

BATH AND NORTH EAST SOMERSET

PLANNING, HOUSING AND ECONOMIC DEVELOPMENT POLICY DEVELOPMENT AND SCRUTINY PANEL

Tuesday, 5th July, 2016

Present:- Councillors Rob Appleyard (Chair), Barry Macrae (Vice-Chair), Colin Blackburn, Lisa O'Brien and David Veale

Also in attendance: Graham Sabourn (Head of Housing), Lisa Bartlett (Divisional Director, Development) and Louise Davidson (Team Manager (Enabling & Development))

1 WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting.

2 EMERGENCY EVACUATION PROCEDURE

The Chairman drew attention to the emergency evacuation procedure.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Fiona Darey sent her apologies to the Panel.

4 DECLARATIONS OF INTEREST

The Chairman, Councillor Rob Appleyard declared a non-pecuniary interest as a non-executive Director of Curo in relation to agenda item 9 (Foxhill Regeneration & Development Charter). He stated that he would remain as a member of the Panel for that item but the Vice-Chair, Councillor Barry Macrae would act as Chairman.

The Cabinet Member for Homes & Planning, Councillor Liz Richardson declared an other interest in relation to agenda item 10 (Local Development Framework Updates) as she is a part time lecturer at Bath Spa University.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

6 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

Frieda Buckley presented a petition and made a statement to the Panel on the subject of the Foxhill Regeneration & Development Charter. A summary is set out below and a copy of the statement can be found on the Panel's Minute Book.

She said that she had carried out a petition regarding the Foxhill regeneration planned by Curo. She added that she was a member of the Foxhill Residents Association and also a committee member of the association and that she had their full support.

She informed the Panel that the petition had been signed by 338 residents to oppose the demolition of the homes and community of Foxhill, requests the upgrading of homes in need of improvement and is in favour of the rebuilding or upgrading of Dunster House, Selworthy and Bradford Park flats. She added that our Foxhill Residents Association survey shows that most of the tenants in the flats want their flats to be improved or rebuilt, whereas most of the tenants and owners of houses do not want to move.

She explained that in her view Foxhill was no longer a traditional council estate; it had become a peaceful village with a strong supportive community, a rare occurrence in our modern world. She said that some of the residents had lived there for sixty years and have paid rent to the council, Somer Housing and Curo for all those years – does that not count for something?

She acknowledged the need for more houses in our country but said that they should not be built on an existing, happy and thriving estate. She asked if the fact that 60% of the homes in Foxhill are owned by Curo was a valid excuse for wanting to destroy a peaceful community.

The Chairman thanked her for her statement and asked for the petition to be passed to the Cabinet Member for Homes & Planning so that they could issue a formal response. The other Panel members agreed with this proposal.

David Redgewell, South West Transport Network made a statement to the Panel regarding the Joint Spatial Plan. A summary is set out below and a copy of the statement can be found on the Panel's Minute Book.

He said that he was concerned about a lack of a retail policy for the Bristol/Bath City Region and the need to regenerate the city centres of Bristol, Bath and Weston-Super-Mare. He stated that the sub-region needs a proper retail plan to go alongside the housing and economic policy.

He said that to permit such a huge expansion of retail and other main town centre uses at an out-of-centre location goes against Government policy unless Cribbs Causeway is declared a new town or city centre under re-examination of the core strategy.

He stated that national and local planning policy requires that a sequential test is applied to proposals for main town centre uses that are not in an existing centre. The test requires applications to be located in town centres and only if suitable sites are not available should out-of-centre sites be considered.

He said that if this development goes ahead we would like to see a proper town centre/city centre for the Patchway/Cribbs Causeway, a new neighbourhood with more affordable housing, supermarket, bank and post office, improvements to the

bus station and coach park and full operation of the Henbury loop with connections by MetroBus to Filton North, Henbury and Parkway stations and a higher density housing plan above the shops and car parks.

