

Sustainable development panel

09:00 to 12:00

24 September 2014

Present: Councillors Stonard (chair) (to item 7 below), Sands (M) (vice chair)
Ackroyd, Boswell, Bremner, Herries, Jackson and Stammers

1. Declarations of interest

There were no declarations of interest.

2. Minutes

RESOLVED to agree the minutes of the meeting held on 23 July 2014.

3. Planning policies for Houses in multiple occupation (HMOs) draft options paper

The head of planning services presented the report and together with the planning team leader (policy) answered members' questions on the proposed options, costs, arrangements for the consultation and licensing implications.

During discussion members considered the trends for the dispersal of HMOs in the city based on census data for 2001 and 2011 and the need to accommodate increasing numbers of students in the city. Members noted that public perception was that HMOs and a transient population led to an increase in anti-social behaviour, were detrimental to the character of an area and could damage public services. Members considered that the consultation document should clarify what these concerns were and put them into context. It was noted that the city did not have the intensity of student populations such as Headingley in Leeds or parts of Nottingham. These areas were empty out of term time and affected services such as local schools because there were no children in the local population to feed into schools. However, there were concerns in some areas of the city, such as University ward, parts of Bowthorpe and Wensum, where local residents considered that the sense of community was being lost. A member for Nelson Ward said that he lived adjacent to students and had not experienced undue disturbance. The council worked with the universities to prevent anti-social behaviour and to promote the correct use of waste and recycling bins by students; and addressed other residents' concerns. The student population contributed to the vibrancy of the city and the local economy.

The benefits of students living in the city and the retention of graduates in the city should be taken into account.

During discussion on the options a member suggested that option 3 could be applied to specific streets, such as Portland Street and Lincoln Street, with a high concentration of student houses. Compulsory registration and licensing of all HMOs would require a lot of resource if a scheme based on the Oxford model was to be introduced. Members also considered that HMOs should be an available housing option for people who were not students.

A member requested that the council promoted the provision of purpose built student accommodation in the city centre or on good transport links.

RESOLVED to:

- (1) approve the draft HMOs policy options paper for consultation, subject to additional text being added to address and place into context the perception of the impact of HMOs on antisocial behaviour, impact on the character of an area and services;
- (2) note that consultation responses will be reported to the panel in early 2015.

4. Response to the government's technical consultation on planning reforms

The planner (policy) presented the report, and together with the planning team leader (policy), answered members' questions.

The chair commented that the principle at stake was the loss of planning powers to the local authority and its ability to influence the development of the city. Another member pointed out that the extension of permitted development rights and the government's deregulatory measures undermined the ability of the council to operate as a planning authority. The permitted development right to change office buildings to residential use would mean that adopted policies under the Joint core strategy and local development plans could not be implemented.

Members considered that there should be a council response to I) proposed new permitted development rights for waste management facilities, subject to size restrictions despite waste management being a county function. It was proposed that for instance the location of a landfill site or other waste management facility should consider residential amenity.

Members noted that an extension to the prior approval process would result in a loss of income and impact on the service that the council as a planning authority could provide. It was estimated that the council's potential loss of comparative fees would be around £85,000 in the first year of implementation.

A member queried the council's support of the proposals to improve engagement with statutory consultees, particularly when consulting English Heritage on changes

to listed buildings, including those in the council's ownership. The panel was advised that the council's response was qualified support. The relaxation of the rules removed unnecessary engagement with the statutory consultees on minor alterations to listed buildings where in effect these were merely nodded through. Members were advised that where the council determined its own applications the decision was subject to final approval by the Secretary of State.

In response to a member's question, the planner said that the formal proposal to the government under the Sustainable Communities Act to request a change in the planning regulations to control use class of public houses was about to be finalised. Other authorities had protected public houses from change of use class under Article 4 Directives.

RESOLVED to approve the report and ask the head of planning services to submit a response based on the report and subject to the addition of a comment in response to I) as follows:

"Residential amenity should be taken into consideration".

