
MINUTES

Commencing: 6.00pm
16 February 2004
Bourne Hill
Salisbury

Present

Councillor P D Edge (Chairman)
Councillor Mrs E Chettleburgh (Vice Chairman)

Councillor R Britton
Councillor M A Hewitt
Councillor Ms S C Mallory
Councillor Mrs C A Spencer
Councillor S A Willan

In Attendance

H Collar (SDC)
D Crook (SDC)
S Draper (SDC)
R Hughes (SDC)
J Iles (SDC)
N Styles (SDC)

Apologies

Councillor A J A Brown-Hovelt
Councillor Fear
Councillor G E Jeans
Councillor I R Tomes

Public/Observers

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37. Public Questions/Statements

There were no public questions or statements

38. Councillor Questions/Statements

The Chairman requested that the membership status of one member of the Panel be clarified owing to the lack of representation by that member at Panel meetings. It was **agreed** that Helen Collar would investigate this issue and report back to the Chairman.

It was also **agreed** that Helen Collar would write to all Group Leaders to request that they remind their members of the existence of the substitution procedure available to those unable to attend Panel meetings.

In addition, the Chairman confirmed that he would be representing the Panel at the upcoming Overview & Scrutiny Co-ordinating Committee meeting.

39. Minutes

The minutes of the meeting of 13 January 2004 were **agreed** as a correct record and signed by the Chairman.

40. Declarations of Interest

There were no declarations.

41. Sustainability Planning Guidance (SPG)

James Iles, Forward Planning Officer supported by Richard Hughes, Principal Planning Officer, provided Members with an overview of the SPG and proposed SDC Guidance and made the following points: -

- Sustainable development involves consideration of environmental factors, economic factors and social factors. All of these considerations must be taken into account when designing a development.
- Sustainability planning guidance, as well as being covered by the specific Sustainability SPG, is also included in other planning guidance documents such as; Planning Policy Guidance Notes (PPGs,) Regional Planning Guidance (RPG), the Wiltshire Structure Plan and the Salisbury District Local Plan.
- The main aim of the proposed guidance is to encourage the inclusion of sustainability measures in all development. Other aims include: to increase awareness of sustainability issues; to create consistency in the sustainability standards that the Council expects of developers (including a 'sustainability checklist' for developers); to provide a source of advice and information; and to supplement existing Local Plan policies.
- Issues that remain to be resolved include: - how prescriptive/enforceable the policy can be; the ability (or otherwise) to specify energy efficiency targets, how much technical advice is appropriate and will the sustainability checklist be mandatory for all developments?
- It is intended that the proposals, together with the recommendations of the Panel, statutory and other consultees and members of the public will be presented to the Cabinet, for consideration in May/June 2004.

Following the presentation, the following points/questions were raised/made by Members: -

- A checklist for developers was a good idea but to effect the implementation of sustainable features in development would require compliance monitoring and enforcement.

The officer replied that, as a starting point, Development Control would check the planning applications to investigate what sustainability measures had been incorporated into the design and build and, as now, would work with developers to effect improvements if necessary. Enforcement would remain a last resort.

- The checklist, as proposed, would make it too easy for prospective developers to simply tick all of the boxes confirming that they had ‘taken sustainability issues into account’ and the question was raised as to whether the checklist could be formulated so as to encourage developers to actually include sustainability measures in proposed developments.

The officer noted this point and agreed to reconsider how the checklist could be more effectively worded, perhaps by the inclusion of questions that were more open-ended and required the applicant to provide details rather than simply ticking a box.

- It was suggested that, if possible the proposals should be implemented in stages to allow for adjustment to the new demands rather than implementing specific targets from the outset; the aim being to work with developers to increase sustainable development in the District

The officer explained that it was unlikely that specific targets would be set as the document was meant to be applicable to every sort of development and targets appropriate for one development would be unlikely to be appropriate for a development of a different size or function.

