to the Council prior to commencement of the development. Within 56 days of the initial occupation of the property, the second instalment shall become due, or a refund made if the sale price is less than the first sum paid. Where there is a dispute in relation to the open market value, or the property is not sold, the contribution will be based on a valuation by the Valuation Office (to be paid for by the developer).**

\*\*

**to be defined**

## Sustainable Option Rural

Planning permission for residential development will be granted subject to all the following criteria:

1. The application site is within the settlement boundaries of one of the following settlements as defined in the Fylde Borough Local Plan (As Altered) (Oct 2005): Little Eccleston, Treales, Wharles, Weeton, and Singleton
2. The application site is not designated for other purposes or protected by policies in the Fylde Borough Local Plan (As Altered) (Oct 2005);
3. The density is in accordance with the requirements set out in PPS 3: Housing;
4. The application site is a previously developed site;
5. The proposal would meet a local need identified in the Fylde Sub-Regional Strategic Housing Market Assessment or other relevant document for affordable dwellings and the mix of housing types and sizes proposed.
6. In respect of all proposals, a financial contribution of 2.5% of the open market value of each dwelling is made towards public realm improvements in the area; \*
7. In respect of all proposals where under the terms of Policy TREC 17 of the Fylde Borough Local Plan (As Altered) (Oct 2005) no provision (or inadequate Provision) of open space is made on the site, or the requirement for open space on the site would be less than 0.2 ha, a financial contribution of 2.5% of the open market value of each dwelling is made in lieu of on site provision; \*
8. The dwellings will meet Level 3 in the 'Code for Sustainable Homes.

\*

**80% of the required financial contribution(s) shall be paid to the Council prior to commencement of the development. Within 56 days of the initial occupation of the property, the second instalment shall become due, or a refund made if the sale price is less than the first sum paid. Where there is a dispute in relation to the open market value, or the property is not sold, the contribution will be based on a valuation by the Valuation Office (to be paid for by the developer).**



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