

**SOUTH EAST ENGLAND REGIONAL ASSEMBLY
REGIONAL PLANNING COMMITTEE**

MINUTES OF THE MEETING ON 31 JANUARY 2007

Present:

Members

Cllr Mrs Mary Ballin
Cllr Ian Beardsmore
Cllr Paul Clokie
Cllr Mrs Christine Field
Cllr Mrs Moira Gibson
Cllr Jonathan Glen
Mr Robert Hamlin
Mr Ian Hepburn
Mr Douglas Horner
Cllr John Howarth
Cllr Tim Lockwood
Cllr Dr Royce Longton
Cllr Alan Lovell
Cllr Keith Mann
Cllr David Munro
Mr Bob Newell
Rev Dr Derek Overfield
Cllr Jerry Patterson
Cllr Tony Reid
Cllr Martin Tett

Officers

Martin Tugwell
Heather Bolton
Catriona Riddell
David Payne
John Pounder
Louise Wilby
Lesley van Dijk
Tim Stansfield
Howard Ewing

In Attendance

Odette Cousin
Paul Geehan
John Devine
Les Herbert
Becky Whale
David Cooper
Ameeta Rowland
Jorn Peters
Cath Rose

1. Apologies and Substitutions

- 1.1 Apologies were received from Cllr John Burden, Warren Finney, Cllr Keith House, Roger House, Cllr Barry Norton, Richard Lemon, and Paul Lovejoy.
- 1.2 The Chairman noted the sad death of Cllr Rodney Royston on 27 December 2006. His contribution to the Regional Planning Committee was highly valued and he will be greatly missed.
- 1.3 The Chairman welcomed Cllr Martin Tett (Buckinghamshire County Council) and Howard Ewing, Director of Housing and Planning (GOSE).

2. Minutes of the Meeting held on 20 November 2006

- 2.1 Para 4.2: Ian Hepburn asked for the minutes to be amended to reflect that the RSPB was not a member of the Appropriate Assessment Steering Group.

2.2 Agenda Item 5 page 6: Referring to the Thames Basin Heaths, the Chairman reported that she had chaired a meeting of the local authorities affected by the Thames Basin Heaths SPA. It had been very constructive and had facilitated greater mutual understanding.

2.3 Agenda Item 6 page 7: Partial Review of the South East Plan: Gypsy and Travellers Caravan Pitches.

The Planning Strategy Director outlined a revised timetable for the partial review following concerns raised by local authorities about their ability to provide robust data within the timeframe originally set. It was proposed that the date for submissions be moved from 1 June 2007 to mid October 2007. The submission of advice to GOSE would move as a consequence from August 2008 to December 2008.

2.4 The Chairman noted that although the delay was regrettable it would facilitate better outcomes.

The revised timetable for the Partial Review of the South East Plan: Gypsy and Travellers Caravan Pitches was AGREED.

It was AGREED that the Regional Assembly would confirm the new timetable and the reason for the revision in writing to local authorities and the Gypsy and Traveller Community.

2.5 Para 7.6: Cllr Jerry Patterson asked that the minutes be amended to replace the words "*broadly welcomed*" with "*acknowledged*" as a more accurate representation of the spirit of the meeting.

The Minutes were AGREED subject to the above amendments.

3. Matters Arising Not Elsewhere on the Agenda

3.1 The Planning Manager advised the meeting of the announcement by the Casinos Panel to recommend the award of two licences, for large casinos at Milton Keynes and Southampton.

4. PPSI Planning and Climate Change

4.1 The Planning Manager advised that draft PPSI sets out how planning can contribute to mitigating, and adapting to, the effects of climate change. It was issued for consultation along with proposals to strengthen Building Regulations, and the final Code for Sustainable Homes.

4.2 The current limited role of the planning system in influencing the fabric of new buildings was noted and the critical role played by Building Regulations. The draft PPS proposes that local authorities could identify as part of their Local Development Document specific opportunities where higher energy efficiency standards are required. It could be argued that there is a need for

greater flexibility in the planning system to support this objective through the use of criteria based policies to require higher standards, rather than only for identified projects in an LDD.

