

## PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

THURSDAY, 20 SEPTEMBER 2018

PRESENT: Councillors Richard Kellaway (Chairman), Maureen Hunt (Vice-Chairman), Malcolm Beer, Dr Lilly Evans and Leo Walters

Also in attendance: Councillor D Wilson

Officers: Ashley Smith, Russell O'Keefe and Nabihah Hassan-Farooq

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Julian Sharpe and Gerry Clark.

### DECLARATIONS OF INTEREST

None.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes be approved subject to the amendments as noted below.**

That the minutes be approved subject to the following amendments;

- Page 8- Amend wording to state "...which included Holyport and Mill Lane Church Area in Clewer."
- Page 8- Deletion of reference to "SANG development".
- Page 11- Deletion of "Vicous Car Park" as a Forward Plan item.

### Q1 PERFORMANCE REPORT

Anna Robinson, Strategy and Performance Manager outlined the above titled report. The report outlined a summary of the Quarter 1 2018/19 performance of the council's performance management framework (PMF) and illustrated four of the six measures reported to the Planning and Housing Overview and Scrutiny Panel have met or exceeded their target, one measure was to be reported bi-annually and one measure was off target. Members were reminded that in November 2017 that Cabinet had approved the Council's Performance Management Framework (PMF) of 25 key measures aligned to its refreshed Council Plan with six strategic priorities over the plan period 2017-2021. The six strategic priorities were outlined as follows:

- Healthy, Skilled and independent residents
- Safe and vibrant communities
- Growing economy, affordable housing
- Attractive and well-connected borough
- Well managed resourced delivering value for money
- An excellent customer experience

Members were told that of the six priorities that four had met or exceeded performance targets and that there had been strong reporting overall. All reported planning service measures had met or exceeded their targets. In particular Planning had seen good performance in timeliness

of planning applications being processed, for both minor and major applications. The group noted this, and the Chairman congratulated the planning service on this performance.

It was highlighted that there had been a 200% increase in the delivery of affordable homes for 2018/19. The data for the number of households placed into temporary accommodation and the data set for number of homeless preventions through council advice and activity was not available at the time of reporting. Members were informed that some measures had their targets and tolerances revised for the 2018/19 period and this had been conducted via business intelligence regarding the service and centred to reflect the Council's aspirations. The Panel were informed that this had been implemented as a means to ensure a robust approach to continued performance improvement. Reporting had moved from red, amber and green to dials to ensure clearer reporting and visibility of performance thresholds.

Members discussed whether the target for affordable homes had been affected by the Strategic Housing Land Availability Assessment (SHLAA). It was confirmed that based on sites provided by registered providers that this did not account towards the submission version reported numbers. The Principal Member, Councillor McWilliams stated that there was a national shortage in affordable housing and that two new developments would deliver a 30% mix of affordable and social housing tenures. Members were told that a strict line with developers had been enforced to deliver 30% affordable housing on proposed sites of development. Members discussed the need to deliver on more social homes and it was noted that delivery of social homes would take place on council owned land but that there was a need for increased delivery.

**ACTION- That Russell O'Keefe circulate the figures relating to affordable and social housing delivery across the borough.**

Members discussed the need for two separate reporting streams for both planning and housing complaints. It was agreed that for future reporting purposes that complaints for each service would be reported in isolation. It was highlighted that there had been very good performance overall and in particular with the timely processing of planning applications where approximately 4000 applications a year are processed.

The service had exceeded targets for processing applications on time across all categories (Major, Minor and Other). Applications that did not meet targets were normally for a good reason (complicated in nature etc).

The Deputy Head of Planning stated that following a successful recruitment drive the number of permanent staff had increased and that there was a focus on investment in training, development and retention of these staff members.

In conjunction with new procedures and performance tools, the recruitment of high calibre permanent staff (including two new team leaders and a number of other new team members) had produced a more settled service and that this led to consistency of decision making and a better quality planning service for its' users.

**RECOMMENDED ACTION- That for future reporting purposes data be split into monthly performance target dials to show improvement in performance.**

**RESOLVED UNANIMOUSLY: That the report be endorsed and noted.**

### VACANT BUILDING CREDIT GUIDANCE

Ashley Smith, Deputy Head of Planning outlined the above titled report. It was noted that the Vacant Building Credit (VBC) had been introduced to incentivise development of brownfield sites containing vacant buildings in 2014 and had become part of National Planning Policy Guidance. Members were informed that where a vacant building had been bought back to residential use through a new development, or was demolished to be replaced by new

residential units that the applicant should be offered either floor space or a financial contribution for affordable housing or contribution for affordable housing required for the site.

