

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **SUSTAINABLE COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Monday, 11 June 2012.

PRESENT

Cllr D McVicar (Chairman)
Cllr A R Bastable (Vice-Chairman)

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| Cllrs | Mrs C F Chapman MBE | Cllrs | J Murray |
| | Mrs R B Gammons | | B Saunders |
| | K C Matthews | | P Williams |

Apologies for Absence: Cllrs Ms C Maudlin

Substitutes: Cllrs A Shadbolt (In place of Ms C Maudlin)

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| Members in Attendance: | Cllrs | P N Aldis | |
| | | D Bowater | Chairman of Audit Committee |
| | | Mrs R J Drinkwater | Chairman of Social Care, Health and Housing Overview & Scrutiny Committee |
| | | T Nicols | |
| | | I Shingler | |
| | | B J Spurr | Executive Member for Sustainable Communities - Services Deputy Executive |
| | | B Wells | Member for Sustainable Communities - Services |
| | | J N Young | Executive Member for Sustainable Communities - Strategic Planning and Economic Development |

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| Officers in Attendance: | Mr S Andrews | – Strategic Housing and Planning Team Leader |
| | Mr D Bowie | – Head of Traffic and Safety |
| | Mr A Fleming | – Project Director - Business Services |
| | Mr R Fox | – Head of Development Planning and Housing Strategy |
| | Mr B Jackson | – Assistant Director Highways & Transport |
| | Mr J Partridge | – Scrutiny Policy Adviser |

SCOSC/12/8 **Minutes**

The Committee discussed the Minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 16 May 2012. Cllr Nicols commented that his ward was proposed to take the majority of housing and employment growth in the draft Development Strategy. Cllr Nicols was uncomfortable with the numbers contained in the draft Development Strategy and concerned that further houses would be added to the numbers proposed within his area after the public consultation. Cllr Nicols stated that the Minutes of the previous meeting (Minute SCOSC/11/7 refers) did not accurately reflect the discussion that took place relating to any strategic increase in housing above the numbers that were presently stated in the draft Development Strategy. He stated that any strategic increase in housing should not be developed in an area without a strategic review of the plan and that any strategic increase should require further consultation. Additional homes should not be forced into any existing urban area.

In response to the issues raised by Cllr Nicols the Executive Member for Sustainable Communities, Strategic Planning and Economic Development, stated that there was a solid evidence base for the numbers of homes and jobs proposed to be allocated in Cllr Nicols' ward, based on this evidence there would be no strategic increase within his ward.

In light of the concerns raised by Cllr Nicols the Committee resolved that the Minutes of the meeting could not be agreed. The Committee requested that the Minutes of the previous meeting be redrafted and submitted to their next meeting.

RESOLVED

1. **That the minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 10 April 2012 be confirmed and signed by the Chairman as a correct record.**
2. **That the minutes of the meeting of the Sustainable Communities Overview and Scrutiny Committee held on 16 May 2012 be redrafted and submitted to the next meeting of the Committee for consideration.**

SCOSC/12/9 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

None.

(c) **Political Whip:-**

None.

SCOSC/12/10 Chairman's Announcements and Communications

None.

SCOSC/12/11 Petitions

No petitions were received from members of the public in accordance with the Public Participation Procedure as set out in Part D2 of the Constitution.

SCOSC/12/12 Questions, Statements or Deputations

The Committee were told that 2 speakers had registered to speak at the meeting in accordance with the Public Participation Procedure as set out in Annex 1 of Part A4 of the Constitution. In addition statements and questions had been submitted by both speakers that had been circulated to Members of the Committee in advance of the meeting. It was agreed with both speakers that they would be offered the opportunity to speak at the beginning of item 11 (Minute SCOSC/12/17 refers) in relation to the draft Development Strategy.

SCOSC/12/13 Call-In

The Committee were advised that no decisions of the Executive had been referred to them under the Call-in Procedures set out in Appendix A to Rule No. S18 of the Overview and Scrutiny Procedure Rules.