5. Affordable housing supplementary planning document – draft for consultation

The planner (policy) presented the report together with the planning team leader (policy). A copy of appendix 6, Glossary, comprising an explanation of the term strategic market assessment (SHMA) was circulated at the meeting. The Affordable housing viability review clause was a significant change. The council would have greater powers to secure alternative provision of affordable housing from a developer.

Discussion ensued in which members expressed concern that developers might try to circumvent affordable housing by constructing the number of dwellings on a site below the threshold or to renegotiate S106 agreements to reduce their obligations. Members were advised that there was a mechanism to ensure a minimum density of housing (40 per hectare) per site. The council's solicitors (nplaw) finalised S106 agreements. The application of housing viability review to S106 agreements was becoming standard practice nationwide.

During discussion the planner (policy) explained the circumstances where off-site provision of affordable housing was reasonable due to problems with topography and site contamination. Members were referred to appendix 4: Viability assessment requirements and advised that District Valuer provided an independent assessment of land values.

RESOLVED to approve the Affordable housing supplementary planning document as a draft for consultation for a period of four weeks as soon as is reasonably practicable following this meeting.

6. Carbon footprint report

The environmental strategy officer presented the report and explained that the electricity baseline data had been readjusted in line with the requirement of the Department for Environment Food and Rural Affairs (Defra)/Department of Energy and Climate Change (DECC).

During discussion members noted that the adjustment for weather conditions was no longer used and therefore it would be harder to identify where more fuel was used to offset extreme cold weather conditions.

A member expressed concern that the council had signed up for a Green tariff with Scottish and Southern Electricity which did not comply with the Ofgem green supply guidelines and therefore was not eligible for a claim for CO2 reduction.

Members welcomed the report and noted that with the adjustments 26.6% of the 40% target had been achieved.

RESOLVED to note the report.

7. Integrated waste management strategic objectives – quarterly update no 3 2014

(Councillors Stonard and Bremner left the meeting during this item. Councillor Sands, the vice chair, was in the chair.)

The environmental services development manager presented the report and pointed out that there was a roadshow at The Forum to promote the changes to recycling in the county. Free compostable liners for food waste bins were available.

Discussion ensued in which the environmental services development manager and project officer answered members' questions. Both members and officers expressed surprise at the results of the recycling services audit in respect of the Acorn 3 group and it was suggested that someone moving out or something might have affected the results, but this could be due to the audit taking place in June and students moving out of an HMO in the area. One member suggested that the Acorn categorisations were generalisations.

During discussion a member suggested that to encourage garden waste recycling brown bins could be provided free of charge to residents in areas of the terraced housing areas of the city and that residents could share them as gardens were small. The environmental services development manager said that the provision of free garden waste bins might be viewed by the county council as encouraging waste creation, which could impact on the future provision of recycling credits.

The environmental services development manager explained the arrangements for the new MRF recycling service. Members expressed an interest in visiting the plant. The environmental services development manager said that there were health and safety issues to be addressed before visits would be organised, but a video was currently being produced which would be made available. Discussion ensued on

promotion of the new service by using stickers and leaflets to households, which gave rise to the question of how new residents moving into the city found out about waste and recycling collections.

Members were advised that the next waste electrical and electronic equipment (WEEE) would be held in January 2015, in partnership with the British Heart Foundation. It was noted that the charity had the ability to host the event and conduct electrical safety checks before sale. It was noted that there was no kerbside WEEE collection at present as it would require specific vehicles.

RESOLVED to note the report.

8. Panel commencement time

RESOLVED that the panel will commence at the later time of 10:00 when it meets the day after council meetings and 9:00 for other panel meetings, as follows:

Wednesday, 26 November 2014 – 10:00
Wednesday, 28 January 2015 – 10:00
Wednesday, 25 February 2015 – 9:00
Wednesday, 25 March 2015 – 9:00

CHAIR