
Development Control Panel

Report of the meetings held on 9th and 21st February
and 21st March 2005

Matter for Decision

**23. CREATION OF FOOTPATH AT
ST GERMAIN WALK, HUNTINGDON**

Further to Item No. 11 of their Report to the meeting of the Council held on 8th December 2004, the Panel has been acquainted with the current position in regard to the possibility of making a Footpath Creation Order at St Germain Walk, Huntingdon. A copy of the report submitted to the Panel is reproduced as an Appendix.

Following further consultation, the Panel has noted that the County Council would have no objection to the creation of a footpath at St Germain Street and that Huntingdon Town Council had supported the proposal for a right of way and removal of the gate to Chequers Court as part of that process.

Specialist legal advice was presented to the Panel which had regard to the history of the issue, the planning process, previous reports to the Panel and the Council's decision to adopt an Urban Development Framework for land at Chequers Court in April 2004. The Panel were advised that Counsel had concluded that the Council would have no reasonable prospect of success at an Inquiry which would inevitably ensue from having made an Order and, in the unlikely event that the Order was confirmed, the Council also would be liable for the payment of compensation to the landowner and occupier of the land over which the footpath would be created. Given the lengthy process involved and the potential commercial loss to the owner, it was anticipated that the compensation payable would be substantial.

During lengthy discussion, reference was made to the likelihood that a proposed shop mobility scheme for Huntingdon could be progressed by the Autumn. Having also discussed the importance of the Urban Design Framework for Chequers Court in terms of the future vitality and viability of Huntingdon and the opportunity it presented to ensure access to the town centre was comprehensively addressed, the Panel

RECOMMEND

- (a) that, in the light of specialist advice on the expediency of making an Order under Section 26 of

the Highways Act 1980, the very limited prospects of success in a public inquiry and the significant compensation likely to be payable in the event of such an Order being confirmed, a Footpath Creation Order at St. Germain Walk, Huntingdon be not made;

- (b) that, pending a long term solution as part of the comprehensive redevelopment of the area, Officers be requested to investigate, as a matter of urgency, alternative measures to assist access for the disabled, including the possibility of introducing a shop mobility scheme; and
- (c) that, as proposals are being developed for the future of this area, negotiations be conducted to seek to achieve improved access throughout the development area and that, where feasible, these be scheduled for early implementation.

Matters for Information

**24. URBAN DESIGN FRAMEWORKS –
ANGLIAN HOUSE, HUNTINGDON, ST IVES WEST AND
ST NEOTS COMMUNITY COLLEGE**

The Panel has endorsed the content of the Urban Design Frameworks for –

- ◆ Anglian House, Huntingdon;
- ◆ St Ives West; and
- ◆ St Neots Community College.

Urban Design Frameworks provide a framework to co-ordinate emerging proposals within a particular location and offer specific guidance to potential developers so development of land progresses in accordance with the Council's planning and design requirements and recognises wider visual and townscape considerations and site specific opportunities and constraints.

The representations of the Panel on each site have been forwarded to the Cabinet.

25. CORE STRATEGY DPD: INITIAL CONSULTATION OPTIONS

Having been acquainted, at a special meeting, with the details and requirements of new planning legislation, the Panel as a stakeholder in the process, has been invited to consider the potential approaches which might be considered appropriate for inclusion as "core policies" in the Council's first Development Plan Document (DPD). Once completed, this document will prescribe the Council's overall

approach to development and the key policies that will be used when considering individual planning proposals.

Following detailed discussion of each policy approach, the Panel made a number of comments which the Development Plan Manager undertook to consider further. Subject to these comments, the Panel endorsed the general approach of the “initial consultation on options” report and advised the Cabinet of their support for the content of Policy Area H4 – a mix of property sizes – considered to be essential for the future of village life in the District and strong opposition to an approach to housing mix promulgated in a consultation paper published by the Office of the Deputy Prime Minister which has suggested that housing mix should be left to the market to determine.