SCOSC/12/14 Requested Items

The Committee were informed that Cllr Aldis had requested an item relating to the Carbon Management Plan and the Climate Change Strategy under Procedure Rule 3.1 of Part D2 of the Constitution. Subsequent to this request an item had been added to the Committee's work programme for 23 July 2012.

SCOSC/12/15 Consultation on the development of the approach to parking

The Committee received a report from the Executive Member for Sustainable Communities Services, that set out the research and consultation that had been undertaken on the Council's approach to parking and the changes that were planned to the document as a result. In addition to the report it was clarified that following the Committee's previous recommendations the Executive had resolved that residents' parking zones should be used within controlled parking zones but in some cases residents' parking schemes could be used in isolation outside of parking zones. The Committee commented that they supported this amended approach. It was further commented by the Head of Traffic Management that substantial reductions in the cost of administering resident parking zones and enforcement schemes meant that the costs of resident permits may be reduced.

In response to the report the Committee raised and discussed the following issues in detail:-

- Resident parking zones provided a parking solution in villages where persons parked their car in a residential area before going on holiday.
- The cost of resident permits where residents owned more than one vehicle were still to be determined.
- Possessing a resident parking permit did not guarantee that resident a parking space.
- In areas where verge/footway parking was permitted the dual use of the pathway by pedestrians would be retained. The designation of any verge/pathway parking would be determined by the traffic management committee and would require the designation of a traffic regulation order. The Committee agreed that parking should not be permitted on grass verges as this churned up the grass and obstructed pedestrians. In response the Assistant Director for Highways and Transport stated that the Council would enforce parking violations on grass verges as a result of the strategy. However, there may be instances where lack of off-street parking facilities meant that Members would need to consider hardening parts of the grass verge to formalise parking half on/ half off the carriageway.
- Concerns relating to the displacement of HGVs into villages if parking hours were restricted in lay-bys overnight. There were also concerns relating to the level of enforcement that the Council would be able to undertake overnight.
- Concerns that the Highways Agency was responsible for several roads throughout the Central Bedfordshire area and parking standards relating to HGVs needed to be managed in a consistent manner.
- The need to ensure that blue badge holders did not incorrectly receive a penalty charge notice (PCN).
- Whether it should be permissible to allow an illegally parked vehicle to accrue 5 or more unpaid PCNs before it was clamped and removed. The Council was legally required to permit an illegally parked vehicle to accrue 3 unpaid PCNs before it could be clamped and removed.

The Executive Member for Sustainable Communities Strategic Planning and Economic Development drew the Committee's attention to the minimum suggested parking standards for residential schemes. It had been clarified in the Transportation Planning (International) Ltd report that the minimum number of parking units included the garage. It was suggested that if the garage was included in the minimum number of units per bedroom stated in the report then these numbers were insufficient. In addition a Member commented that planning applications needed to ensure a minimum 3.3 metre width to be of a suitable size. Members requested that the Design Guide reinforce the need for garages to be a minimum 3.3 metre width and that restrictions be put in place to prevent residents from converting the use of a garage to another function. In response officers stated that the Design Guide was presently being reviewed and would be considered by the Sustainable Communities Overview and Scrutiny Committee prior to its further adoption. In addition Cllr Shadbolt stated that the Development Management Committee would ensure that planning applications provided appropriate numbers of parking spaces.

