Town & Parish Council
Planning Conference

3 July 2014
Post Conference Report
WELCOME..........................................................................................3
INTRODUCTION.......................................................................................4
Managing Growth Effectively ........................................................................4
Development Strategy.....................................................................................5
The Design Guide ........................................................................................5
WORKSHOPS .............................................................................................5
Workshop 1 – Affordable Housing ....................................................................6
Workshop 2 – Protecting and Enhancing the Environment and Local Area ..................................................9
Workshop 3 – The Planning Application Process from Pre Application Advice to Determination .................................10
Workshop 4 – Neighbourhood Planning .....................................................14
FEEDBACK ON THE CONFERENCE ..........................................................17
CONCLUSION AND NEXT STEPS .............................................................22
WELCOME

Thank you to everyone who attended our 14th Town and Parish Council Conference, which focused on ‘Planning’.

I was delighted to welcome over 88 delegates from our Town and Parish Councils who represented 55 parishes, as well as Central Bedfordshire Council Members and Officers.

This conference was primarily about the pre-submission consultation draft of the Development Strategy for Central Bedfordshire, and the new Design Code.

Delegates attended a number of pre-selected workshops to find out more about issues such as Affordable Housing, Protecting and Enhancing the Environment and Local Area, the Planning Application process and Neighbourhood Planning.

Feedback from the conference was very positive and we look forward to hosting the next conference on 18 November 2014; more details to follow in due course.

We make every effort to meet individual needs and should you have any specific requests; for example dietary or hearing requirements, please let us know at the time of your booking to enable us to address them appropriately.

Councillor David Hopkin

Deputy Executive Member for Corporate Resources and Lead Member for Localism, Central Bedfordshire Council
INTRODUCTION

Managing Growth Effectively

The first presentation of the evening was about Managing Growth Effectively, and was given by Councillor Nigel Young, Executive Member for Sustainable Communities, Strategic Planning and Economic Development. The following issues were covered:

- An overview of recent planning activities carried out.
- The recent publication of the Development Strategy and the cooperative work that has been going on with surrounding authorities.
- The adoption of the updated Design Guide, and how that was working its way into new schemes, particularly focusing on influencing parking standards and room sizes.
- Key infrastructure projects, including the A5-M1 link and the Woodside Link.

Pre-submitted questions

Two questions were received prior to the conference, which were addressed by Councillor Young as below:

Q: ‘When will CBC be adopting any new CIL levies, and what discretion will they adopt when allocating funding to town and parish councils - especially in the case of town councils like Dunstable that will not be producing a Neighbourhood Plan, but do have the capacity to actually manage capital programmes that may be funded from CIL levies?’ (Dunstable Town Council)

A: The CIL adoption timescale has been revised to fall in line with the expected adoption date of the Development Strategy. Therefore, the Council is unlikely to be collecting CIL for at least 12 months.

There will be a further public consultation on the Draft Charge Schedule towards the end of this calendar year.

CBC will have no discretion in their duty to pass the stipulated allocation of neighbourhood funding from CIL revenues to local councils, which are clearly set out in Part 7 of the CIL (Amendment) Regulations 2013 (see Reg. 58A & 59A).

Q: ‘Why, when considering the approval of large development plans, doesn’t CBC’s DMC include consideration of the ability of smaller Parish Councils to cope - both financially as well as physically - with the impact they will have on the existing population?’ (Eggington Parish Council)

A: The impact of large developments on local infrastructure and services, and any mitigation required to address this impact, must be considered in terms of the implications for the residents of the area and beyond. Therefore, the physical and financial impacts upon the areas which may be affected are one
of the main issues in the consideration of large developments.

However, in line with national planning policy, this consideration must focus on the implications for local communities rather than the operation of parish councils and the financial and physical implications for the authority itself.

Development Strategy

Richard Fox, Head of Development Planning and Housing Strategy gave a presentation on the Development Strategy. The presentation included video footage of Central Bedfordshire residents who gave their views and opinions on living and working in Central Bedfordshire.