26. REVIEW OF THE CONSTITUTION

The Panel has conveyed a suggestion to the Corporate Governance Panel to the effect that Members of the Development Control Panel should receive training in planning and probity matters prior to their appointment to that Panel and that further training also should be delivered to town and parish councils.

As the issue of Member development currently is being progressed by the Overview and Scrutiny Panel (Planning and Finance) it was suggested that the training referred to might be incorporated as part of that scrutiny study.

27. TOWN AND COUNTRY PLANNING (RESIDENTIAL DENSITY) (LONDON, SOUTH-EAST ENGLAND, SOUTH-WEST ENGLAND, EAST OF ENGLAND AND NORTHAMPTONSHIRE) DIRECTION 2005

In 2002 a Direction was issued to planning authorities in London and the South East of England requiring residential development proposals to meet minimum density standards. The Panel has been informed that, with effect from 28th February 2005, this Direction has been extended to include the East of England.

This means that when a local planning authority is minded to approve an application where a proposed residential development site comprises one hectare or more and the proposed residential density is either not provided or would be less than 30 dwellings per hectare, the application in question is required to be referred to the appropriate Government Office (Go East). In these circumstances, the District Council would have to demonstrate to Go East that the application would make the best use of land as set out in Planning Policy Guidance Note No. 3 and the relevant spatial strategy.

The Panel has noted that the Secretary of State may “call-in” an application if a reduction in density could not be justified.

28. PLANNING APPLICATIONS - TARGETS FOR DETERMINATION

The Panel has been informed that the Council, as local planning authority, may be designated as a planning application “standards authority” in 2005/06. This is because the Council has found it difficult to meet its performance targets in terms of the determination of minor planning applications in the year ending June 2004. Through monitoring the activities of the development control service, the Panel has been aware of the volume and complexity of applications being generated by development pressures in Huntingdonshire at a time when the service has lost experienced planning officers.

Having been advised of the implications were the Council to be designated a “standards authority” in terms of redefined targets and the potential loss of planning delivery grant, the Panel has endorsed a series of procedural and operational measures which will be put into place to ensure that applications can be dealt with as effectively and efficiently as possible.

In noting that the Head of Planning Services would be undertaking a review of Planning Services, to include recruitment and retention issues, for submission to Employment Panel and the Cabinet in the Summer, the Panel undertook to continue to monitor performance and to reconsider the issues involved in the event that the Council is designated as a “standards authority” in 2005/06.

**29. DEVELOPMENT CONTROL ACTIVITIES –
1ST OCTOBER – 31ST DECEMBER 2004**

Following on from Item No. 28 ante, the Panel considered a statistical report on the performance of the Development Control Section of the Planning Division over the period 1st October – 31st December 2004. Attention was drawn to the percentage of major and minor applications determined against national performance targets and the difficulty experienced in achieving the percentages demanded within the designated timeframes when Officers in the development control service had a caseload in excess of the accepted average carried by Officers across authorities as a whole.

30. DEVELOPMENT APPLICATIONS

Over two meetings the Panel has determined a total of twenty nine applications of which sixteen were approved, twelve refused and one deferred.

Most notably, the Panel has approved outline applications for residential development on three sites off the A1123 Houghton Road, west of St. Ives. Residential development was established by allocations in the adopted Huntingdonshire Local Plan Alteration, 2002. Negotiations on proposed S106 Agreements have progressed for each of the three sites and, whilst these are still ongoing, the Agreements should secure contributions towards –

- ◆ transport related items such as pedestrian and cycle links, bus lanes and road safety schemes;
- ◆ affordable housing;
- ◆ primary and secondary education;
- ◆ health facilities;
- ◆ sports provision and play equipment;
- ◆ structural planning and open space; and
- ◆ surface water drainage – maintenance scheme

The Section 106 Agreement Advisory Group have indicated their support for the content of these proposed Agreements.

P G Mitchell
Chairman