RECOMMENDED TO EXECUTIVE:

1. That the approach to localism and exploring ways of involving the local community in the delivery of parking services be supported.
2. That parking on grass verges not be permitted.
3. That verge and footway parking be permitted only in streets where no other parking provision can practicably be provided but that all permits be referred to the traffic management committee for the designation of a traffic regulation order.
4. That the approach to restrict HGV parking in lay-bys to four hours only during the period 9pm to 7am be supported.
5. That a letter be sent to the Highways Agency informing them of the intention of the Council in relation to regulating overnight HGV parking in lay-bys and asking them to continue to enforce HGV parking on major trunk roads throughout the area.
6. That any illegally parked vehicle with 3 or more unpaid PCNs be clamped and removed to a safe storage location.
7. That the suggested parking standards for residential schemes be amended as follows:-

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| 1 bedroom | (1 per unit minimum) |
| 2 bedrooms | (2 per unit minimum) |
| 3 bedrooms | (3 per unit minimum) |
| 4 bedrooms | (4 per unit minimum) |

SCOSC/12/16 Work Programme 2012/13 and Executive Forward Plan

The Committee received their work programme for 2012/13 and Executive Forward Plan.

RESOLVED

That the Work Programme for the Sustainable Communities Overview and Scrutiny Committee be approved.

SCOSC/12/17 Draft Development Strategy for Central Bedfordshire

The Chairman informed the Committee that the draft Development Strategy had been added to the agenda as an urgent item of business by virtue of Section 100B 4(b) of the Local Government Act (1972) in light of a view being required from the Committee prior to commencing a 6-week public consultation.

In accordance with the Public Participation Procedure as set out in Annex 1 of Section A4 of the Constitution two speakers were invited to speak. Submissions from the two speakers were also circulated to Members of the Committee in advance of the meeting. The Chairman also commented that the views which had been provided would be considered as part of the public consultation.

In addition to their submission the first speaker commented that they would present their comments as part of the consultation process but they had concerns in relation to the numbers of homes and jobs that were proposed in the draft Development Strategy and concerns relating to the sustainability appraisals. It was also commented that as a result of ongoing housing commitments from previous urban extensions the numbers of homes for development in some areas were greater than those stated in the draft Development Strategy. The speaker also raised concerns in relation to the integrity of the process and the extent to which the evidence base had informed the final draft proposals. It was suggested that the consultation had not appropriately followed the Community Engagement Strategy and that separate appraisal criteria should not be applied to the north and south of the Central Bedfordshire area as this was divisive.

In addition to the questions in their submission the second speaker (on behalf of Leighton Linlade Opposes Unsustainable Development [LOUD]) requested that a full response be provided by the Council outside of the meeting. The Chairman agreed that a response should be circulated outside of the meeting and also circulated to Members of the Committee.

Following the comments from public speakers and in response to Cllr Nicols comments on the Minutes of the meeting on 16 May the Executive Member for Strategic Planning and Economic Development commented that assurances regarding development could not be provided based on a hypothetical position in specific wards, to do so could be used as a precedent. An assurance was however provided that there was no intention to extend the urban extension in Cllr Nicols' ward. The purpose of this report was to seek approval to go to consultation. The Head of Development Planning Housing Strategy also stated that if a housing shortfall was identified as a result of the consultation the Overview and Scrutiny Committee would consider any revisions prior to their approval by the Executive. The further submission of the report to the Committee permitted officers to (1) outline why some sites had been chosen and others were not included; (2) present the outcomes of consultation that had already been undertaken; and (3) clarify issues in relation to the Statement of Community Involvement. There were no major changes included in the draft strategy since the Overview and Scrutiny Committee last considered it.

In response to the additional comments Cllr Nicols commented that he felt the evidence base was flawed and the numbers of homes and jobs included in the draft Development Strategy could substantially increase. It was suggested that the consultation would be irrelevant if there was a strategic increase in the numbers following its conclusion. These concerns could not be addressed by the Development Management Committee as the strategic decision relating to the number of homes would have already been made by that stage. In response to a question from Cllr Nicols officers stated that the Planning

Inspectorate (PINS) meeting would take place in September 2013 subject to the timetable of the Planning Inspector. There may discussion with the Inspector in relation to the numbers of homes and jobs contained in the Development Strategy but this would not occur until after the document had been submitted in May 2013.

