

## Minutes



**Westbourne**

Parish Council

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**Minutes of Westbourne Parish Council's Planning Committee which took place on Thursday 10 September 2020 at 6.15pm. The meeting was held remotely using Zoom video conferencing.**

Present: Cllr Lade Barker, Cllr Richard Hitchcock, Cllr Ann Pearcey, Mr Frank Campbell, and Clare Kennett, Clerk to the Council.

Meeting chaired by Cllr Hitchcock. One member of the public was present.

1. Declarations of interest: To receive from Members declarations of interests in relation to the agenda and updates to the Register of Interests, as required by the Localism Act 2011 and the Parish Council's Code of Conduct for Members

2. Apologies for absence: Cllr David Mack. The Committee wished Cllr Mack a quick recovery.

3. Minutes of the meeting of 13 August 2020: The minutes were agreed to be a true record and were signed as such by the chair.

4. Updates and issues from the minutes of 13 August July 2020: Members noted that 20/01771/DOM (two-storey side extension with partial basement. Ivyside, Duffield Lane, Woodmancote) has been withdrawn.

5. Minutes of the meeting of 27 August 2020: The minutes were agreed to be a true record and were signed as such by the chair.

6. Updates and issues from the minutes of 27 August July 2020: None.

7. Planning applications: Members made the following comments.

**20/01930/DOM:** Removal of existing 2 no. velux roof lights to be replace with new dormer to match existing. Millthorpe, Monks Hill, Westbourne. No objection.

**20/02021/TCA:** Notification of intention to fell 13 no. Magnolias grandiflora trees. Church House, Westbourne Road, Westbourne. No objection.

8. Planning appeals: None.

9. Chichester District Council Enforcement Reporting: Members discussed the list of enforcement issues which can be found at <https://publicaccess.chichester.gov.uk/online-applications/search.do?action=simple&searchType=Application>  
Select 'enforcements' and type 'Westbourne' in the search field.

10. Reform of the planning system: The Parish Council has been asked by NALC to respond with its views on three consultation papers issued by government on the

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reform of the planning system. The consultations are (1) changes to the current planning system, (2) planning for the future and (3) transparency and competition – a call for evidence on data and land control. The NALC closing date for responses to (1) is 17 September and the government deadline is 1 October. The NALC closing dates for (2 and 3) are 16 and 17 October respectively and the government deadlines are 29 and 30 October respectively. Mr Campbell prepared a briefing paper on the consultations which was circulated to members before the meeting. Given that there is a shorter timeframe for a response to consultation (1), it was agreed that the Committee will submit the response as detailed in Appendix 1. With respect to the other two consultations, it was agreed to hold an informal meeting in the next few weeks to discuss a response before the committee meeting in October.

The response in Appendix 1 will be submitted to NALC and a revised version, without the background/explanatory text, will be submitted to the government's consultation.

11. Southbourne Neighbourhood Plan review: Members agreed to send their comments to Cllr Hitchcock who will write a submission which, it is hoped, will also include comments from the Westbourne Neighbourhood Plan Steering Group.

12. Announcements and items for the next meeting: To note items brought forward by permission of the Chair. Requests to be submitted prior to the start of the meeting.

13. Date of next meeting: The next meeting is scheduled to be held on Thursday 8 October 2020 at 6.15pm.

Meeting closed at 7pm

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### Appendix 1



**Westbourne**

Parish Council

*Address for correspondence:*

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Sent to: policycomms@nalc.gov.uk

16 September 2020

Dear Sir/Madam

### **Changes to the Current Planning System**

Westbourne Parish Council would like to submit the following comments with regards to the above consultation.

