

ACTION SCHEDULE FOR THE MEETING HELD ON Wednesday, 14 October 2020
 Fenland District Council

No	Action Point	Allocation	Timeframe	Update
9	<u>Introduction and Apologies</u>			<p>Apologies received from: Julia Beeden, Lee Bevens, Eugene Cooper, Marcel Cooper, Hilary Ellis, Emma George, Ben Hornigold, Peter Humphrey, Keith Hutchinson, Emma Nasta, David Rowen, Nick Seaton, Gordon Smith, Councillor Will Sutton and Christian Wilson.</p> <p>Present: Stephen Buddle, Nick Harding, Shanna Jackson, Simon Jackson, Councillor Mrs Dee Laws, John Maxey (Chair), Dino Biagioni, Ted Brand, Lee Russell, David Thomas, Anne Wardle, Gemma Wildman, Justin Wingfield and David Wyatt.</p>
10	<u>Review of Action Schedule from Last Meeting held on 8 July 20</u>			<p>The action schedule from the meeting held on the 8 July 20, was agreed.</p> <p>John Maxey asked those present whether anyone had taken advantage of the Combined Authority funding they had offered. Councillor Mrs Laws added that it is a shame as there is money available.</p> <p>John Maxey said he had been involved in a conversation with a client and the Combined Authority who was investigating it further.</p> <p>Nick Harding said he would try to get a representative from the Combined Authority to</p>

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				<p>attend the next meeting of the Forum to provide an overview of the assistance that they can provide over the next few years.</p> <p>David Wyatt stated that he has made enquiries and is looking at possible future projects and will investigate the funding opportunities.</p> <p>Councillor Mrs Laws stated that the mechanism about letters received of support and objection is being reviewed due to issues which have been highlighted.</p>
11	<u>Local Plan Update</u>			<p>Gemma Wildman presented an update to the Forum.</p> <p>She explained that in July 20, the new. Local Development scheme was published which set out the timetable, which showed that the new Local Plan draft consultation stage will take place in February.</p> <p>She added that second call for sites took place in August and September. This information has now been published on the website including an interactive map where the new proposed sites are colour coded blue. All the site assessment work plus site visits are currently taking place in preparation for the site selection process.</p> <p>There are implications due to the recent consultation to the Governments changes to the planning system, which includes a different methodology for calculating for local housing need requirement for the Local Plan. The current system worked out as 550 homes per year, and the new method now shows 844 homes per year.</p>

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				<p>The Council have submitted their concerns to the Government and await a response, however this could have an impact on the next stage of the new Local Plan.</p> <p>John Maxey asked when the viability report will be updated. Gemma said that once the preferred sites are known it will be updated then to assess those strategic sites and will also review the policies to ensure there is nothing in them which would make the whole plan unviable.</p> <p>David Thomas asked whether there was anything included regarding navigation and provision of residential moorings. Gemma Wildman added that need for houseboats forms part of the assessment and comes under the heading of the need for gypsy and traveller assessment. Once the assessment has been carried out it will not be known what the need is and whether there is the requirement for more mooring areas.</p> <p>John Maxey mentioned that there had been discussion previously regarding additional flood risk assessment being carried out and asked for clarity as to whether it had been carried out. Gemma Wildman stated a lot of the background evidence-based work has been delayed as it is dependent on the preferred sites. Part of the work has been carried out which identifies which sites are in flood zones, but the next stage including the constraints and mitigation is still to be carried out.</p>
12	<u>Summary of the recent Government consultations</u>			Nick Harding gave the forum an overview of the Government White Paper which covers a range of topics, including Local Plans, Development

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				<p>Management, Heritage and Infrastructure.</p> <p>David Thomas asked how the systems are going to be policed and checked to ensure that they are in accordance with the code and the specified criteria.</p> <p>He added that there did not to be any mention of significant carbon reduction and whether there is an aspiration for developments to be carbon neutral and questioned whether the infrastructure levy will favour high value developments and whether there was another mechanism in place to deliver those things.</p> <p>Nick Harding stated that in terms of the climate change agenda the Government continues to progress initiatives to make housing and other development more energy efficient and climate change friendly.</p> <p>He added regarding infrastructure levy, the District Council and the County Council are very much aware of the issue There is a gap between the demands that new development places on social and community infrastructure which cannot be met by the development in its entirety and the question remains as to how does that gap between what can be contributed and the actual cost can be met.</p> <p>Nick Harding added that regarding who is going to police whether developments comply with the design codes, he would imagine it will be something that will fall to Planning Enforcement teams.</p>

