

INFORMAL AGENTS MEETING

TUESDAY 17TH SEPTEMBER 2019

MINUTES

Present:	Mike Hastings	John Maxey
	Peter Gidney	Daniel Wallage
	Greg Garland	Paul White
	Alan Gomm	David Taylor
	Lee Osler	Sean Gayton
	Hannah Wood-Handy	Graham Seaton
	Rebecca Bush	

1. Apologises

Stuart Ashworth
Ruth Redding

2. Minutes of Previous Meeting

The chairman presented the minutes from the previous meeting. No issues were raised and some of the issues formed part of the agenda.

3. DC Update

(HWH) Two new planners Helena Su and Conner Smalls.

(JM) Can we have up to date email lists and a telephone list?

Action: HWH has checked and unfortunately this is not possible.

(AG) Confirmed CIL, form 0 is now form 1, following changes to the CIL regulations.

(AG) Pooling - CIL Regulations have changed so that S106 contributions can be 'pooled' i.e. aggregated from a number of developments towards specific projects. There was previously a limit of 6 agreements. The question of how this might affect CIL was raised. However in West Norfolk as we have a CIL we would generally be using that mechanism to collect money, except where there is a Zero or Nil rate CIL e.g. King's Lynn.

(AG) Environment Bill – The concept of 'Biodiversity Net Gain' is likely to be introduced when the Bill becomes an Act in 2020. There are examples of schemes in other parts of the country where authorities were pilots for the idea. Warwickshire is one such place. This will be a significant change and is quite complex, but inevitably we will have to have Government guidance in some detail nearer the time.

4. Policy Update

(JM) asks about the 5 year land supply/delivery.

(AG) 5 year land supply permissions were granted for specific reasons and may not be renewed if they lapse. We currently have an adequate 5 years plus supply. If we do have minimal new allocations, we will have taken into account a realistic 'flexibility' figure, including future windfall rates. Policies will be adjusted to ensure supply is maintained.

Local plan

(JM) Will there be a cut off period (JM) will you take over sites previously put forward?

(AG) There was a cut-off date for submitting new sites when the consultation closed. All sites put forward are assessed. Next opportunity will be Pre-Submission plan, early 2020.

Details of local plan items and neighbourhood plans are on our website.

(JM) Draft submission version of the local plan early quarter of next year.

(DT) Any impact for hamlets

(AG) Development boundaries have been drawn around some smaller villages and hamlets, this will give some potential extra development potential in those places.

(AG) Neighbourhood plans

- Sedgeford neighbourhood plan has now been formally 'made', following a successful referendum.
- Holme is close to the final stage of 'submission' for examination.
- Terrington St John – moving forward.

(HWH) Variation of condition applications (Under S73 or S73a) – case law suggests that all relevant conditions should be reimposed from the original consent.

Housing planning reform – new homes ombudsman – protects the rights of home buyers and land developers to account.

The Government has issued new guidance in respect of statements of case and common grounds, intended to assist the appellant but also, ultimately, both the LPA and the inspector on an appeal. The Planning Inspectorate will aid the process by assisting the appellant and providing pro forma statements, possibly with mandatory information requirements and limits on length.

(LO) PINS have been set an improvement plan to ensure the appeals process is speeded up. Initially they are improving the public inquiry process and will aim to issue a decision 14-16 weeks from start date letter.

5 Drainage

(JM) informed the group that a legal opinion was received challenging the powers MLC have on drainage matters and the right to impose LLCs. The legal opinion confirmed MLC do not have the powers to instruct the local authority to impose a LLC, they have their own bylaws giving them adequate powers. The local authority have confirmed they will no longer register a LLC at the request of MLC and all previous charges have been removed. Going forward there may be the need to impose planning conditions but this would require the MLC to make comments during the consultation period. The group were reminded of the need to assess any requirements within approved neighbourhood plans, such as Walpole Cross Keys where there is a requirement to submit a drainage strategy at the time of submitting the planning application.

6. Pre Commencement Conditions and Compliance and decision making party

(DT) Queries whether pre-commencement conditions can be amended and have details submitted at a later date.

(HWH) In principle issues such as surface water drainage etc will always be pre-commencement conditions. However, on a full application, for instance, you could front load the application to give as much detail as possible which negates the need for a pre-commencement condition. Agent can do an extension of time and have discharges of condition applications and reserved matters running at the same time. Prior to any submission, would advise factoring in possible delay when dealing with such matters as off-site highways works (which require technical checks/potential safety audits etc).

8. Building Control and Planning Consideration

(PG) Paragraph 196 sometimes the Borough Councils do not agree with the Parish Councils, however, our area is fine. Usually barns/conversions

9. Short Briefing by David Taylor - Hackitt Review

Key points are as follows:

- Building Ombudsman
- New Industry Body
- CDM Model
- Building Safety Regulator
- Checking Designer
- PPD Rights
- Building Control/Approved Inspectors

In future, planning applications will need to be signed off by an accredited checking designer before the application can be submitted to the LPA.

(HWH) If we require any changes to planning applications we will need to go back to the checking designer. This will mean a planning application will take more time to determine.

(JM) Asked if DT can do a presentation at the next formal agents meeting regarding the above.

(DT) Agreed to do a presentation at the next formal agents meeting on 26th November 2019.

(HWH) Has also asked for the link to this information.

10. Election of New members

(JM) Voting will be carried out at the next formal meeting for the new members.

(GS) Mentioned shall we vote in house.

A vote then took place. There were five votes to carry out the voting at the agents meeting and three to vote at the informal meeting.

(JM) Agreed that the results will be revealed at the formal agents meeting in November. The council will design a voting paper and send to all of the agents with a deadline to return prior to the formal agents meeting.

(DT) Ben Horingold very interested.

Action: LO to discuss with RR about a voting page to send to all of the agents.

11. AOB

(GS) asked about 3 x 7 internal garage/car park space.

(HWH) agreed this is correct and said it is under DM 17.

(GG) asked about the County Council design guide and does anyone know about the residential design for estates?

(HWH) said something did come out and may be in an old archive system.

(HWH) also stated that East Cambs have a design guide.

Next Meetings

Formal Agents Meeting: 26 November 2019

Informal Agents Meeting: 17 March 2020