He said he was also concerned that the West of England Planning Board should be using its powers to allocate town centre development first especially protecting the City Centre of Bristol, Weston-Super-Mare town centre regeneration and Bath City Centre and Riverside especially with affordable housing and mixed use development.

He stated that the lack of affordable rural housing is becoming a real issue in Gloucestershire and Somerset covered by the West of England Partnership.

He said that the Joint Strategic Plan had not been addressed appropriately through the West of England Scrutiny.

Councillor Barry Macrae asked if he was intending to make similar statements to the other Councils in the West of England.

Mr Redgewell replied that either he or colleagues would be making similar representations.

The Chairman thanked him for his statement.

7 MINUTES - 3RD MAY 2016

The Panel confirmed the minutes of the previous meeting as a true record and they were duly signed by the Chairman.

8 CABINET MEMBER UPDATE

The Cabinet Member for Economic Development, Councillor Patrick Anketell-Jones addressed the Panel. He said that he wished to highlight some of the achievements within his portfolio from the past year.

He said that the Rural Broadband project had formed a significant part of their work and had seen 10 new cabinets go live in 2016. He added that following a trial of free Wi-Fi in the centre of Bath during the 2015 Christmas Market plans were ongoing to have this in place permanently from early 2017.

He wished to praise the work of the Film Friendly Partnership and informed the Panel of the launch of the Creative Investment Board which will seek to align arts organisations with funding partners.

He thanked everyone involved with the installation of the Keynsham Clock Tower and those involved with the Keynsham Music Festival for running such an enthusiastic event.

He said that the project of Bath Quays North would see new public areas and paths created.

He stated that he was proud that the 300th affordable home had recently become occupied within Bath Western Riverside.

He informed the Panel that the Council were part assisting to fund the post of an Economic Development Manager for the Somer Valley area.

He said that he was pleased with the performance of Heritage Services and the number of visitors to the Roman Baths, the Victoria Art Gallery and other similar sites.

He encouraged Panel members to take part in the current consultation relating to the World Heritage Management Plan.

Councillor Colin Blackburn asked what % of the rural area was now covered following the rollout of the project.

Councillor Anketell-Jones replied that 90% were now covered, but that the Government subsidy for the project was due to end soon. He added that phase two of the project would take place next year with the likelihood that small providers would cover the next initial 5%.

The Chairman said that connectivity and reliability were required. He added that he understood that the Government had changed the rules on local subsidies. He asked if the Council could do more to help.

Councillor Anketell-Jones replied that he felt that there was no more the Council could do at this time.

Councillor Barry Macrae commented that he was concerned that the initial funding was due to end. He said that the Council should lobby the commercial sector to take advantage of future opportunities.

Councillor Lisa O'Brien asked for further details regarding the Creative Investment Board.

Councillor Anketell-Jones replied that it was in its early stages of development. He said that he was its Chair and that Ben Woods (Group Manager - Economy & Culture) was also involved. He added that a Memorandum of Understanding was under discussion.

Councillor Colin Blackburn asked if he knew when the new Destructor Bridge would finally be in place.

Councillor Anketell-Jones replied that Crest were the contractor for this project, not the Council. He added that he could not recall the current timescale.

The Chairman asked if having such congested highways around the city centre of Bath was having any economic effect.

Councillor Anketell-Jones replied that he would report back on that in more detail at a future meeting. He added that the Transport Strategy and the Economic Strategy should work in harmony with each other.

The Cabinet Member for Homes & Planning, Councillor Liz Richardson addressed the Panel.

She informed the Panel that discussions were at an early stage regarding the Housing & Planning Act. She added that regarding the Joint Spatial Plan she would endeavour to look after our rural areas.

She explained that the examination of the Placemaking Plan was due to take place in September 2016.

She wished to highlight that it had been a record housebuilding year within Bath & North East Somerset with a net increase of 809 homes. She added that the work of the Building Control team should be praised. She said that they are a successful and competent department within the Council.

