

Selattyn and Gobowen Parish Council

Minutes of the Planning Committee held on 17th January 2024 at Gobowen Pavilion commencing at 7:30pm

In the Chair: Cllr Ellis
Present: Cllr Broom, Cllr Dyke, Cllr Evans, Cllr Mellor, Cllr Morgan
In attendance: Mrs B Laraway, Parish Clerk & RFO
Apologies: Cllr Emery, Cllr Lander
Absent: Cllr Westwood Bate

P/34 To receive apologies and reasons for absence

RESOLVED: Apologies and reasons for absence were received from Cllr Emery and Cllr Lander

P/35 Disclosable Pecuniary Interests

- a. No disclosable pecuniary interests were declared
- b. There were no applications for dispensation

P/36 Public Participation session

There were no members of the public present.

P/37 Street vote development orders open consultation

The [UK Government consultation](#) seeking views on the detailed operation of street vote development orders, which inform the content of regulations using new powers in the Levelling Up and Regeneration Act 2023 was considered and responses for each of the 54 questions agreed by the committee.

RESOLVED: To submit a response to the consultation. See pages 2-11

Meeting closed 9:30pm

Preparing a proposal:

1 Who can submit a proposal?

Yes

If not, please provide details::

2 Do you agree with our proposed minimum thresholds for the size of a qualifying group?

Yes

If not, please provide details::

3 Are there any other factors that you feel should be considered when determining the minimum thresholds for the size of a qualifying group?

Yes

If yes, please provide details::

There should be lower thresholds for the size of a qualifying group on rural streets to ensure that this legislation can equally be used for rural development. Local Authorities, or another authority, could identify appropriate rural streets within their areas.

Engaging the community:

4 Do you agree that qualifying groups (or those acting on their behalf) should be required to undertake community engagement, but have discretion on how they engage on their proposals?

No

If not, please provide details::

There should be an agreed list of accepted engagement methods. Qualifying groups should be required to undertake a minimum of 'x' methods from the agreed list to ensure that appropriate engagements methods for all demographics are used and that no demographic is excluded.

5 Which additional protections, such as notice, could be given to residents?

Please provide details if applicable::

Mandatory written notice to all properties using a method that will ensure that the occupiers will be made aware of the importance of the written notice. For example, recorded delivery post.

6 Do you have any views on what level of community engagement would be appropriate?

Yes

If yes, please provide details::

Multiple levels of engagement to ensure that each household is fully informed. To include digital, in person (doorstepping and community gatherings), telephone. The organiser should be required to gather and report details of the engagement methods used for each property within the street.

7 Do you have any further views on community engagement you feel should be considered?

Yes

If yes, please provide details::

In Parished areas, there should be a requirement to notify the Parish Council of planned community engagement.

What a proposal must include:

8 Do you agree with the Government's proposals on what a street vote development order proposal must include?

No

If not, please provide details::

In addition to the proposals, a street vote development order proposal should also include a declaration of any personal or pecuniary interest in the proposal by each qualifying group member.

9 Do you consider that there is any further information or documents that should form part of a proposal?

Yes

If yes, please provide details::

Assessment of local infrastructure capacity
(sewage network, schools, highways etc.) Housing
Needs survey
Flood risk and environmental assessment.

10 Do you have any views on what tools would help qualifying groups in preparing and submitting street vote development order proposals?

Yes

If yes, please provide details::

Freely available maps of service
locations (Gas, electric, telecoms)
Up to date local Housing Needs

Surveys

Access to free training and resources to prepare proposal
Grants to fund any professional fees to prepare proposal.

Scope of street vote development orders:

11 Do you agree with our proposed definition of a street area?

No

If not, please provide details::

The definition would exclude many rural streets in our Parish which is where the land is likely to be available and the demand for development is likely to exist. Requiring a property boundary to be on the highway would not work in many rural areas (for example where properties have permissive access across land to reach their property).

12 Do you have any views on the most appropriate definition of a street area that you feel should be considered?

Yes

If yes, please provide details::

Use of the word 'hamlet' as a description for a group of houses in a rural area would be more appropriate.

13 Do you agree with our proposals for additional excluded areas?

Yes

If not, please provide details::

14 Are there any categories of land or area that you think should be added to the list of excluded areas?

Yes

If yes, please provide details::

Known flood plains / flood zones should be excluded.

Development in scope:

15 Do you agree that street vote development orders may only grant planning permission for residential development and cannot be used to permit changes of use?

No

If not, please provide details::

Change of use should be permitted in certain circumstances. For example, when a non-

domestic property has been out of use for some time and there is evidence that there is no local demand for non-domestic properties. It is better to have a property in use than risk it becoming derelict.

Excluded development:

16 Do you agree we should add development of buildings whose origins date before 1918 to the list of excluded development?

