

MINUTES

STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY

10 OCTOBER 2017

Councillors: Anderson (Chairman)
Barrett
Birnie
Fisher
Hicks
Howard (Vice-Chairman)
Matthews
Ransley
Riddick
Timmis
C Wyatt-Lowe

Officers: Nathalie Bateman
James Doe Assistant Director - Planning, Development and Regeneration
Andrew Horner Group Manager - Development Management
Shalini Jayasinghe Strategic Planning and Regeneration Officer (Town Centre)
Katie Mogan Member Support Officer

Also in attendance:

Councillor Marshall Portfolio Holder - Environmental, Sustainability and Regulatory Services
Councillor G Sutton Portfolio Holder - Planning and Regeneration

The meeting began at 7.30 pm

117 **MINUTES**

The minutes of the Strategic Planning and Environment Overview and Scrutiny Committee meeting held on 12 September 2017 were confirmed by the members present and signed by the Chairman.

118 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor S Hearn.

119 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

120 **PUBLIC PARTICIPATION**

There was no public participation.

121 **CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN**

None.

122 **DEVELOPMENT MANAGEMENT UPDATE**

A Horner introduced the item and ran through the main highlights of the report.

- The paperless transition with town and parish councils has gone well and there has been positive feedback at the bimonthly meeting with the hardware and software that has been provided.
- There are still issues with the operation of the public website and its functionality. The department is aware of the issues concerning comments that have been submitted not appearing on the website but work is ongoing with the IT department and supplier to resolve this.
- Members were assured that all documents were being received and officers have all the information available to them to take into account when making their decision. The function issue on the website is only affecting the public.
- There has been a change to the scheme of delegation and the Development Management Committee has changed from a three week cycle to monthly. This change seems to be working well despite initial timing issues – these have been resolved through better agenda management and reordering the agenda prior to the meeting to allow all applications with speakers to go first.
- Planning performance agreements have been introduced which allows for greater interaction with applicants and has increased income. This has helped to manage the overall processing of applications and if it is believed that the application may take longer than the statutory time, then officers agree a more realistic timetable with the applicants. This also protects the council from having to refund planning fees if the decision hasn't been made in the time stated.
- There is a positive trend in fee income. The government released a white paper which could potentially allow local authorities to increase their planning fees by 20%, this legislation should be before parliament very soon and hope it will be in place by the end of the financial year.
- There has been a steady and sustained increase in planning applications – we are expecting the LA3 application to be submitted before Christmas which is expected to be 1100 homes and schools. This one of the biggest applications that Dacorum has ever dealt with and requires a large number of

resources. A case officer can generally deal with about 30-40 small applications at one time, but officers dealing with major applications only have about 2-3 cases. The LA3 application has meant working with 3rd parties such as HCC and the CCG.

- The Brownfield Land Register is currently in production which will identify sites for development. Some of these sites will be given permission in principle which gives the department a different method to authorise development.
- The department is working with IT to find a replacement for Acolaid which will be a big project. It is an important opportunity to learn lessons from the previous system, look at how to improve efficiencies and have a better public interface. This process will take several months and currently soft market testing is underway to find out what is on the market. The most important element is to ensure a smooth data transfer as there is 15-20 years' worth of records to transfer. This new software also covers building control and land charges.
- One issue that has been raised by councillors that is not in the report is the difficulty experienced in trying to contact case officers. At the bimonthly town and parish councils meeting, clerks expressed their disappointment in some areas of the service. Work will be carried out to remind officers of good practice and ensure their out of office on both their voicemail and email is up to date. Also, if officers are part time, they should be stating their working hours and days on the bottom of their emails. Officers should respond to calls and emails in a timely manner and should also leave a message to say they have returned someone's call if they do not answer. The first point of public contact is the Customer Service Unit who then field the calls through to officers.

A Horner was happy to take questions.

Councillor Timmis said the main issue for residents was that when they make comments, they do not appear on the website and do not get any acknowledgment from the planning department that their comments have been received. This is making the council look bad.

A Horner said this was a fair comment and said he was aware of the issues being experienced. There needs to be a short term solution to this problem and a long term replacement with the new system.

Councillor C Wyatt-Lowe referred to the LA3 application due to be submitted, this was a huge application needing extensive work. What resources does the department have to ensure that their work is thorough and day to day jobs in the department do not suffer?

J Doe said this was a valid concern. The LA3 application will be allocated to a senior officer who will have a case load of about 2-4 major applications and preparatory work has already begun. There is currently a system of overtime operating to soak up

the day to day jobs. The budget setting process should allow for growth in the service in anticipation of future pressures and this will be subject to Council approval. The potential increase in planning fees could generate £120-150,000 in extra income which will be ring fenced for the planning department.

Councillor C Wyatt-Lowe said it was very frustrating trying to contact case officers, councillors are also busy people and the delay in trying to contact officers does not allow councillors to perform their duties as well as they could.