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13	<p><u>Explanation of recent legislative changes including use class and new prior notification allowances</u></p>			<p>Nick Harding presented to the Forum with an explanation of recent legislative changes including class use and new prior notification allowances.</p> <p>He explained the new methodology to the Forum and stated that it will go back in time and look at what the affordability is for people buying homes and then it will look at it now and if the homes are less affordable now than they were at the base date, it means there is a shortage of housing and by having more housing it will drive prices down and that is why Fenland has seen a jump from 550 dwellings to 844 dwellings which is a very large increase, compared to other areas of Cambridgeshire.</p> <p>Nick Harding explained that affordable housing in the future may only come through developer contributions and not through the method used currently.</p> <p>In addition, the First Homes incentive scheme will satisfy demand for those people unable to buy a home in the area they live or work and it will be prioritised for first time buyers, serving and veteran members of the armed forces and key workers. The discount will be applied to when the house is first purchased and for subsequent purchasers thereafter in perpetuity.</p> <p>Nick Harding explained the other key change regarding affordable homes and the threshold in which councils could start to ask for affordable housing. Currently the threshold is 10 or more, but the government are looking to change the trigger so councils cannot ask for dwellings on sites of 40</p>

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				<p>or 50 or under and this will impact the council with regard to affordable housing delivery, however it may accelerate delivery of market homes.</p> <p>The Government are looking to extend the Planning Permission in Principle system, which covers sites of 9 dwellings or under but also major developments as well. Fenland have only had one application of this type to date.</p> <p>John Maxey stated that regarding permission in principle, from his experience it is difficult to get a site sale completed, until the full reserved matters stage is in place due to the funding requirements needed.</p> <p>David Thomas asked how the system for affordable housing for first time buyers and veterans will be policed for the perpetuity system. John Maxey stated that it is his understanding that it will be attached via a Section 106 to the property or something similar and there will be a class of buyer that can buy it and the discount will be imposed in perpetuity. Nick Harding stated that in his opinion it should be a planning authority that polices it rather than a local authority, as staff are not qualified to be able to carry out valuations. There would also be the need to enforce fraudulent applications and he added that there is going to be an element of trust required for going forward</p> <p>John Maxey added that the Help to Buy scheme also has the same system in place, where somebody who has a Help to Buy home and wishes to sell it on.</p>

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				<p>He added that if a number of homes are built with a specific aim to force the price down it will affect all developers in terms of viability, especially when trying to make any form of profit and it will prove challenging for everybody.</p> <p>Nick Harding gave a presentation to the forum concerning the issues surrounding validation.</p> <ol style="list-style-type: none"> 1. Covid related changes 2. Permitted Development Changes 3. Use Class Changes <p>Extension of Planning Permissions (and Listed Building Consents):</p> <p>Those that lapse between 19 August 2020 (when the provisions came into force) and 31 December 2020 are extended to 1 May 2021. This happens automatically. Unimplemented planning permissions with time limits for implementation which passed between 23 March 2020 and 19 August 2020 are also restored and the time limit extended to 1 May 2021</p> <p>Hours of construction</p> <ul style="list-style-type: none"> • Fast track deemed consent route for developers to apply to local planning authorities to vary existing conditions, or the details submitted under a condition, that limit construction site working hours. • Local authorities have 14 calendar days to consider such applications and if an application is approved, this will temporarily amend planning restrictions on construction

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				<p>working hours until 1 April 2021</p> <p>CIL - discretion to defer CIL payments, to disapply late payment interest and surcharge payments; and to credit interest already charged to developers</p> <p>Outdoor Seating - Once a pavement licence is granted the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid.</p> <p>Temporary uses and buildings</p> <p>Permitted Development (PD) - Upward extensions</p> <ul style="list-style-type: none"> • Allows for the construction of new dwelling houses on detached purpose-built blocks of flats by allowing an upward extension. The right is subject to obtaining prior approval from the local planning authority • Up to two additional storeys on free standing blocks and on buildings in a terrace that are houses or in certain commercial uses, and in mixed uses with an element of housing, to create additional self-contained homes. Existing homes, whether detached, semi-detached or in a terrace, will also be able to extend upwards to create new homes or additional living space (total height can't exceed 18 m, can't be more than 3.5 m taller than the next tallest property if terraced). The right applies to houses built since 1 July 1948 and 28 October 2018. The right is subject to obtaining prior approval from the local planning authority.

