

<b>ENVIRONMENT SCRUTINY PANEL</b>	<b>Agenda Item No. 7</b>
<b>15 JANUARY 2009</b>	<b>Public Report</b>

## **Report of the Director of Strategic Resources**

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### **EXECUTIVE DECISIONS**

#### **1. PURPOSE**

- 1.1 The purpose of this report is to notify the Panel of the Executive Decisions which have been taken and which relate to the Panel's remit.

#### **2. LINKS TO CORPORATE PLAN, SUSTAINABLE COMMUNITY STRATEGY AND LOCAL AREA AGREEMENT**

- 2.1 Links to the Corporate Plan, Sustainable Community Strategy and Local Area Agreement are contained within the individual decisions notices.

#### **3. BACKGROUND**

##### **3.1 The Wansford Conservation Area Appraisal**

##### **Decision**

The Cabinet Member for Housing, Regeneration & Growth is requested to approve boundary changes to the Wansford Conservation Area - map available on request.

##### **Reasons**

A review of the Wansford Conservation Area has been carried out as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed Appraisal has been prepared for the Area and, following public consultation and subsequent amendment, it was adopted at Planning and Environmental Protection Committee meeting on 19<sup>th</sup> February 2008 as the Council's planning guidance and strategy for the Area.

The Wansford Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of (Conservation Areas) areas'. The Appraisal identifies the special character of the Wansford Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area. The Appraisal examined certain sites on the edge of the conservation area and concluded that these areas were worthy of inclusion in the conservation area to enhance and safeguard the character of the conservation area.

##### **3.2 The Thorney Conservation Area Appraisal**

##### **Decision**

The Cabinet Member for Housing, Regeneration & Growth is requested to approve boundary changes to the Thorney Conservation Area - map available on request.

## **Reasons**

A review of the Thorney Conservation Area has been carried out as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed Appraisal has been prepared for the Area and, following public consultation and subsequent amendment, it was adopted at Planning and Environmental Protection Committee meeting on 19<sup>th</sup> February 2008 as the Council's planning guidance and strategy for the Area.

The Thorney Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of (Conservation Areas) areas'. The Appraisal identifies the special character of the Thorney Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area. The Appraisal examined certain sites on the edge of the conservation area and concluded that these areas were worthy of inclusion in the conservation area to enhance and safeguard the character of the conservation area.

### **3.3 The Orton Waterville Conservation Area Appraisal**

#### **Decision**

The Cabinet Member for Housing, Regeneration & Growth is requested to approve boundary changes to the Orton Waterville Conservation Area - map available on request.

#### **Reasons**

A review of the Orton Waterville Conservation Area has been carried out as part of the Council's on-going review of all 29 of Peterborough's designated Conservation Areas. A detailed Appraisal has been prepared for the Area and, following public consultation and subsequent amendment, it was adopted at Planning and Environmental Protection Committee meeting on 4<sup>th</sup> March 2008 as the Council's planning guidance and strategy for the Area.

The Orton Waterville Conservation Area Appraisal fulfils the Local Planning Authorities obligations under the Planning (Listed Buildings & Conservation Areas) Act 1990 to 'draw up and publish proposals for the preservation and enhancement of (Conservation Areas) areas'. The Appraisal identifies the special character of the Orton Waterville Conservation Area and confirms that it merits designation as a conservation area. It also includes a Management Plan (as required by regulations) which identifies works and actions to secure the preservation and enhancement of the conservation area. The Appraisal examined certain sites on the edge of the conservation area and concluded that these areas were worthy of inclusion in the conservation area to enhance and safeguard the character of the conservation area.

### **3.4 The Green Backyard, update**

#### **Decision**

Authority is sought to vary the terms of the decision dated 24 September 2008.

The revised decision seeks authority to exceed the term of the lease to five years, with an optional break after 2 years with three months notice.

#### **Reasons**

The variation will allow the tenants to apply for a wider range of external funding to support the project.

### 3.5 Section 106 Planning Obligations Implementation Scheme

#### Decision

Cabinet received an update on the progress of the S106 Obligations Implementation Scheme in light of the withdrawal of the report that was originally submitted to the Planning and Environmental Protection Committee meeting on the 28 July 2008. The report has been substantially redrafted and widely consulted on with the development industry.