The Design Guide

A presentation on The Design Guide was given by Sian Farrier. The following points were covered in the presentation:

- Why good design is important
- Introducing the new Central Bedfordshire Design Guide
- Content and structure of the new Guide
- An overview of new design requirements
- The role of Town and Parish Councils in good design

More information is available at: [http://www.centralbedfordshire.gov.uk/planning/strategic-planning/urban-design.aspx](http://www.centralbedfordshire.gov.uk/planning/strategic-planning/urban-design.aspx)

WORKSHOPS

Councillor Hopkin introduced the 4 workshops, which were:

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Workshop 1 – Affordable Housing

Workshop Summary:

What types of affordable Housing would you like in your parish?
- Affordable rental accommodation
- High specification affordable housing
- Flat complexes to help with downsizing and release equity
- Semi-retirees who wish to downsize from larger units to 3/2 beds
- More rural housing – Tempsford
- Downsizers to 1-2 beds, bungalows, large family homes
- 2 beds couples’ accommodation
- Integration of affordable housing

Housing Needs:
- Want rural properties to be in perpetuity for the local parish
- Parish would like input in choosing the development partner/Registered Provider
- Sheltered housing for the elderly
- Mix of Tenure types
- Definitely want a mix of units.
- Intermediate rent – as previously used by Homes and Communities Agency part rent and saving up for a 5% deposit, not used with the onset of the recession
- Worried about costs imposed from management fees for completed developed areas
- Mixed housing developments
- Units placed over the development site rather than clustered together in one area of the site – this is known as pepper potting.
- Interested in Community land trusts

Constraints:
- Restriction on 10 units
- Allocation Policies – properties not given to local people
- Properties sold on to the Open Market
- Need Local Lettings Plan
- Local lettings all developments
- Lack of equity for younger people to obtain housing
Summary of discussion

Session 1

Affordable Housing Discussions

Housing Needs Survey on Rural Exception Sites (HNSRES)

HNSRES last for a maximum of 3 years and can be refreshed quickly. They identify people in a household – overcrowding, new family households. Response uptake of Housing Needs Survey is usually around 20%. Only a certain number of people would respond to the Housing Needs Survey, which does not portray the real number of people within the Rural Exception Sites.

Rural Exception Sites will have a Local Lettings Plan attached to sites. There can be no more than 10 units on the Rural Exception Site; smaller sites have to become a part of the new rural area so that they can be easily assimilated into the original village. Policy states this.

Bedfordshire Rural Communities Charity (BRCC) is an independent company that can do a Housing Needs Survey. For assistance on Housing Needs Surveys in the first instance, delegates were advised to contact John Goody.

Issue: The Housing Needs Survey in Toddington was flawed, people never received a survey and some households received two or more.

Response: Bedfordshire Rural Communities Charity had problems with distribution – but these issues have been resolved. Central Bedfordshire Council use council tax listings and distribution has improved.

Issue: Can Parishes run Community Land Trusts?

Response: Yes, but may require some help from Registered Providers for housing management issues.

Comment: Duty to co-operate – if Central Bedfordshire Council has to take Luton’s households into account, will other Local Authorities take Central Bedfordshire’s needs into account?

Response: Every local authority is subject to the Duty to Cooperate. If Central Bedfordshire couldn’t meet its own housing need it would need to talk to adjoining authorities.

Comment: If Housing Needs Survey takes place – will they help find land? If the Parish has land, can they do 100% housing on site?

Response: Yes, with the agreement of the Parish.
Session 2

There is a need for affordable rental accommodation, outside of the settlements where land value is less – as it is usually agricultural land, which is low in value.

Clophill – settlement has no bus system, no shops, no infrastructure for the elderly to use, no doctors surgery. Any future development in Clophill should look at cluster bungalows or low density flats for the elderly people, and be fit for purpose. Housing Needs Survey – done by Bedfordshire Rural Communities Charity – 16 affordable housing would be needed. Aragon proposed a site but it was reserved for a Gypsy & Traveller site. Only received 20% responses for Housing Needs Survey for a Rural Exception Site.

Older people accommodation, downsizers’ properties. Some people do not want to move out of the area and therefore living in Extra Care. It would enhance quality of life.

Semi retired people also want to downsize from big homes to smaller homes.