### **Changes to the standard method for assessing local housing need**

This proposes changes to the so called “standard method” for quantifying housing need and establishing the housing targets to be used in local plans in each local authority. The approach outlined involves technical methodology used to calculate local housing need and the amount of housing land that must be released to achieve the required housing numbers. The Government position is that the existing methodology which was introduced in 2018 results in artificially lower household projections and is not sufficiently “agile” to respond to up to date data and therefore cannot respond to volatility in the housing market. Without trying to penetrate the details of the technical changes now proposed the key point is that the new approach will assist in boosting the supply of land for housing. At a national level the new approach shows a national annual requirement of 337,000 dwellings compared to the Government target of 300,000 dwellings and a current build rate of 241,000 dwellings.

The Parish Council considers that the proposed algorithm places greater emphasis on affordability over a ten year period. The affordability data for the algorithm is based on a local authority’s boundary not on the planning authority’s boundary. Chichester’s Local Plan area is not contiguous with the local authority area as approximately 70% of its area is in the South Downs National Park (SDNP) which has its own planning authority. Property prices in the SDNP are usually higher than in the surrounding areas whereas, due to the rural nature of the Park, wages are usually lower. This results in a disproportionate affordability ratio compared to the non-SDNP area. The SDNP occupies approximately 70% of the District and thus has an adverse effect on the affordability of the District in calculating its housing need, a housing need which then has to be accommodated in the non-SDNPA area. The

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Parish Council is concerned that the new housing would have to be placed along the A259 corridor, which is already under much pressure, including in the Parish of Westbourne which is a small rural community immediately south of the SDNP.

### **Securing of First Homes through developer contributions**

This proposal is focused on the concept of First Homes which is a relatively new Government concept to deliver discounted price affordable homes for purchase by first time buyers. The concept was first published in a consultation paper in February 2020. The Government intends to set out policy that a minimum of 25% of all affordable dwellings in a housing development, where affordable housing must be provided by a developer, must be "First Homes". At present this operates via S106 obligations but in due course and, were the Planning for the Future proposals to be implemented, this would be covered by the Infrastructure Levy (CIL).

This approach is intended to replace shared ownership or similar elements of existing affordable housing requirements that are currently secured by S106 Agreements. The balance of affordable homes to be provided in any scheme would continue to be affordable rented or social rented. The tenure mix would then be dependent on the relevant and approved, local authority affordable housing policies.

The Government proposes two options to the delivery of the balance of affordable housing beyond the 25% as "First Homes". In option one, which government prefers, if there are any further affordable home ownership products (like shared ownership/equity) required in the local authority policy beyond the 25%, priority should be given to also making these First Homes. Option two leaves the approach to be negotiated between the developer and the local authority.

There are various questions posed on this issue which are set out below. The key general point is that the government is shifting the approach towards First Homes as a way of tackling affordable housing requirements to favour home ownership. Although social rented and affordable rented homes are still part of the approach it would seem that the balance is shifting under this policy.

Q8. Seeks a response on the approach to the balance (75% of affordable homes) not provided as First Homes. Of the three options, the Parish Council recommends support of (i) which reflects the ratios for affordable tenure set out in the local plan.

Q9. Seeks views on whether the exemptions that apply to a rental only scheme, not to comply with the normal policy requirements to provide home ownership products like shared ownership, should also apply to First Homes only schemes. The Parish Council recommends that there is a need for caution here. Large scale First Home schemes could be introduced that escape the need for more diverse shared ownership products. First Homes even at a discounted price will be beyond the means of many low income families. The Parish Council is not in favour of this change.

Transitional arrangements are envisaged for local plans and neighbourhood plans that have been prepared on the basis of the existing policies in the National Planning Policy Framework. This affects Westbourne's Neighbourhood Plan. It is suggested

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that where such plans are submitted for examination within six months of this new policy on affordable housing, they should continue to be based on the NPPF and will not need to reflect the First Homes approach. Flexibility is also suggested to allow local authorities to continue to deal with planning applications that have been largely negotiated on the existing policies and tenure mix policies of NPPF and current local plans.

Q12. The Parish Council supports these suggested transitional arrangements.