A Horner said he would take the comments on board and work towards making officers more efficient. He asked Councillor C Wyatt-Lowe if she got a quicker response via email.

Councillor C Wyatt-Lowe said response times were better via email but sometimes it is necessary to speak to the officer.

Councillor Anderson endorsed the comments from Councillor C Wyatt-Lowe and said a planning application in his ward that he objected to was granted under delegated powers because officers did not respond to emails. This issue needs to be solved.

Councillor Hicks said Tring Town Council was getting complaints from residents. How does the three week delay in validating applications affect consultation information being sent to residents? Some residents do not know that an application is before the Development Management Committee, people are becoming frustrated and hopefully this will improve.

A Horner said the delay in validation shouldn't make a difference as the notice is not sent out until the application is validated. No decision can be made when an application is out for comment.

Councillor Hicks questioned how a decision can be made in eight weeks if there is a three week delay at the start.

A Horner said officers agree an extension of time with applicant. If it is a delegated matter then it does not need to go to the Development Management Committee.

Councillor Riddick asked about the telephone system – does the department not have a hunting system so that if one officer doesn't pick up, it then moves onto another phone until the call is picked up.

J Doe said it depends on how each department is set up but believes the corporate system should allow that.

Councillor Riddick referred to paragraph 3.3 and said the number of applications has remained constant but it is the scale and complexity that is the problem. He asked how the department is dealing with the resources it has.

J Doe said this goes back to the budget setting process and trying to expand resources. These concerns are experienced in other local authorities. There is also

an issue with the supply of planners. Currently, officers have a carefully managed workload and trainees have been appointed so they can focus on the smaller, simpler applications. The department does have performance management team meetings to discuss and pick out the barriers on certain applications.

Councillor Riddick said another problem was retaining good staff. Although employing trainees was good, it takes a long time to train them before they become fully functional planning officers.

J Doe said these are all well-made points. Senior staff have to give assistance to the trainees. There is also the wider issue of local authority salaries and there is now less parity in pay and Dacorum do not currently have market force supplements.

Councillor Birnie referred to paragraph 2.5 and asked for clarification regarding the increasing in scope for those items that can be approved under delegated powers and not go to the Development Management Committee.

A Horner said the changes were introduced by his predecessor, Sara Whelan. The changes were approved at Full Council and are now set out in the Constitution.

J Doe said a major change was small applications where Dacorum Borough Council was the applicant no longer needed to go to the committee. For example, verge hardening projects with no objections from residents.

Councillor Birnie understood that officers were under pressure but asked what effect agency staff have on the department's efficiency as some reports are not up to standard.

A Horner said they currently have one agency planner who is very experienced. Agencies offer a number of different people and it is important to carefully select the right people.

Councillor Birnie said the Development Management Committee is often faced with contradictory and inconsistent information. The committee are told to judge each application on its merits yet in the current agenda, there is reference to a similar scheme down the road. He questioned why it was necessary to reference CIL amounts in reports – this should not have any impact on the committee's decision.

J Doe said CIL was charged irrespectively and there is no negotiation. It is important that members are aware of the charge, especially if they are concerned about infrastructure. He said he would arrange to meet with Development Management Committee members to discuss Highway issues.

Councillor Anderson asked if the attempt to get the quality of highways advice improved could be added as a heading in the reports detailing the ongoing improvements, and this was accepted.

Councillor Matthews asked if the brownfield land register would create an increase in demand.

J Doe said they had taken on a temporary officer to establish the register. Its purpose is to encourage take up of otherwise unused land. Part 2 of the process is to grant the larger sites permission in principle. The effect on workload is yet to be seen.

Councillor Anderson asked if the register will be broken down by ward.

J Doe said this is something they could do.

Councillor Matthews referred to paragraph 2.9 and the possible suspension of technical support from Accolaid in the medium term.

A Horner said there was no deadline yet and believes that the system has a couple of years left which is a reasonable timescale to replace the system.

Councillor Matthews asked if there would be a parallel running of both systems whilst the new system was being implemented.

J Doe said he had no worries about the technical support running out, Accolaid is a very old system and has been used for about 15-20 years. It is a high priority to replace.

Councillor Barrett questioned the department's resources and wondered why a senior officer was discharging conditions on planning applications.

A Horner said the discharging of conditions was part of the process and it would not be suitable for other officers to be assigned this role because they would have to familiarise themselves with the case. It would not be very efficient.

Councillor Barrett said that Bovingdon and Chipperfield parish council had received great help, especially from Paul Newton.

Councillor Anderson wondered if the problems with validating applications, with the non-appearance of public comments on the website, and that sometimes parish councils were finding key documents were missing from the website were all linked, and asked if replacing Accolaid would resolve all three problems.