- 4.3 PPSI proposes that Regional Spatial Strategies contain regional carbon trajectories. At present the means of developing and monitoring against these is unclear. Further guidance is promised, and members were encouraged to seek the opportunity to be involved in its development.
- 4.4 The proposed changes to Building Regulations could lead to dramatic increases in energy efficiency over the next decade, and would encourage savings in water consumption of the order of 20% per head. Members were encouraged to support the proposals.
- 4.5 In the ensuing debate it was suggested that the costs and benefits of new Building Regulations and implementing the Code for Sustainable Homes needed to be considered further. Doubt was expressed about the current readiness of the building industry to meet demands posed by the new Building Regulations and the Code. It was suggested that mandatory regulations would help incentivise manufacturers to meet demand.
- 4.6 The need to address the energy and water efficiency of existing homes, especially in refurbishment, also needs to be addressed. Greater emphasis needed to be given to plan for adaptation in terms of biodiversity.

It was AGREED that the Chairman and officers be tasked with strengthening the recommendations based on the comments of the Committee.

5. Barker and Eddington Reviews

- 5.1 The Planning Implementation Director noted that the Eddington Review failed to deliver new key messages. He noted in particular the observation made by Eddington that the availability of capital and revenue funding significantly influences investment decisions. He also highlighted his concern that the review failed to give sufficient consideration to the potential benefit arising from the substitution of short haul aviation services by high speed rail.
- 5.2 The Director also outlined the key issues arising from the Barker review of the land use planning system. It was noted that Government intended to publish a Planning White Paper before Easter that will take forward proposed reforms to the planning system.
- 5.3 There was an extended discussion about the references by Barker in respect of the Green Belt. Although Barker had not proposed any substantive change to the planning guidance in respect of Green Belt there was a consensus that the Committee restate its view that it should not be used as a strategic land bank.

- 5.4 Responding to the proposal to establish an Independent Planning Commission to deal with infrastructure projects of national significance members highlighted the need to understand in greater detail how any appeal process would operate. There were doubts expressed about the capacity of the Commission to both affect the speed of the planning process and to make a positive contribution.
- 5.5 In considering Eddington's comments on road user charging the Committee was advised that it should reinforce the agreed Assembly position on this issue.
- 5.6 The minutes of the full Assembly with respect to its original position are noted in the minutes of the Plenary on 5 March 2003 and are included here:
- “Recognising the serious concerns around charging per se and about the impacts on areas outside a proposed area-wide charging scheme, the Secretary of State is pressed to commission without delay a study to consider in detail the feasibility and the environmental, economic and social implications both of area wide charging schemes and of a national charging scheme. Until that work is completed and can be assessed, the Assembly reserves its position on area wide charging. Although this will be the Government's study, the Assembly expects involvement of Assembly members in this work;”
- 5.7 Douglas Horner requested that his abstention on this issue be noted.

It was AGREED that the Chairman and officers be tasked with strengthening the recommendations based on the comments of the Committee.

6. Planning Gain Supplement - consultation response

- 6.1 The Planning Manager reminded the Committee that the Assembly, at a joint meeting of the Executive and RPC, had welcomed the principle of a Planning Gain Supplement (PGS) provided it was applied at a low rate and it was retained locally.
- 6.2 The Government had announced its intention to take forward further work on developing a Planning Gain Supplement. The announcement indicated that it was unlikely to be introduced before 2009. While the announcement indicated that at least 70% of the funds raised would be returned to the local authority where the revenue originated it was less clear that the remaining 30% would be returned to the region of origin. There also remained the concern that insufficient consideration had been given as to how the PGS regime would be applied in two-tier areas.
- 6.3 The current consultation focused on potential changes to the regime of planning obligations. On the issue of affordable housing a common starting point for negotiations between local authorities and developers was proposed. With regards to transport contributions members were advised

that Option A would be the most appropriate way forward. On the issue of large scale developments, which often involve multiple, phased planning applications, it was suggested that further work was required to ensure that local authorities are provided with the certainty on potential PGS contributions to enable infrastructure to be planned for and delivered.

- 6.4 During the ensuing discussion concerns were expressed about the potential for delays in returning PGS contributions to the local authority of origin under a centrally administered PGS system.

The Committee AGREED to respond to the consultation documents on the Planning Gain Supplement and in doing so emphasises the following key points:

Restate the fundamental importance of ensuring that all revenues raised through the introduction of PGS are retained within the region of origin and that these revenues will be in addition to existing levels and sources of public finance.