Cllr Nicols also queried what legal structures could be put in place to require the link road between the M1 and A6 to be considered of a strategic nature. Councillor Nicols was concerned that the proposed link road from the M1 at Junction 11a to the A6 at Streatley would be based on a series of non aligned estate roads, which would be most unlikely to create the standard of road that would be required to act as a strategic transport link to the north of Luton unless an as yet statutory control of the section 106 procedure was developed. It should be ensured that the road was a strategic highway and as the road would be funded from the development of homes it was suggested housing developers would not ensure the road was of a strategic nature.

In response officers commented this would be addressed during the outline planning process and that the Highways Agency would need to be satisfied that the road had a strategic purpose. The Executive Member for Strategic Planning and Economic Development also stated that proposals for the link road could correspond with the delivery of Prologis Park. Officers further stated they felt there were mechanisms that were available to ensure developers delivered a road of a strategic standard, such as a S106 agreement and legal outline planning permission that would preserve the strategic nature of the link road. If the planning permission did not outline the strategic nature of the road the planning application could be rejected by the Council. Councillor Nicols replied that he did not agree that such a mechanism was available to require the road to be of a strategic nature and requested to see a plan that would deliver the proposed road at a strategic standard to support the proposed level of growth in the area.

Cllr Nicols commented that a threshold of 500 dwellings as an initial indication of whether a site might be strategic was not appropriate. It was suggested that the threshold should be a percentage of the total number of dwellings in the draft strategy and should be lower than 500. It needed to be ensured that consultation was undertaken appropriately with local residents on proposals for development and the number of dwellings should not be set at such a number that consultation on a lower number of houses would not be necessary. In response officers stated that it was not suggested anything below 500 dwellings was not significant but developments needed to be considered in the context of the Strategy as a whole. Cllr Young stated that the aim of the strategy was to provide larger family homes at lower densities, not small numbers of homes that would be built in existing urban areas. It was also stated that officers were confident the numbers of homes in the draft Strategy were appropriate and that they were evidence based. There was presently no intention to put forward further allocations above the level currently proposed.

Cllr Shingler outlined concerns relating to the accuracy of the commentary in the Consultation Statement presented in the report, which in several places did not match the results of the consultation. It was also commented that the draft Development Strategy should consider the possibility of allocating the NIRAH

site at Stewartby in proposals for development. In response officers stated that the site was presently allocated only for the use of NIRAH. The site would not be considered for alternative development until such time as it became available for alternative use. Officers also stated that they would amend the order of the vision and objectives detailed in the commentary of the consultation statement so that it matched the consultation responses. The Committee were informed that the consultation results had varied once the principles of the proposed development had been explained and residents were more inclined to accept the need for growth. It was also stated that despite most respondents opposing a review of its usage if areas of the greenbelt were not utilised there would be very difficult decisions to be made regarding the location of growth. The Executive Member for Strategic Planning and Economic Development also stated that the benefits of reviewing the greenbelt outweighed the costs.

In light of the report, the issues raised by the public speakers and further discussion the Committee also discussed the following:-

- The principle of 'leapfrogging' whereby residents in the south of Central Bedfordshire might move to new homes in the north due to an unmet demand in housing in the south.
- Concerns that the provision of 1,700 additional homes through windfall applications and identification in neighbourhood plans was unachievable. Officers stated that the level of homes provided would be monitored on an ongoing basis and deliverability reviewed in 2019.
- The importance of not supporting unsustainable development.
- The need to present the evidence base on which housing and employment figures were based.

Cllr Shadbolt also proposed the removal of the site East of Leighton Linlade from the draft Development Strategy with development being promoted in Marston Vale.

RECOMMENDED

That further to the consideration of the issues raised at the previous Sustainable Communities Overview and Scrutiny Committee the Director of Sustainable Communities in consultation with the Executive Member for Sustainable Communities, Strategic Planning and Economic Development approve the draft Development Strategy for public consultation.

RESOLVED

That a response be provided to the questions raised by speakers to be circulated outside of the meeting.

(Note: The meeting commenced at 10.00 a.m. and concluded at 12.31 p.m.)