The S106 Scheme has been devised as a corporate framework which is intended to be acceptable to landowners and developers and meet the needs of service departments and the council's partners in its growth strategy. The current and proposed arrangements are integral to providing funding to the Corporate Plan, Sustainable Community Strategy and Local Area Agreement (LAA) priorities and outcomes. The document helps to deliver Local Plan Policy IMP1 and is consistent with the emerging policy CS11 of the draft Core Strategy.

The scheme seeks to provide: -

- a costed social and physical infrastructure programme which has to be funded for the growth strategy to succeed, and to which new development needs to make a proportionate contribution
- the principle that all significant developments including minor residential but not house extensions make a contribution to infrastructure growth because of their impact on the use of social and physical infrastructure like schools and public transport
- on-site infrastructure and contributions to neighbourhood and city-wide provision, on a phased basis in some cases and by negotiation on larger sites
- standard contribution figures for a range of different developments which will be used to assess the S106 Obligation. This includes a range of softer community, social and environmental projects which would not necessarily have attracted a contribution under the current Scheme
- a requirement that contributions are paid on all housing – including affordable
- pooled arrangements for taking funds from a series of relevant developments and banking them over a period, adding other funding until the project is fully funded and can commence implementation
- scenarios showing the impact on new development, and a separate report which assesses this. The report's conclusion is that the new scheme's impact will vary case by case, but that it enhances transparency and consistency for developers
- the scheme will be carefully monitored and reviewed at least annually and modified to ensure it meets its objectives. Its infrastructure costs and contributions will be indexed
- the scheme will collect contributions for PCC and partner services
- there will be a charge on development towards the costs of running the S106 activity which will be administered within the Planning Service and be accounted for to the Planning and Environmental Protection Committee
- there has been extensive consultation with developers and other parties who have contributed to the development of the scheme

#### CABINET **RESOLVED** TO:

Approve the contents of the report and recommend to Council:

- (i) That the s106 Planning Obligations Implementation Scheme be approved, for phased introduction after the December meeting of Council.
- (ii) That there be further work carried out to give the Implementation Scheme status as a Supplementary Planning Document.
- (iii) That for applications both approved between 1<sup>st</sup> January 2009 and 31<sup>st</sup> December 2009, and substantially completed before 31<sup>st</sup> December 2010 there will be:
  - A discount of 30% on s106 financial contributions
  - A reduction of 'expected' Affordable Housing level from 35% down to 25%

- (iv) That meetings are convened for the members of each Neighbourhood Investment Area, to ensure that Members are fully involved in discussing, identifying and confirming required infrastructure for each area, and the means of provision, including s106 Planning Obligations.

### **Reasons**

The Planning Obligations Implementation Scheme will be markedly clearer, faster and fairer than at present and with a reduced risk of misunderstanding, delay and complaint. It will provide a clear 'stepping stone' to the finalisation of a Supplementary Planning Document following the approval of its Core Strategy.

The council needs robustly to test the proposals and then approve them subject to review in April to ensure a scheme is in place as soon as practical.

## **3.6 Peterborough Local Development Framework – Annual Monitoring Report 2008**

### **Decision**

To approve the City Council's Local Development Framework Annual Monitoring Report 2008, for submission to the Department of Communities and Local Government (DCLG) via Government Office for the East of England (GO-East) prior to 31<sup>st</sup> December 2008.

### **Reasons**

The Planning and Compulsory Purchase Act 2004 requires every local planning authority to make an annual report to the Secretary of State, containing information on the implementation of the authority's local development scheme and the extent to which policies set out in local development documents are being achieved.

The Annual Monitoring Report (AMR) must be based on the period 1 April to 31 March each year. This requirement has been in place since 2004.

The document does not make or propose any policy; it reports on facts and figures relating to the area and progress on plan-making.

One of the issues identified in the AMR is the need to bring the Local Development Scheme up-to-date. Officers are preparing a revised Scheme and this will be the subject to a separate decision making process.

The document will be made available to the public via the City Council's website and will be available on request.

## **4. IMPLICATIONS**

- 4.1 Any specific implications are contained within the individual decision notices.

## **5. EXPECTED OUTCOMES**

- 5.1 The Panel is asked to consider the Executive Decisions which are relevant to the remit of the Panel and which have been made since the last meeting and if felt appropriate, to identify any decisions they may wish to examine in more detail.

## **6 BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

Executive Decision notices from 24 October 2008.