A Horner confirmed that a new system would hopefully solve the public comments problem, and that the separate resolution of the validation problem, as previously discussed, would resolve the missing documents problem.

Councillor Anderson was concerned that a number of issues were becoming prolonged, and suggested the committee could become more aggressive in requiring timescales for the resolution of these issues.

J Doe said a timescale and plan had been developed.

Outcome

That the Strategic Planning and Environment Overview and Scrutiny Committee approve the report.

123 DRAFT TWO WATERS MASTERPLAN GUIDANCE

J Doe introduced the item to members and said the purpose of the report was to report back on the results of the public consultation.

- Regeneration work in the town started a few years ago mainly in the town centre. The north side of the town centre from the Civic Centre and onwards is next to be regenerated.
- Two Waters is an area with sites that could help meet the housing need in the borough.
- Previously, workshops were held for residents alongside facilitators and consultants to gain residents view on what type of regeneration they would like to see and this has influenced the current version of the draft masterplan guidance.
- The draft masterplan guidance went out for consultation and it gained a mixture of support and opposition but it is hoped that the guidance will help steer and guide changes that will happen anyway for the better.
- The masterplan guidance will be used as a Planning Statement for material consideration when assessing planning applications and will also help inform the new Local Plan. It is expected to be adopted as a Supplementary Planning Document (SPD) once the new Local Plan is adopted.
- Two Waters is a triangular area, including the area between the Plough roundabout and Hemel Hempstead and Apsley rail stations. It is hoped the vision for Two Waters will bring new residential led mixed use development and lift the environmental quality of the area and open up natural resources like the canal and the moor.
- Part of the plan is to encourage additional improvements to infrastructure like the car park and transport interchange at Hemel Hempstead train station. The council doesn't own this land but the masterplan creates a framework to respect the design of the local area as development comes forward.
- There seemed to be a misunderstanding regarding site 4 and people thought that Sunnyside Rural Trust would be lost. The masterplan sets out land for development if and when it becomes available. The Council is committed to maintaining the facility and this has been reiterated in DBC's response. The council do own this site so they can take control of its future.
- Next steps: Further studies will be needed. Planning applications have started to come forward and they will need to undertake their own detailed studies through the planning application process.

Councillor Birnie referred to J Doe's point about environmental quality. He said there was no mention that Apsley has failed to meet air pollution targets and further development will surely only increase this. Secondly, he said he was appalled to hear

that the proposals are for eight storey buildings around the station especially when the vast weight of public opinion was against this.

J Doe said they are not ignoring the consultation outcomes but this is not a rigid plan for the area. Future planning applications will have to be of a sensitive and careful design. The points about overlooking can be addressed once an application has been submitted. The proposal isn't to cover the whole site in eight storey buildings but it is about finding the most suitable location for it. The size of the building is necessary to generate sufficient investment to fund the infrastructure improvements required including to the train station site. Sites also need to be viable. It is a hard decision to make but government policy points to development around commuter hubs. With regards to air quality, there is a monitor on Apsley High Street and this will need to be monitored in the future.

Councillor Birnie said the Beacon development would mean more traffic. The bridge at Durrants Hill will need to be widened to accommodate this increase.

Councillor Anderson said this was a common theme at the workshops he had attended.

Councillor C Wyatt-Lowe was concerned when looking at the pie charts in the report. Most of responses were concerned about building height in three of the proposed sites. She said people might be more accepting of the masterplan if there was less emphasis on tall buildings and the views given in the consultation should not be ignored. There is a huge weight of opinion against what is proposed and the public clearly do not see this as an improvement. Councillor C Wyatt-Lowe was also concerned about infrastructure and the council is letting down its residents if they do not listen to their views. Traffic is a serious issue in Apsley and the bridge at Durrants Hill is a bottleneck, of which there are several across the borough. People accept the need for additional housing but there is also a great need for infrastructure. This needs to be addressed sooner rather than later.

J Doe said he agreed with the comments about infrastructure. Hertfordshire County Council are preparing plans for transport improvements and growth. The CIL contributions from developments will not cover all needs. He accepted that building heights were an issue but these can be designed to look attractive.

Councillor Hicks said he agreed with Councillor C Wyatt-Lowe's comments. He said he could not believe that this all new development would not need a new primary and secondary school. He asked if HCC had justified this and is this future proof?

N Bateman said there is a need for primary school places but within the plan, there is no logical place to put a primary school. The council is working with HCC to resolve this matter.

Councillor Timmis referred to the station improvements. She said the car park was owned by the train operator, not the council. Will they be paying for the car park

improvements? Secondly, there is a shortage of water in the area so is there enough water to meet the needs of these new developments?

J Doe said he was not aware of any issues regarding water supply in this area. HCC are currently undertaking a study with the water companies. He also didn't think that any of the proposed development sites were within flood risk areas.