Shared ownership option is not advertised to the general public as a form of affordable housing.

Additional comments

- Which sites are being considered for affordable housing in Aspley Guise?

  No answer was given – further discussions will take place.

- Workshop was very well presented, however it seemed to be focused on Parish Councils and not Town Councils.

Contact details

John Goody: john.goody@centralbedfordshire.gov.uk
Azma Ahmad-Pearce: azma.ahmad-pearce@centralbedfordshire.gov.uk
Workshop 2 – Protecting and Enhancing the Environment and Local Area

Workshop Summary:
The workshop provided an overview of the range of services and expertise provided by the Council’s Environmental Policy Team – this includes specialists focusing on Green Infrastructure, Landscape, Ecology, Trees, Sustainability & Climate Change, sustainable buildings and public art.

To demonstrate how this expertise is applied to planning applications as well as how parish councillors can more effectively consider these issues as part of any response to planning applications, a case study focusing on a hypothetical development was discussed. The attendees split into groups and focused primarily on landscape, ecology and green infrastructure aspects of the fictional planning proposal. The result of group discussion is set out below:

Summary of discussion
Important to balance losses with gains. “Green” issues thought to come bottom of the list – one participant questioned the honesty of claiming “sustainable” development as all development leads to environmental loss.

All agreed that to become acceptable, the scale of housing on the development site would need to be reduced. Is this a realistic factor for a Parish Council to press for?

Reduction of the rural gap between the two settlements would be highly regrettable – so, very important to limit development. If development allowed, this would require strong planting to minimise impact of urban edge.

Highway access – choice is crucial as with our example, group felt access was planned in the wrong place. Traffic would intrude on the local community and increase congestion with the option used.

Emphasised the importance of creating a strong landscape structure, particularly to protect views from existing properties and amenities such as the allotments. Suggested setting building line back from allotments to protect amenity of those working allotments. Screening was considered more important than enabling views out from the new development.

The brook was considered an extremely important feature, providing scope to enhance biodiversity and public access.

The site was identified as an extremely important link between the brook and the floodplain and the main corridor of the Ivel valley.

Concern about building on floodplain.
Feedback

People were generally unaware of the level of information that the Council has available to help them make informed comments. It was suggested that an **Environmental Checklist** be produced – to help parishes work through the key issues to consider. This could be combined with a list of publications or maps e.g. Landscape Character Assessment, Biodiversity Action Plan and opportunity maps, Green Infrastructure (GI) Plans and corridors which would help provide background information.

Local knowledge could then be used to add depth to the response. Feedback from the Council, e.g. when the local GI plan is used to assist in a planning matter, would be helpful. Sometimes people felt the documents might not be referred to.

Any further comments or queries should be directed to stephen.mooring@centralbedfordshire.gov.uk.

Additional comments

- This was extremely interesting, very informative. Great presentation, and very well executed.
- Excellent format – really enjoyable.
- Why are sycamore trees treated as equal to other broad leaf trees when they are often a fast growing, self seeding, messy nuisance?
- OK, but our experience in Clifton New Road site shows that Planners thumb their noses at virtually all environmental considerations - and the birds will certainly come home to roost!

Contact details

Stephen Mooring: stephen.mooring@centralbedfordshire.gov.uk
Laura Kitson: laura.kitson@centralbedfordshire.gov.uk
Liz Anderson: elizabeth.anderson@centralbedfordshire.gov.uk
Julia Scott: julia.scott@centralbedfordshire.gov.uk

Workshop 3 – The Planning Application Process (from Pre Application Advice to Determination)

Workshop Summary:

Following the presentation by Adam Davies the workshop moved into a question and answers session. The questions and answers from the workshop sessions have been summarised below.

Pre-Application Advice

- Why are Town/Parish Councils not consulted as part of the Pre-Application process?
- Why can’t we see the Pre-application responses?
• Can the Council notify the Town/Parish Councils when a Pre-Application request is received?
• How long has this service been in place?

In response officers identified that as it is a 28 day process the Council does not consult externally. The applicant is encouraged to contact and discuss their application with external consultees, including the Town/Parish Councils. The Pre-Application Advice given is confidential to the applicant. Cllr Matthews identified that information regarding whether Pre-Application Advice has been provided is visible in any submitted planning application.