Welcome the Government's support for developing more effective mechanisms for local infrastructure delivery including distribution in two tier areas and offers to work with Government to develop this proposal further.

Request further clarification of the implications of the proposals for the allocation of funds invested by Communities England and guidance on the circumstances under which not-for-profit organisations will be liable for payment of PGS.

Encourage further consideration of how local authorities can obtain greater certainty at outline planning stage about the level of PGS payable in order to facilitate local infrastructure planning.

Request reconsideration of the approach to the funding of community infrastructure and allow for local elements to be included within revised s106 arrangements.

Highlight the added value of the Regional Infrastructure Fund as a suitable vehicle for making most effective use of the 'strategic' element of PGS revenues for timely delivery of strategic infrastructure to support RSS objectives.

Give further consideration to additional issues relating to the mechanisms of transfer of funds to local authorities and how any interest arising from PGS revenues gained by Government are returned to the region.

7. Planning Policy Statement 3 (PPS3) - Housing

- 7.1 The Planning Strategy Director advised that there were a number of concerns which required a response from the Regional Assembly. These related to strategic market housing assessments, windfalls and thresholds for affordable housing.
- 7.2 With respect to housing market areas and housing land availability studies she advised that further guidance was expected. In the meantime, the four housing market assessments piloted by the Regional Housing Board had identified a number of issues that would have to be addressed in order to enable the approach to be adopted more widely. It was noted that strategic housing market assessments should be a tool to inform regional, sub-regional and local spatial planning, not the basis for it.
- 7.3 There was unanimous concern about the impact that the guidance in respect of windfalls would have on local authorities. The practical implication is that local authorities would be required to identify additional green field sites. It was suggested that the use of windfalls enabled the Government to find an alternative way to increase overall housing numbers.
- 7.4 In respect of thresholds for affordable housing, the Director noted that the Assembly welcomed the provision for local authorities to set a lower threshold for affordable homes however practical experience from across the region suggested that it was not easy to achieve this in reality.

It was AGREED to draw to the attention of Communities and Local Government the Assembly's concerns at the following aspects of the new national policy framework for housing as set out in Planning Policy Statement 3 (PPS3):

- **The emphasis on the application of a market force approach to housing provision, in particular as a means of addressing issues of affordability, is not supported by the available evidence base, including that prepared on behalf of the Government.**
- **The importance of ensuring that the Government's desire to reflect PPS3 policies in emerging spatial plans is not done at the expense of putting into place the policy framework set out in the draft South East Plan.**
- **The extent to which further work is required to develop and establish the partnerships required to undertake housing market assessments reflecting on the practical concerns identified through the work of the four pilot sub-regional assessments undertaken in the region.**
- **Deep concern that the approach to windfall sites will have a perverse effect in the region that will result in a larger proportion of development taking place on greenfield sites.**

- **The need to actively support local authorities where they propose the introduction of lower thresholds for the delivery of affordable housing.**
- **The need to enter into an urgent dialogue with the Regional Assembly in order to clarify the level of locational specificity sought in a regional spatial strategy.**

It was also AGREED to provide a brief for MPs outlining the issues related to windfalls.

8. Minerals Apportionment Partial Review - Project Plan

- 8.1 The Planning Manager highlighted that the starting point for the review was to find a more rounded and forward looking methodology on which to base a revised sub-regional apportionment for inclusion in the next review of minerals policies and to consider other issues such as sustainable transport and identifying areas of demand and supply. He advised that current regional policy, which had been finalised in June 2006, had not taken into account apportionment and additional factors under current consideration.
- 8.2 It was agreed that it would be sensible to extend the proposed consultation period from 12 to 14 weeks to take account of Christmas.
- 8.3 The Planning Manager agreed to give consideration as to how to engage members in the review process at the earliest possible opportunity.

It was AGREED to endorse the proposed project plan for the partial review of draft South East Plan Policy M3 and it was AGREED to this being subject to a six week period of public consultation commencing in early February 2007.