The Chairman asked if the matter of online Homesearch bids had been clarified.

Councillor Richardson replied that there are very few people that will bid on every property.

The Chairman asked if housing applicants were only eligible to remain in priority bands on the waiting list for a limited time.

The Head of Housing replied that it was dependant on the reason they had secured priority status. For example if they were prioritised because they were under occupying they would maintain priority status until they moved. For most other reasons then the priority status would be regularly reviewed.

Councillor Lisa O'Brien asked if residents outside of the district were allowed to bid for accommodation.

The Head of Housing replied that all applicants must meet a local connection test, usually through living in the district, but could be through local employment or needing to provide support to a local family member.

Councillor Barry Macrae commented that he was anxious that the West of England was to become Bristol centric and that we needed to maintain our local priorities.

Councillor Richardson replied that she was happy to reassure Councillor Macrae of the intention to carry on with work within the Core Strategy Review. She added that the Joint Strategic Plan would include North East Somerset even though they have decided not to take part in the devolution process and that all parties were equally represented in the Joint Strategic Plan.

Councillor Barry Macrae asked why the number of days that people without a local connection can stay at Julian House had been reduced from 28 to 21.

The Head of Housing replied that statistics show that there is the likelihood of better outcomes for people if they return to their existing support networks and this time reduction encouraged residents to do just that.

The Chairman thanked both of the Cabinet Members and the Head of Housing for their updates on behalf of the Panel.

9 APPROVAL OF THE FOXHILL REGENERATION AND DEVELOPMENT CHARTER

Councillor Rob Appleyard handed the role of Chairman for this item to his Vice-Chair Councillor Barry Macrae.

Councillor Macrae commented that a previous report to the Panel regarding the Charter had been received positively.

The Team Manager for Enabling & Development explained that the draft charter has undergone a period of independent consultation with the community and stakeholders and the outcomes of the consultation have been reviewed and incorporated into the Charter Ambitions as part of the development of the final version of the charter for adoption later this summer.

She reminded the Panel that at the heart of the draft Charter were four ambition themes (Communities, Connections, Housing Choice and Quality of Place) that will guide decision-making about regeneration and development.

She highlighted changes to the wording of the ambitions to ensure delivery, including:

- Ensure that a range of housing types in all tenures will allow for changes in needs and lifestyles as people's circumstances and ages change, so they can still remain fully included in their neighbourhood
- Ensure that any new housing in the estate is of the same high quality as Mulberry Park.
- Actively promote opportunities to work from home or work close to home.
- Creating 3 separate ambitions around standards, distinguishing between the quality of new build homes, improving standards in the retained Curo housing stock and retained owner occupied homes.

She stated that the final version of the Charter would be presented for adoption by the Cabinet in September 2016 and that she was seeking the support of the Panel with regard to the revised Charter and its ambitions.

Councillor Lisa O'Brien commented that she was not happy with the length of time allocated to the original consultation that took place in February / March 2016. She

said that of the 863 households that could be accounted for in Foxhill feedback forms were completed by 15 of the 40 attendees at the consultation workshop.

The Team Manager for Enabling & Development replied that the decision regarding the consultation timescales were taken in the context of an established project plan. She added that all parties were made aware of the consultation. She said that the purpose of the Charter is supposed to be a high level document that sits above the masterplan which is also underway.

The Cabinet Member for Homes & Planning thanked officers for their work on this matter as the Council was not required to carry out this level of detail for the project.

Councillor Barry Macrae commented that he was happy with the work so far and called for the project to remain person focussed.

The Team Manager for Enabling & Development said that the Council has a role in supporting Curo and testing them at the same time. She informed them that additional posts were being assigned to the project to work with the local community. She added that she would be happy to bring further reports to the Panel regarding the project.

Councillor Rob Appleyard asked if all households were notified on the consultation of the Charter.