The Pre-Application Advice service has been in place for 18 months. The Charging Schedule and further information regarding the service are available at http://www.centralbedfordshire.gov.uk/planning/planning-information-and-advice/pre-application-advice/default.aspx.

Mobile Homes Permitted Development

Issue: Re: changes to mobile home law, and the potential to construct a dwelling through this process.

Response: Officers stated that they did not have the specific legislation/case law at hand. There are national permitted development rights and this case may be outside of the Council’s control.

Consistency of National Guidance

Issue: Concern that there appears to be a conflict in terms of the guidance contained within the National Planning Policy Framework and the Localism Bill. Is it the case that the importance of Conservation Areas and the Green Belt has been reduced?

Response: Officers stated that they appreciate the Councillors concerns and, while there is a strong encouragement for “bottom-up planning”, there is still significant control from Central Government.

Central Bedfordshire Council is a great supporter of “bottom-up planning” actively encouraging Neighbourhood Plans; however the Council also needs to provide Development Plans for the wider authority, in order to be consistent with national policy.

Permitted Development Rights

Issue: Are Permitted Development Rights available to view?

Response: Officers identified that the Permitted Development Regulations are formed of several documents which have been regularly amended. The easiest way to view the regulations is to visit the Planning Portal website at http://www.planningportal.gov.uk/permissions/responsibilities/planningpermission/permitted
Availability of Plans

**Issue:** There are situations where a Town/Parish Council is due to consider an application, however the plans are unavailable. How can we resolve this?

**Response:** Officers apologised if this was the case. If this situation should arise the Parish/Town Council is encouraged to discuss the matter with the case officer, who may extend the consultation period or arrange additional plans.

Alterations to Planning Permission

**Issue:** Concern was raised that there have been occasions where, following the granting of planning permission, the applicant has then reapplied to extend/alter the scheme.

**Response:** Officers advised that there are no rules which identify that an applicant cannot reapply. Any application would have to be considered on its own merits.

Enforcement Process

**Issue:** How long is the Enforcement process?

**Response:** Officers stated that the length of the Enforcement process would be dependent upon the specific case. At the start of the process an Enforcement Notice will be issued which will impose a time limit.

Monitoring of planning applications

**Issue:** Do officers continue to monitor the progress of planning applications, to see if there is a breach in planning permission?

**Response:** Officers stated that resources are such that it is not possible to monitor every planning permission. The Council welcomes notification by Town/Parish Councils and residents regarding breaches of planning control.

Allocation of Planning Officers

**Issue:** Is it possible to allocate one planning officer to a specific site/location, so that we have a clear point of contact?

**Response:** Officers stated that while officers are usually continuing their work on specific sites, this is dependent upon resources.

Additional comments

**Comment:** Invisibility of plan details when viewed on line – too small. No more than 3 clicks to take you to a plan.

**Response:** The Council’s website is required to follow a certain format.
Application details are displayed in the most prominent location where we can make plans available on our website. Officers are available to talk through applications or plans through Reception and Phone Duty.

**Question:** How can we compare a revised application with a previous application on the same site? **Comment:** Email planning responses are sent to Planning @ CBC with requests for feedback - which is NOT forthcoming.

**Response:** The planning website offers a search function to enable previous planning applications to be viewed.

**Comment:** Material considerations need to be more widely understood and a planning guide is needed.

**Response:** The National Planning Policy Guidance website offers some assistance regarding Material Considerations: - http://planningguidance.planningportal.gov.uk/blog/guidance/determining-a-planning-application/how-must-decisions-on-applications-for-planning-permission-be-made/.


**Question:** Understand legislation is imminent that allows development sizes to be exclusive of affordable housing. Is this correct and when is it likely to be enacted? Lots of help but Best Practice Guide? Presentation: ok. Content: A little too simplistic but useful. I would like to see more about how parish councils can influence the planning decision.

**Response:** The scale of development requiring the provision of affordable housing is set by planning policy rather than legislation. The emerging Development Strategy for Central Bedfordshire will specify the size of development which will trigger a need for affordable housing in Central Bedfordshire.