It was stated that the VBC was specifically intended to incentivise brownfield development and the reuse/redevelopment of empty and redundant buildings by returning the building to a lawful use. Members were reminded that this was not intended to incentivise the eviction of existing businesses or incentivise the neglect of premises which were currently in use. The VBC did not apply where buildings had been abandoned for the purposes of redevelopment and that national VBC guidance did not define what constitutes 'vacant' or how local planning authorities should determine whether the building has been made vacant for the sole purpose of redevelopment. It was recommended that this approach would require the applicant to provide evidence of how the site has been actively marketed realistic terms based on the current or any permitted use, typically for a minimum of 12 months prior to the submission of a planning application. The Panel were informed that where necessary the council may seek to instruct an independent valuer/surveyor to verify this information, the cost of which would be met by the applicant. Evidence such as council tax, business rates or electoral register records would be required to determine whether or not a building had been vacant.

Members were supportive of the report and of officer decision making, however members were concerned whether premise owners would be incentivised to neglect premises in order to take advantage of the available vacant building credit. It was confirmed that the Local Authority had been in a weaker position before but that the new guidance on vacant building credit would bring them to a stronger position and that the neglect of premises had been looked at in detail and compliance with the requirements would be looked at stringently. It was confirmed that redevelopment due to eviction would not be looked at favourably and that planners were now equipped with better decision making tools.

## CONSIDERATION OF THE FINDINGS OF THE PHOSP TASK AND FINISH GROUP

Councillor Kellaway introduced the above titled report. The Panel were informed that the planning and housing- task and finish group had looked at a number of areas within the planning service and discussed the parts of the Constitution relating to planning.

As part of this work, Members had looked at changes and improvement areas within the Constitution which could potentially be implemented if approval was acquired from full Council.

As a result of the task and finish group findings there were ten main recommendations had been made as follows:

- Combine the Windsor Area Panels with effect from May 2019
- Increase number of Members on area Panels to 11 with effect from May 2019
- No substitution of members to be permitted less than 24 hours before a Development Management Panel meeting
- Move all Development management panels onto a monthly cycle from May 2019
- Members are keen to ensure member oversight through the lead member and panel chairs on which items are elevated to the Borough Wide Panel. ( revised wording available within the report)
- That the Borough Wide Panel should have 13 members. 6 members should ideally be from each of the two proposed planning areas of the borough and that these changes should take effect from May 2019.
- That the planning enforcement items should be reported to the chair of the relevant panel who can opt to call them before the relevant panel.
- That the Rights of Way and Highways Licensing Panel is not combined with any development management panel. (Full Council has since decided not to merge the panel into planning panels).
- Rights to speak- (this matter has already been actioned through full council approval).

- That Area Panels should continue to meet in respective areas unless this cannot be accommodated for a specific reason, i.e. availability of venue of the right capacity. The council should consider improved technology options for meetings.

The Panel were informed that the proposed changes would be recommended to take place in two stages, immediate interim arrangements and a permanent set of arrangements for after the elections in May 2019. It was intended that the more major changes such as the reduction in numbers of development management panels would occur in May 2019.

Councillor Beer stated that there had been a restricted number of substitute members available and that it could prove difficult to find suitable knowledgeable members at late notice in the future. Cllr Beer favoured a longer window for not permitting substitutes so that replacements had time to read the relevant papers.

Members also commended retaining panel meetings in the area that applications related to and felt that this would be beneficial to residents in each locality and that it suited their needs better. Some Members felt that there could be a trial period of the recommendations, and it was noted that there was some work to be done in order for the recommendations to be in force before implementation.

Councillor Beer highlighted that currently there was a published list of applications and that this was only available in the Maidenhead Advertiser and that there were no subsequent publications in any Ascot and the Sunningdales audience orientated papers. Councillor Kellaway noted that this would be a good issue to investigate further at a future task and finish group.

A paper had been produced for full Council (Subject to O&S comments) that would be considered on 25<sup>th</sup> of September with the proposed constitutional planning amendments. At the conclusion of the report, Members commended the planning team for their support to members of the Task and Finish group and for their contribution to the recommendations.

#### FORWARD PLAN

Noted.

#### DATES OF FUTURE MEETINGS

Members noted the following future meeting dates as follows:

- 18<sup>th</sup> October 2018, Council Chamber, Town Hall, Maidenhead

The meeting, which began at 5.30 pm, finished at 6.42 pm

CHAIRMAN.....

DATE.....