- What ‘weight’ will be given to Village Design Statements in the new process?

The officer advised that, provided they are properly formulated and adopted, Village Design Statements can have the status of SPG.

- Sustainability policies such as allowing/encouraging certain types of development in rural areas to allow rural residents to work near home (thereby reducing the need to travel) are to be commended and encouraged. However, in practice, approving applications for workspace in rural areas can prove difficult.

The Supporting Officer informed Members that a number of policies, for example those contained within the Local Plan, apply to development in rural areas and that some of the policies can provide conflicting guidance. The proposed Sustainability SPG will be used in conjunction with these other policies when determining planning applications.

- How can the proposed guidance be used to improve waste management issues and recycling when the Council is not the only organisation that is responsible for the provision of these services? The proposals contained within the guidance that relate to this issue need to be introduced into all development as soon as possible.

Officers commented that one purpose of the document was to raise awareness of sustainability issues. As waste management is such a large factor of sustainable development the document would be failing if it did not mention this issue even though the Council does not control waste management issues across the District (this is a County Council function). The guidance will assist the Council in ensuring that

developers adhere to criteria in the WCC Waste Local Plan and it is intended that waste management issues will become a material consideration in all planning applications.

- It was suggested that Salisbury District is far behind other authorities in this area, have the Planning Officers researched policies from other authorities in the UK and in Europe?

Officers commented that they have mainly focused their research on the UK because of the need to frame their policies according to national (i.e. UK) laws. There is also the problem of the language barrier (and time) when trying to research planning practises in other countries.

- Are eco-friendly measures more expensive for developers?

Officers stated that there are government grants for sustainable development projects. Many of the materials and products to make a development sustainable have reduced in price over the last few years. Using sustainable and eco-friendly materials often save money in the long term as well. Construction prices are often approximately a third higher than standard build, but life cycle analysis studies have shown that significant operation cost savings are possible.

- Concern was raised over the wording of paragraph 4.1, bullet point 3, on page 7 of the report stating that “sites that are prone to environmental problems should be avoided unless appropriate mitigation methods are feasible, i.e. sites with a known history of flooding (policy G4) or contamination issues. However, opportunities to utilize and improve the condition of such sites, thereby overcoming these problems, can achieve a sustainable form of development.”

It was requested that the ‘can’ be replaced with ‘may’.

Officers confirmed that the wording was intended to convey that, whilst sites with environmental problems should be avoided, as a general rule, a site should not be discounted automatically because of these issues and that the amendment, as proposed, would clarify this. In addition, the Officer commented that further clarification could be achieved by making a distinction, in the guidance, between ‘natural environment’ problem sites (e.g. flood plains) and Brownfield sites (e.g. contaminated sites).

RESOLVED - that :-

1. the above comments be recommended to the Cabinet to take into consideration when determining the final version of the Guidance; and
2. that Officers present the report to the Area Committees for consultation purposes and to raise awareness of Sustainable Development issues.

42. **R2 Action Plan**

The Panel considered the previously circulated report of the Forward Planning Officer and commented on the solutions suggested by the Officer (see report table, attached) in response to the concerns with the Scheme that the Panel had identified at its meeting of 22 November 2003.

The Panel made the following points: -

Minuted Point 1

- Concern was raised that the solution, as proposed in the report, would not have the outcome desired by the Panel, i.e. that the timeframe for the spending of 'R2' funding be increased beyond the current five period.

The Officer commented that the amendment, as proposed, would put the onus on developers to ask for their money back if it had not been spent after 5 years. Under the current system the Council is legally required to write to the developers and offer them the money back after the 5-year period has elapsed.

It was **agreed** that, subject to the Legal Department accepting the proposal, a time period in which developers must request their money back will be added. If not claimed within this time period the money would not have to be returned and be deemed to be still available to the Parish Council.

Minuted Point 2

Agreed as written

Minuted Point 3

- What constitutes a 'large development'?