9. Implementation Plan - Progress Report

- 9.1 The Planning Manager reported that the Regional Infrastructure Fund Prospectus, which had been agreed by the Executive Committee, had been submitted to Government to provide a framework for an ongoing dialogue. Members of this committee would be kept advised on progress with these discussions on an on-going basis. The Chairman advised that the Executive Committee had confirmed that affordable housing is included within Figure 1 Funding Arrangements - PGS and SI06 on Page 9 of Annex A.
- 9.2 He referred to the joint work of the Assembly and the Environment Agency to arrive at the required costs and associated funding mechanisms for the delivery of environmental infrastructure. The final report had been submitted to the EiP and will be considered under Matter 10a in March 2007. The Planning Manager drew attention to the overall cost of £42 billion identified in this latest report. It was noted that only £11 billion of this figure was

directly associated with growth as a result of the proposals in the draft South East Plan.

- 9.3 Answering questions about the process for responding to the RIF, the Chairman explained that the Executive Committee had accountability for the response on behalf of the Regional Assembly. It was noted that the RIF is a concept under consideration as part of a potential series of delivery mechanisms for infrastructure. The Planning Implementation Director confirmed that the Assembly's lead on this matter had enabled ongoing dialogue with the Treasury on a number of key issues.
- 9.4 The Planning Implementation Director indicated the importance of the Implementation Plan setting out the cost of delivering planned levels of growth had been proven at the Examination in Public. It was noted that the Executive Committee would be considering a version of the RES Implementation Plan later in the year.

The Committee NOTED the progress with ongoing work on the Implementation Plan.

10. Policy for Service Areas and Other Roadside Facilities - consultation response

- 10.1 The Committee considered the draft response to the consultation published by the Highways Agency.

The Committee AGREED the response set out in Annex A.

11. Alteration to the London Plan: Borough Level Waste Apportionment

- 11.1 The Planning Manager explained that Table 4A, which accompanies the London Plan, sets out the targets for London to manage its own waste by 2020. It is the first time that the London boroughs have been set the required targets to facilitate London's self sufficiency relating to waste management.

The Committee NOTED the consultation and AGREED the following comments:

- 1. Support for the Borough-level apportionment of waste for management as this should assist in delivery of greater self sufficiency in waste management.**
- 2. That a commitment should be given by the Mayor to work towards higher self sufficiency targets with a view to ending export of untreated waste for disposal to landfill in adjoining regions by 2016 at the latest.**

12. East of England - Proposed Changes

- 12.1 The Planning Strategy Director advised that the proposed changes in the East of England Plan could be taken as an indication of the weight given to the evidence base underpinning a regional spatial strategy. The Government has accepted most of the EiP Panel's recommendations.
- 12.2 She referred to the treatment of the area in the Green Belt adjoining London. The draft modifications propose the strategic release of Green Belt in a number of locations balanced by the provision of additional Green Belt elsewhere. There was a concern that this approach fundamentally undermines the principle of the Green Belt on the basis that areas which are released will have been permanently lost. This will be an issue for our EiP in respect of the London Fringe and Gatwick sub-regions.
- 12.3 On housing the Government was proposing a 6% increase in overall housing numbers compared with the original Plan. It was noted that this was less than the figure suggested by the most recent housing projections. She advised that the Panel had recommended the formation of an inter-regional waste technical forum in the East of England and London plans. The Inter Regional Forum would be discussing the terms of reference for such a Panel when it meets in February. The Government has also accepted the Panel's recommendation that there should be an early review of the East of England Plan.

The Committee NOTED the content of the Secretary of State's Proposed Changes to the draft East of England Plan, and AGREED:

- i) the contents set out in paragraph 3.1 of this report**
- ii) that the Chairman of the Planning Committee agrees comments in support of the establishment of an inter-regional waste technical forum following further discussion by Members at the Inter-regional Forum in February.**

13. Items for Information

- a) Major Planning Applications**
This was **NOTED**.
- b) LDD Conformity - Statistics**
This was **NOTED**.
- c) Integrated Regional Framework**
This was **NOTED**.
- d) Aviation Issues - Update**

This was **NOTED**.

14. Any other business

- 14.1 The Chairman announced that John Pounder, Planning Manager, would be leaving the Assembly to take up a consultancy role. She thanked him for his contributions to the RPC.

15. Date of Next Meeting

- 15.1 Wednesday 21 March 2007 commencing at 10.00 at the Institute of Materials, 1 Carlton House Terrace, London.

The meeting closed at 14.30.