**Question:** Does outline application, followed by reserved matters replace a full application? Useful information.

**Response:** An outline planning permission with reserved matters approval does not replace a full permission. However outline planning permission with reserved matters approval is a detailed planning approval, which functions in the same way as full planning permission.

**Contact details**
Adam Davies: adam.davies@centralbedfordshire.gov.uk
Stuart Robinson: stuart.robinson@centralbedfordshire.gov.uk
Workshop 4 – Neighbourhood Planning

Workshop Summary:
Questions and points raised during the workshop, included the following:

Session 1 and 2

Question: What is a designated area?

Response: For parish or town councils (known as ‘qualifying bodies’) wishing to prepare a neighbourhood plan NP), this can only commence formally when the neighbourhood area has been designated by the local authority, such as Central Bedfordshire Council (CBC). This process involves making a formal application to the local authority. The relevant regulations specify what details are required. The local authority will publicise receipt of this application for a period of 6 weeks and, following this issue, a decision on whether to designate the area.

Question: What is the difference between a neighbourhood plan and a parish plan?

Response: It is not compulsory to prepare either a parish plan or a NP. Parish plans provide an opportunity for local people to express how they feel about their local area, highlighting issues of local importance and proposing solutions or improvements that they would like to see in their area. Parish Plans are not, however, subject to independent examination or to a referendum, and they may contain matters which do not relate to the use or development of land, e.g. maintaining play equipment. Parish plans are not part of the statutory development plan for an area.

NPs are concerned with the use and development of land within a specified area. Once adopted, they will form part of the statutory development plan for an area and will be subject to an independent examination to ensure it is in line with national and local policy and that the process in creating plans has been carried out correctly. Following an examination and successful referendum, it is the responsibility of the local authority to adopt a NP, through the relevant committee process.

Issue: Ensuring NP is in conformity with the Development Strategy - would like to know the process to go through/ weight of the NP within the development plan system– clarification sought. Increased defence?

Response: The Localism Act sets out the basic requirement that NPs have to be in general conformity with the relevant national and local planning policies and should plan positively to support them. Prior to any NP being submitted for examination, CBC will check it against planning policy and procedures to ensure this conformity. NPs cannot overturn sites that have been allocated through the development plan.
**Issue:** Referendum – explanation required on this part of the process.

**Response:** There is no minimum turn-out for a referendum. However, for the plan to be approved, of those that voted more than 50% needed to support the plan. CBC will pay for the referendum to be carried out, which is in the order of £2,000.

**Question:** Questionnaire – is it possible to see examples of what is required?

**Response:** Examples can certainly be shared. There isn’t a ‘standard questionnaire’, because it depends on the stage of the Neighbourhood Plan and what the Town and Parish Council want to ask. See contact details below.

**Issue:** The future status of Neighbourhood Plans with a General Election coming up.

**Response:** There is no indication at this stage that NPs will disappear following elections.

**Issue:** Green Belt and AONB land – want to know how can designate specific land with these designations, but not set a precedent for future sites being allowed to come forward.

**Response:** If a town or parish council wishes to identify a site for allocation which is in the Green Belt, then it can progress the work to a point and then request that the local planning authority allocate the land through the statutory development plan. This will require a review of the Green Belt in that location. It is only the local authority that can alter the Green Belt boundaries in place. This approach helps to reinforce the purpose of Green Belts.

**Question:** Printing costs – a concern about the costs, what funding is available?

**Response:** There are funding opportunities available through ‘Locality’ of up to £7,000 which may be used for printing and consultants fees. CBC is also able to cover some other costs such as holding the referendum and assistance in undertaking housing needs surveys and green infrastructure plans.

Costs for NPs may include minute-taking, printing and venue hire for events. It is suggested at looking at what resources and skills are readily available within the community. Other costs incurred may include commissioning evidence studies that are needed to support the plan, such as for the sustainability appraisal. There may be some existing evidence studies produced by CBC and other public bodies which are available to use.