The Officer replied that a large development is any development of 10 houses or more.

- The point was raised that a small number of parishes do not have sufficient open space for outdoor recreational facilities and therefore cannot utilise their 'R2' allocations. As Members believe that villages should be able to spend the money as they wish they questioned whether or not there is way of increasing the flexibility of the scheme to allow them to use the funding for indoor recreational facilities?

The Officer replied that an Open Space Survey was conducted in 2000 and it demonstrated that Salisbury District was short of outdoor recreational facilities. It is on the basis of this survey that the Scheme requires developers to provide 'R2' funding. If parishes and villages want to spend funding on indoor facilities a need would have to be demonstrated and a similar survey undertaken. Such a survey would, however, occupy a not insignificant amount of officer time.

In response to the above, Members queried whether, given the small number of parishes involved, a large-scale survey, such as the one described, would be required.

The Officer replied that there could be no immediate change as the policy had been confirmed in the, recently adopted, Local Plan. However, the Council was aware that its 'R2' policy (and including Policies 'R3' and 'R4') could benefit from revision and it was intended that the Policies would be revised during the formulation of the new Local Development Framework, to try and ensure that planning obligations are attained for the provision of outdoor and indoor facilities.

Minuted Point 4

- Members stated that the best way to achieve the outcomes desired, would be to combine the 'R2', 'R3' and 'R4' funding streams and allow Parishes to draw sums of money to fund projects appropriate to their needs – i.e. to allow Parish discretion. Currently, the way the money was divided made it difficult for parishes to obtain the facilities they required and for the age-ranges they required. In some instances the amounts available to parishes were insufficient to achieve a project of worthwhile proportions and the funding was, necessarily, having to be returned to developers, unspent.

The Officer commented that whilst 'Parish discretion' in using the funds would be the ideal scenario, the Council signs a legal agreement with every developer stating how it intends to spend the money. If it does not spend in line with this agreement then the developer can ask for the money back. As above, policies R2, R3 and R4 will be looked into and revised within the formulation of the new Local Development Framework.

Minuted Point 5

- The panel commented that there should be a review of the costs of recreational equipment each year so as to ensure ongoing parity between the cost of equipment and the sums required from developers, it was felt that annual increases in line with the national inflation figure was not enough.

The Officer agreed to draw up a "basket" of recreational goods that would be annually priced by the Parks Department at Salisbury District Council to try to ensure that the donations by developers match what a scheme would actually cost to implement.

Minuted Point 6

Agreed as written

Minuted Point 7

Agreed as written

Minuted Point 8

Agreed as written

Minuted Point 9

Agreed as written

Minuted Point 10

Agreed as written

RESOLVED -that the amendments as described/agreed above, be incorporated into the report.

43. Business Sector Consultation on New Planning Legislation

The panel considered the previously circulated report of the Policy Director, David Crook.

RESOLVED – That the report be approved and that David Crook, Policy Director, set the timetable for the consultation.

44. 2004 Budget Preparation

Further to the Cabinet decision on the matter at the meeting on 4 February – David Crook, Policy Director, informed the Panel of the Cabinet's budget recommendations (as agreed at the Cabinet meeting of 4 February 2004). The Policy Director advised that the budget affecting the Planning Portfolio had remained unchanged since the last Panel meeting and that there was, therefore, no new information.

45. Dates of the Next Meetings

The Panel **agreed** that all future meetings should, if possible, be held on the **second Monday of every month**, with the next meeting to be held on **Monday 8th March 2004**.

Helen Collar agreed to draw up a list of (provisional) future meeting dates and circulate it to all panel members.

[Subsequent to the meeting it was agreed that the (provisional) future meeting dates would be as follows: -

8 March 2004

19 April 2004

10 May 2004
14 June 2004
19 July 2004
9 August 2004
20 September 2004
11 October 2004
15 November 2004
20 December 2004].

The meeting closed at 1945hrs.