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				<p>Permitted Development -Demolition of buildings & their replacement</p> <ul style="list-style-type: none"> • Vacant and redundant free-standing buildings that fall within the Classes B1(a) offices, B1 (b) research and development, B1 (c) industrial processes (light industrial), and free-standing purpose-built residential blocks of flats (Class C3) can be demolished and replaced with residential development • Applies to those buildings built before 1 January 1990. • The new residential building can be up to 7 metres higher to accommodate up to two additional storeys to provide additional homes, with a final overall maximum height of 18 metres. • The right is subject to obtaining prior approval from the local planning authority <p>Use class changes</p> <ul style="list-style-type: none"> • Creation of a new Class E "Commercial, Business and Service" Use Class. This would subsume the existing Class A1 (Shops), Class A2 (Financial and Professional Services), Class A3 (Restaurants and Cafes), and Class B1 (Business) Use Classes. • Creation of a new Class F1 and F2 "Learning and Non-residential Institutions" and includes any non-residential use for the "provision of education, Class F2 "Local Community" uses which includes "a shop mostly selling essential goods, including food, to visiting members of the public They also include: "a hall or meeting place for

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				<p>the principal use of the local community.</p> <p>David Thomas asked about use classes and whether a pub could be changed from a restaurant to retail and then from retail to a dwelling. Nick Harding confirmed that they are still protected as they Government recognises that they are an important part of the Community and there would still be an application process to go through.</p> <p>John Maxey much of what Nick Harding has said appears to remove many layers of red tape and allowing development to take place easier and quicker. Nick Harding stated that there has been change and there now needs to be a more flexible attitude going forward when looking at development and compromises will need to be made.</p>
14	<u>Discussion regarding Validation</u>			<p>Nick Harding gave a presentation to the forum concerning the issues surrounding validation.</p> <p>He explained that the issue of applications that are being received which still cannot be validated the first time is still a problem.</p>

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				<p>A training workshop has already been held for agents and their teams to try and rectify the situation; however, the quality of application's having been received for validation has not improved. A consultation regarding the changes to the local validation list did take place but many agents have not worked with that list and are still using wrong forms with their submissions.</p> <p>Nick Harding explained that he is prepared to run the training session again to try and help Developers and Agents through the process.</p> <p>John Maxey asked members whether they are seeing any differences in the validation process across the different local authorities they deal with. Shanna Jackson commented that Kings Lynn and West Norfolk Council will contact her by phone if there is a very simple issue which can be resolved and changed by the council if agreed jointly by both parties to expedite the process.</p> <p>Ted Brand stated that other authorities appear to respond far quicker than Fenland regarding validation issues.</p> <p>Councillor Mrs Laws explained that she agrees with what Nick Harding has explained to the Forum and added that if there is no improvement there are measures which can be put in place. The staff are under pressure and there is a 4-week backlog. The delay has an impact on developers as well as agents.</p> <p>Dino Biagioni asked whether there was a list of common problems which have been identified</p>

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				<p>when validating which could be provided. Nick Harding stated that it appears to be small discrepancies, such as missing signatures, lack of payment, incorrect payment, missing documentation or drawings. It was agreed that a list of common problems when validating would be circulated.</p> <p>Dino Biagioni asked whether there could be an additional fee which could be charged for any errors in the validation process. Nick Harding conformed that the Council are not allowed to charge any additional fee.</p> <p>John Maxey asked for the slides from the training presentation that was held to be re circulated and asked for the Validation checklist to also be circulated from the Website. He added that Agents and Developers could include this upon submission of an application for validation, using it as a checklist to confirm what had been submitted.</p> <p>Members of the Forum were asked to let the Chairman or Member Services know, should anyone feel that a further training exercise be needed. Nick Harding added that he has asked the Technical Team to scrutinise and be honest with the validation requirements in respect of householder applications, to ascertain whether there can be an element of flexibility with the validation process for this type of application.</p> <p>John Maxey asked members of the forum, to use the checklist going forward to try and help all parties when dealing with validation.</p>

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15	<u>Any other business</u>			<p>Councillor Mrs Laws added that she would like to see more Agents and Developers attending the forum as it is beneficial and informative.</p> <p>Simon Jackson added that it is still the intention to hold a meeting with Developers and Agents regarding commercial land and premises supply in Fenland. This will be a virtual meeting and an email invitation will be circulated in due course. John Maxey added that it is important subject as there does appear to be a significant shortage of industrial land which is ready.</p> <p>Lee Russell asked whether there is an indication as to when the figures quoted in the white paper will be implemented by all local authorities. Nick Harding said he cannot confirm when the consultation concludes and for the time being, we will be adhering to the existing Local Plan policy.</p> <p>John Maxey asked that if the threshold does increase what will the view be regarding existing consents that are yet to be implemented. He asked whether a variation be acceptable to the Section 106 to reflect the new threshold. Nick Harding stated that any affordable housing contribution would be reconsidered on any extant consent, but if the proposal has gone through the viability assessment any savings that might have been with not having to deliver affordable housing,</p>

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				<p>might then be redirected elsewhere and therefore it may become complicated.</p> <p>The date of the next meeting is 13 January 2021.</p> <p>Suggestions for the next meeting.:</p> <p>Cllr Laws asked for an update on Validation to be added to the agenda for the next meeting.</p> <p>Nick Harding explained that he intends to run another validation training session via the Zoom system.</p> <p>David Thomas suggested that an agenda item concerning navigation could be added for the next meeting.</p>

Finish: 5.00 pm