**Issue:** CIL monies – feel aggrieved that by not undertaking a NP there will be limited CIL money made available to the PC/TC.
Response: It is correct that a lesser amount of Community Infrastructure Levy (CIL) monies will be available to those town and parish councils that do not have NPs in place. This incentive has been provided by the government to offer a tangible benefit and encourage more NPs to come forward. S106 funding will still run alongside CIL, and if there is no development taking place within a parish area there would be no CIL funding generated in any case.

Issue: Reasons for undertaking a NP – clarification sought.

Response: There are various reasons for wanting to undertake a NP, as demonstrated by the current ones being prepared in Central Bedfordshire. There is no direct financial benefit for CBC. The Council is not promoting neighbourhood planning for all areas, but is simply providing all the options so that local communities are suitably informed. The Council, however, welcomes the notion of local communities becoming involved in planning for their future needs and greater collaboration is of benefit to Central Bedfordshire in creating better places to live and work.

Additional comments

Question 1: Is it possible for a Parish Council to prepare a Neighbourhood Plan if there is minimal new housing planned in its area?

Response: A Neighbourhood Plan does not have to be prepared solely to propose new housing development. It can be also be prepared to improve design of new buildings, plan new green spaces and plan for new leisure facilities, for example. However, a Neighbourhood Plan cannot be prepared to prevent development.

Contact details

Sally Chapman: sally.chapman@centralbedfordshire.gov.uk
Saskia Duncan: saskia.duncan@centralbedfordshire.gov.uk
Carry Murphy: carry.murphy@centralbedfordshire.gov.uk
FEEDBACK ON THE CONFERENCE

A conference feedback form was provided in the delegate packs, and the results are shown below.

Usefulness of following aspects of the event

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Workshop 1: Affordable Housing

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Mean score: 4.57
### Organisation

#### Organisation of the event

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Mean score 4.41

### Venue

#### Venue

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Mean score 4.43

### Catering

#### Catering

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Mean score 4.18
Views of the event overall

Did you find this conference useful?

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Mean score 1.00

Would you recommend attendance at future conferences?

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Mean score 1.00

Feedback from delegates

What topics would you like addressed at future events?

- Another conference on Neighbourhood Planning.
- Impact of development process on neighbours especially for sites taking many months to complete.
- Planning, light industrial needs?
- Procedures surrounding how “development management committee” meeting work (pre/during). Why is pre-planning applications not documented for commercial developments?
- Renewable energy, green belt guidelines and assurances, Community Right to Build, highways and education, community health and local policing, crime, education and leisure facilities.
- CBC’s policy and practices in passing information and consulting with both T&P Councils and the public in general - not good at present.
What other individuals, groups or organisations would you like to see at future events?

| Keep it to T&PC! As for this conference. |
| Local MP or government representative. |
| Senior residents group, youth groups. |
| Police Force (local Police leaders). |
| Education bodies. |
| Traffic. |
| Clinical Commissioning Group (CCG). |

**Additional comments**

“Sustainable” anything is a complete nonsense. Things might be lower impact but all development damages the ability of future generations to live, i.e. it is not sustainable.

The event mentioned “in passing” the launch of the Development Strategy Consultation. Due to run once again during holiday period. No definite information was given on past comments submitted. As people are unlikely to know about this it should be included in papers sent to the inspector by default, not only if requested!

Didn’t really find the Planning Process session particularly helpful – perhaps too basic for someone who’s been at a PC for a number of years.

Pre application advice given to developers but no advice is given to Parish Councils to help them to fight contentious issues.

The benefits of the Town and Parish Conferences are so positive and informative.

A very well organised conference. Made very welcome by all CB Officers. The refreshments were a bonus. Many thanks to ALL involved.

Found the evening informative and helpful.
CONCLUSION AND NEXT STEPS

Your participation and cooperation at these events is much appreciated. Overall, your feedback indicated that you found the Conference content and format very useful.

Your list of suggested topics for future events is also very encouraging, and I look forward to putting together a programme for our November event that meets your requirements.

We will contact you as soon as possible with details of the next event. In the meantime, please contact Peter Fraser or me if you have any further comments or suggestions: peter.fraser@centralbedfordshire.gov.uk.

Councillor David Hopkin
Deputy Executive Member for Corporate Resources and Lead Member for Localism, Central Bedfordshire Council