The Team Manager for Enabling & Development replied that all households had received a letter regarding it. She added that Curo see this an opportunity to develop Mulberry park and Foxhill together. She stated that every household will have their own conversation with regard to their own property.

Councillor Barry Macrae said that an ongoing communication was to be encouraged.

The Cabinet Member for Homes & Planning commented that around 200 people attended a recent Masterplan meeting and said that the Charter was a non-statutory doc which would evolve over time.

Councillor Bob Goodman addressed the Panel. He said that there was much to commend within the Charter including;

- New homes delivered as part of the regeneration should be to the same standard as new homes in Mulberry Park;
- The continued investment into Curo's own retained property to improve the quality and energy efficiency and make the best use of the retained communal open spaces;
- Support owner occupiers retained homes to improve energy efficiency and physical quality of their homes.

He said that Curo have, without doubt, gone some way in addressing the concerns I had when I was first elected. However, I believe Curo must take into account the wishes of the community. It is not good enough to consult, you also have to listen and act upon it.

He said that clause 4.3 of the Report of the Foxhill Housing Zone indicates it is needed to meet and accelerate the completion of new homes. He added that this contributes to Core Strategy House Building targets and delivery of affordable housing. However, this is only in respect of the Mulberry Park Development and not Foxhill as Foxhill was not part of the Core Strategy – The Panel should understand this.

He said that he would like particular assurances from this Scrutiny Panel that they will ensure the regeneration of this much loved area does not lose affordable/social housing.

He stated that he would do his utmost to ensure residents of Foxhill are listened to and any resident who wants to stay on Foxhill in the community which is special to them will be found accommodation suitable for them.

The Panel **RESOLVED** to:

- i) Note the consultation outcomes for the Foxhill Regeneration and Development Charter.
- ii) Support the revised Charter ambitions for inclusion in the final version of the Charter for adoption by the Cabinet in September 2016.

10 LOCAL DEVELOPMENT FRAMEWORK UPDATES

Councillor Rob Appleyard resumed the role of Chairman at the beginning of this item.

The Divisional Director for Development introduced this item to the Panel. She explained that following the publication of the Joint Spatial Plan Issues and Options consultation document at the end of last year, work has been progressing on the preparation of options for the draft Plan. This has entailed amongst other things an assessment of the infrastructure required to support new development, especially transport (The Infrastructure Delivery Plan or IDP). She added that this work has included transport modelling as part of the preparation of the Joint Transport Strategy (JTS) which is being prepared in tandem with the JSP in light of the need to ensure that new development is properly aligned with new infrastructure, in order to assist in comparing alternative locations.

She stated that the next key step is the formulation of the most appropriate spatial strategy which enables the delivery of the housing and economic development needed and which is supported by the necessary new infrastructure. She said that this is scheduled to be produced by the middle of July for consideration and for public consultation in the autumn of 2016. She added that the JSP is still in the formative stages of preparation and so there is still the scope to consider different options as the first formal draft of the Plan is due to be prepared by the spring of 2017.

She informed the Panel that the Planning Inspectorate (PINS) have confirmed that Claire Sherratt has been appointed as the Examination Inspector regarding the Placemaking Plan and that the Council has appointed Chris Banks as the Examination Programme Officer. She said that his role will be to help organise and programme the Examination and will act as the liaison point between the Council, the Inspector and representors.

She explained that the Examination is into the soundness of the Plan i.e. whether it has been positively prepared and is justified; effective; and in line with national policy. She stated that the programme for and issues to be considered through the Examination will be determined by the Inspector and that the Examination will therefore be structured around the issues that the Inspector identifies as of critical importance for the soundness of the Plan and is not driven by the representations.

She said that the Inspector has started the process of reviewing the Plan; supporting evidence; and representations received during public consultation. She added that it was anticipated that the Inspector would outline the main matters and issues for consideration at the hearings by the end of June, although these have not been received yet.

Councillor Barry Macrae asked for the Panel to be informed if no information had been received by the end of the week.