The level of discount suggested for First Homes is a minimum of 30% of market value as determined by an independent valuation. Local authorities will have the discretion to increase the discount to 40% or 50%, if evidence demonstrates a case for this.

Q13. The Parish Council supports the proposed approach to discounts for First Homes.

It is proposed to introduce an exemption from the Community Infrastructure Levy for First Homes as it reflects practice for other forms of affordable housing. It is however signalled that a more comprehensive review of CIL and S106 Obligations is intended to be introduced with First Homes as an integral feature.

A major change to Exception Sites policy is envisaged, which would allow First Homes to be developed on unallocated exception sites in the same way as other forms of affordable housing are currently allowed where they comply with local plan site criteria. These First Homes on exception sites would be limited for local first time buyers and there would also be an allowance for a small proportion of other forms of affordable homes and market homes to assist with economic viability. There would also be a removal of the site size threshold but retaining a requirement that the site size should be proportionate to the existing settlement. The Parish Council considers this to be a major change with really adverse implications to villages like Westbourne, which are reasonably large in scale. It opens up the potential for very significant development proposals on land at the edge of the village which is currently protected by existing policy. The development could also include relatively significant amounts of market housing. There are also difficulties, as the Westbourne Community Trust have found, in defining what local connections really mean. This is especially the case when the decisions on this will probably be taken by a housebuilder whose main incentive is to sell the First Homes.

Q14. The Parish Council is not in favour of a small proportion of market homes being allowed on First Home Exception Sites to ensure viability.

Q15. The Parish Council is not in favour with the proposed removal of the site size threshold for such developments.

Q16. The Parish Council agrees that First Homes exceptions sites policy should not apply in designated rural areas. (ie mainly National Parks and AONBs)  
Although there is no question posed about the principal of allowing exception sites to include First Homes. The Parish Council objects to this principal especially given the

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potential impact on villages like Westbourne which could seriously undermine the policies of the Neighbourhood Plan.

### **Temporarily lifting the small sites threshold**

The government proposes to provide significant assistance to small and medium size builders. Not only because they make an important contribution to overall housing supply, and bring smaller sites to the market more quickly than larger scale builders/sites, but also to assist in the revival of these SMEs during a time when they have been in decline and struggling with additional economic pressures of COVID 19. Legislation has already been introduced to allow local authorities to accept deferment of CIL payment from SME builders but now it is also proposed to raise the small site threshold from 10 units (based on NPPF) to either 40 or 50 units. This would mean that below the new threshold there would be no requirement for a developer to make CIL contributions, including provision of funding or land for affordable housing. It is recognised that this would reduce the overall contribution to the provision of affordable housing by up to 20% in the case of the higher 50% threshold, but this is considered to be acceptable because of the benefits it would bring to housing supply and the survival of smaller and medium size builders. It is suggested that the threshold be raised for an initial period of 18 months and then reviewed on the basis of impact of the change. The approach also suggests that the existing site size threshold in NPPF (0.5ha) be raised proportionately to the number thresholds envisaged. It is also acknowledged that developers could try to avoid CIL contributions by bringing larger sites forward in phases, just below the new threshold. Planning guidance will be brought forward to deal with and prevent this.

The Parish Council is concerned that many developments by large builders would also be below a 40 or 50 dwelling threshold and there does not seem to be any approach that specifically commits to the relaxation applying only to SME builders. The Parish Council is wary of the approach and consider that significant community infrastructure will not be funded because of this relaxation even if it lasts only 18 months. Given that it is to be reviewed there will no doubt be pressure to retain the relaxations at the end of the temporary period.

Q17. It is recommended that the thresholds at the current level ie 10 units or 0.5ha are retained and there is not a temporary relaxation.

Q18, Q19 and Q20. As per Q17

Q21. It is recommended that if such a temporary relaxation policy is introduced it is essential to have phasing rules that prevent the avoidance of CIL on larger sites.