N Bateman said all buildings would be designed to be resilient to flooding.

J Doe said the car park was managed by the train operator and the council are not funding it. The masterplan is creating conditions to allow Network Rail to bring forward improvements. The current car park is over subscribed and it's necessary to double the spaces.

Councillor Riddick said he supported all the comments from his colleagues. He was disappointed that the masterplan consultation document seemed watered down using words such as 'some' and 'few'. He said he was against the scale of the proposed developments with no plans to improve the infrastructure. Apsley is already gridlocked and the LA3 development will push traffic towards the train station. The station has been changed and cars now cannot get into the forecourt to pick passengers up so the traffic backs up down London Road and all the way to the Plough roundabout. A scheme on London Road was recently refused and dismissed on appeal and that was just three storeys, the large towers proposed are ridiculous. If the government are pushing to get people to use public transport then planning applications must come with no parking provision on site and then the residents would have to rely on public transport.

Councillor Matthews was also disappointed by the loose language used in the report, it was unacceptable and was frustrated at having to keep referring back to the pie charts to find the percentages of each response. Major road improvements will be needed to accommodate all this extra development.

J Doe said 293 people responded to the consultation which isn't substantial when the area has thousands of residents. Section four of the report sets out the precise percentages. He said he disagreed with Councillor Riddick's comment that everybody was opposed to the masterplan. Transport is covered in the documents online and certain junction improvements are set out.

Councillor Barrett asked why only two stakeholders had been consulted. How can the viability of the masterplan be assessed?

N Bateman clarified with Councillor Barrett that he meant developers when he mentioned stakeholders and said these two stakeholders were the ones the council were aware of. The department has worked with planning and throughout the consultation, land owners have been spoken to. It is unclear when some of the identified sites will become available for development but land owners have been engaged in the process.

Councillor Anderson referred to site 1 in the masterplan. Given the council had already permitted a large tower block outside the Central Business District, what hope was there in being able to prevent a large tower block on this site or elsewhere.

J Doe said it was for this reason that the masterplan was needed. The masterplan would allow the council to set out where maximum heights should occur.

Councillor Anderson was grateful that he and the Vice Chair were invited to the various residents workshops in relation to the masterplan. The public reaction was pretty clear, and it was clear that they felt their concerns were not being listened to. Traffic issues are a main concern, and Apsley High Street is already a disaster because so many people who do not have access to public transport have to use it to gain access to/from Hemel Hempstead. Moreover, this is a mature road network with little or no scope for improvements due to the amount of development on the road sides.

Site 3 was removed from a previous Local Plan because far from being a waste of land, the Inspector had agreed with Councillor Anderson that it was an important green gateway to the town. But, there wasn't any problem at all with the redevelopment of the dilapidated works yard in the northern part of the site, and so a way forward could be to split the site in two. Councillor Anderson had been in touch with the landowner the Boxmoor Trust, which expressed doubt over whether the organisation's charter would permit any development of the moor, so there is also a problem with deliverability.

Councillor Matthews said there were no suggestions in the report for improving connectivity and broadband in the area.

J Doe said this was an important issue and recognised this was part of the infrastructure improvements. Obviously, this was demand led.

Councillor Anderson hoped that the implementation of fibre broadband would be included in any infrastructure improvements, as one would not think it but a significant part of the Kings Langley ward was served by a telecoms cabinet in Apsley, which currently is not due for any upgrade.

Councillor Hicks questioned the statement in the masterplan for a modal shift in sustainable transport. He said in Milton Keynes, there are paths in between the roads. However, Apsley is gridlocked, there is no way extra buses can be put on and there is no room for cycle lanes.

J Doe said Apsley was well served by public transport compared to other areas in the borough.

Councillor Birnie said the area has two train stations and buses from Apsley to the Town Centre but there was no public transport through the high street. This

consultation has a small number of responses but previous consultations produced concerns over buildings heights.

Outcome

In view of the unanimous comments made by the committee, Councillor Anderson wondered if a referral to the Cabinet was appropriate, and this was agreed.

It was proposed, seconded and agreed that: The Strategic Planning and Environment Overview & Scrutiny Committee has grave reservations about the Two Waters & Apsley Masterplan as proposed. The main concerns are the public responses and the lack of infrastructure. The pressures the council and planning department are under are acknowledged, but the committee believes there are serious problems with what is being proposed.

124 WORK PROGRAMME

Councillor Timmis asked if rural crime could be included in the fly tipping report at the next meeting.

Councillor Anderson advised against this as this would stray into the Housing and Community Overview and Scrutiny Committee's remit. He advised Councillor Timmis that the best forum for this would be the Dacorum Community and Safety Partnership.

J Doe said the Dacorum Development Programme and the Parking Standards reports that were due to come to this meeting will be deferred to the January meeting.

The Meeting ended at 9.30 pm