On the matter of student accommodation the Divisional Director for Development said that the Adopted Core Strategy and the Draft Placemaking Plan sets out the proposed policy approach. She explained that at the time of preparing the Core Strategy it was considered that the student accommodation requirements resulting from the growth aspirations of both Universities up to 2020/2021 could be accommodated. She added that since that time the Universities' growth aspirations have increased and the Draft Placemaking Plan seeks to balance the impacts of these increased growth requirements against accommodating other requirements in the city e.g. for general housing and employment space.

She informed the Panel that the Housing & Planning Bill received Royal Assent on 12 May 2016 and is now enacted. She said that it is primarily focused on speeding up the planning system with the aim of delivering more housing.

She explained that the Act introduces a range of changes to the planning system and include introducing 'permission in principle' and the creation of 'Starter Homes' for first time buyers. She said there are also provisions which allow the Secretary of State to intervene in local plan preparation and measures to boost self-build and custom-build housing.

She said that 'permission in principle' is an automatic consent for building on sites identified in local and neighbourhood plans and on a local planning authority's register of brownfield land. She added that it is intended to provide developers with greater certainty of consent at an earlier stage in the development cycle than at present. She stated that the provision will not commence until 13 July 2016.

She informed the Panel that starter homes are now categorised as “affordable housing” on new build developments and will count towards Councils’ affordable housing targets. She said that starter homes will be available for first time buyers aged over 23 and below 40 at a 20% discount to market value.

She explained that changes arising from the Housing & Planning Act will have implications for the Core Strategy review in terms of the affordable housing requirement and policy approach and potentially the Placemaking Plan as it goes through the Examination process.

She stated that a number of Supplementary Planning Documents are also scheduled for review or preparation. These are; a) Houses in Multiple Occupation, b) List of Locally Important Buildings, c) Building Heights and d) Bath Design Guide.

Councillor Lisa O’Brien asked if alongside their change in growth aspirations had the Universities attitude to providing an accommodation solution changed.

The Divisional Director for Development replied that over the last 10 – 15 years there had been an increase in the number of purpose built developments. She added that discussions with the Universities were ongoing and that the work on the Houses in Multiple Occupation SPD would provide more information.

Councillor Colin Blackburn commented that it should not be forgotten that the development of North / South Quays will also provide employment opportunities.

The Divisional Director for Development replied that a strategic approach was being taken regarding transport, housing and employment within the area.

The Panel **RESOLVED** to note the progress on the preparation of Plans within B&NES.

11 PRE-PLANNING APPLICATION PROCESS

The Divisional Director for Development introduced this item to the Panel. She explained that pre-application advice is provided by planning officers and other specialist advisors within the planning department and other Council departments. She said that it is a non-statutory service and fees can be locally set which can generate additional income in order to cover the cost of providing the service.

She stated that the National Planning Policy Framework 2012 is clear in its expectations that planning authorities should engage pro-actively at pre-application stage. She said that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. She added that good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community and the more issues that can be resolved at pre-application stage, the greater the benefits.

She said that following a full review of the pre-application service that was being offered pre-April 2016 the service was re-designed. She explained that this included

benchmarking with other Local Authorities in relation to the scale of fees charged for the pre application service and having regard to the special environment of Bath and North East Somerset. She said that instead of charging per hour the new schedule separates different proposals by size and complexity.

The Chairman asked how the service was monitored.

The Divisional Director for Development replied that Team Leaders review all of the officer responses.

Councillor Colin Blackburn commented that providing this service will make such a difference to the planning process. He asked how the work would be quantified.

The Divisional Director for Development replied that all discussions will be followed up in writing.

The Chairman asked if the service would be cost neutral.

The Divisional Director for Development replied that the intention was to cover the costs of providing the service.

The Panel **RESOLVED** to note the progress of the pre-application service that launched in April 2016.

12 PANEL WORKPLAN

The workplan of the Panel was noted as printed.

The meeting ended at 4.55 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services