The policy for temporary relaxation of small site thresholds is proposed to be different for designated rural areas in recognition that these rural locations are more dependent on developer contributions to supply affordable housing. Therefore, the current threshold of 5 units will be retained.

Q22. It is recommended that this threshold be retained.

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Government asks for views on other ways of supporting SME Builders to deliver new homes during the economic recovery period.

Q23. No views or suggestions on this point.

### **Extending the current Permission in Principle to major development**

This concept was introduced in 2017 to simplify and speed up the process of obtaining planning permission. It allows authorities power to grant a general permission in principle on suitable brownfield sites and it was then extended in 2018 to minor development for sites of fewer than 10 dwellings. It gives developers certainty that residential development is acceptable on specific sites subject to an application. It is in effect a kind of outline planning permission, but no conditions can be attached and very limited supporting information from the developer is required. There are two stages to the process. Stage 1 establishes that the site is suitable for development and stage 2 requires the submission of relevant details for consideration and conditions can at this stage be attached in the issuing of approval. It is not a process that seems to have been widely used so far. Government thinks that the restrictions on site size currently make the use of this approach of limited value to developers.

The Government intends that this simplified approach is now extended to a wider range of larger sites which are generally known as major developments and specifically mentions sites which are not currently allocated in local plans. This is consistent with Government's general desire to release sites for housing more rapidly. In the Planning for the Future white paper it is anticipated that land allocated for substantive development in local plans should in effect automatically achieve the Stage 1 status described above and thereafter would only need to provide specific detailed information to secure approval to commence construction. The suggestion in the interim, until the new reforms are in place and being implemented, is that developers would be able to advance proposals on land more quickly even when they are not currently allocated for development in local plans. It is intended that such relaxations should not apply to sites where an Environmental Impact Assessment and Habitats (EIAs) requirements apply. Because the regulations require that EIAs are submitted for all developments of more than 150 dwellings or sites greater than 5ha in size, this in effect puts an upper cap on development proposals that can be brought forward under these Permission in Principle procedures. However it is obvious that developments up to 150 units can have a considerable impact and the benefits to developers with this new approach are considerable.

The Government seeks views on a range of issues related to this approach. This is a major change that raises key questions about whether it is appropriate to use this simplified approach, which could take away the power of local authorities to properly consider the principles of development in a more coherent and strategic manner alongside all the other relevant issues such as community infrastructure. It could also weaken the opportunity for local communities to make their views known about major development. As such it may generally be considered that the application of these procedures prior to the consideration of the wider reforms being approved is premature and undesirable.

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Q24: The Parish Council is not in favour of the proposed removal of the restriction on major development under this simplified procedure.

The Government also proposes that the procedure should include opportunities for more extensive inclusion of commercial development space with no limitation on floor space. At present providing the main element of proposals is housing development, only restricted quantities of commercial development can be included.

Q25: The Parish Council does not consider the removal of restriction on commercial space acceptable as it could lead to significant and undesirable new commercial space being carried out that could undermine proposals for new shopping and other commercial space or indeed existing space in other locations

It is suggested that the information that should be submitted to support applications for Permission in Principle for major developments should be similar in scope to that required for minor development in the existing regulations. This seems to be unreasonable given that major development by definition will raise much more complicated issues.

Q26: The Parish Council disagrees that the information requirements should be the same as exist for minor developments.

Q27: The Parish Council agrees that additional height parameters should be included in the detailed information required.

The remainder of the paper goes on to ask questions about publicity arrangements, a reduced fee structure and the treatment of brownfield land. These seem to accept that greater levels of publicity are required without indicating what they should be. The Parish Council is cautious that even if more publicity is required that the timescales for response are not shortened to a point where public engagement is minimal and ineffective. Ample time and mechanisms should be provided for proper public engagement.

I trust that you will consider the above comments as part of the consultation process.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Richard Hitchcock', with a horizontal line underneath.

CLlr Richard Hitchcock  
Chair of Westbourne Parish Council