No

If not, do you have any alternative suggestions for how the development of older buildings can be excluded? :

The development of older buildings should be assessed on a case by case basis. Older buildings in a poor state of repair could be included to get them back in to use. Age shouldn't be a determining factor; it should be condition,

17 Are there any further types of development you think should be added to the list of excluded development?

No

If yes, please provide details::

Development requirements:

18 Do you agree with our proposed design principles?

Yes

If not, please provide details::

19 Do you agree with the proposed design requirements?

No

If not, please provide details::

There is no mention of renewable energy measures being a requirement in any design. Any new domestic property should have solar panels, facilities for rain capture and use etc., working towards energy self-sufficiency.

20 What role, if any, should neighbours have in determining development that goes beyond the light planes, plot use limits, window rules and restrictions on developing semi-detached houses and spaces between detached properties?

Unsure

Please provide details if applicable::

21 Do you have any further views on design requirements that you think should be considered?

Yes

If yes, please provide details::

Design should be appropriate to housing needs and location.

Relationship with the local development plan:

22 Do you agree with our proposals on the role of the development plan in the street vote development order process?

No

If not, please provide details::

Any development through the Street vote order development process should be in accordance with any 'made' neighbourhood plan. Any development contrary to a 'made' neighbourhood plan should require wider community consultation of the entire neighbourhood plan area.

23 Do you have any further views on the role of the development plan in the street vote development order process that you feel should be considered?

No

If yes, please provide details::

Ensuring that additional development is delivered:

24 Do you agree that street votes must not be used to reduce the amount of residential development in a street area?

Yes

If not, please provide details::

Managing local impacts:

25 Do you have any views on our proposed approach to managing highways and transport impacts?

Yes

If yes, please provide details::

The number of parking spaces provided per property should be appropriate to the size of the property. For example, 2 spaces is insufficient for a large 4 bedroom family home. There should be guidance developed on this, particularly for rural areas where there is no public transport and households rely on cars so sufficient parking spaces are essential.

Protecting the historic environment:

26 Do you agree with our proposals to further safeguard the historic environment?

Yes

If not, please provide details::

Other potential impacts:

27 Do you agree with our proposed approach to managing local impacts?

No

If not, please provide details::

In this area it is recognised that the publicly available Flood Zone map is outdated and has not kept up with the impact of existing development and climate change and should not be relied upon by developers. Local records and history of flood risk and impacts should also be taken into account.

28 Do you have any suggestions on additional or alternative ways that could assess and provide assurance to ensure that street votes development does not lead to increased flood risk in the immediate and/or surrounding areas?

Yes

If yes, please provide details::

Local records and history of flood risk and impacts should also be taken into account. In the case of our Parish, this information is held by the Unitary authority but is not necessarily reflected in the national flood zone map.

29 Do you think any other impacts should be considered?

Yes

If yes, please provide details::

In Shropshire, impacts on place plans.

Environmental duties:

30 What support should be provided to qualifying groups in order to make sure they can effectively discharge their obligations under the Environmental Impact Assessment (EIA) regulations, if required?

Please provide details if applicable::

Dedicated DEFRA helpline with extended opening hours so that it is available for working people. Free of charge training and resources available online and in print.

31 Do you have any views on how the Environmental Impact Assessment regulations should be modified for street vote development orders?

If yes, please provide details::

32 Do you agree that the Secretary of State should be responsible for issuing

screening decisions and advising qualifying groups on their scoping work prior to submitting their proposals?

Yes

If not, please provide details::

33 Do you have any views on the mechanisms for publicity and consultation for Environmental Impact Assessment for street vote development orders, including who should be responsible for running the consultation?

Yes

If yes, please provide details::

A variety of methods should be used for publicity and consultation to ensure that no demographic is left out, particularly people with disabilities. The 'responsible person' for the consultation should be an agreed person from the submitting body who has appropriate experience and/or training.

34 Do you have any views on providing qualifying groups with more certainty around Environmental Impact Assessment screening?

Yes

If yes, please provide details::

Provide freely accessible training.

Biodiversity Net Gain:

35 Do you think that Biodiversity Net Gain should apply to street vote development in this way?

Yes

If not, please provide details::

Examination:

36 Do you agree with our proposals for a validation stage before proposals can be examined?

Yes

If not, please provide details::

37 Do you have any further views on how the validation process should operate that you feel should be considered?

Yes

If yes, please provide details::

It should be a transparent and public process.

38 Do you agree with our proposals on the examination process?

Yes

If not, please provide details::

39 What (if any) statutory bodies do you think should be invited to make representations?

Please provide details if applicable::

Environment Agency, Highways, Parish Council, other local stakeholders.

40 For non-Environmental Impact Assessment development, what period of time should we allow for representations to be made?

Please provide details if applicable::

40 calendar days

Referendum:

41 Do you agree with our voter eligibility proposals?

Yes

If not, please provide details::

42 Do you think any other individuals should be eligible to vote in a referendum?

Yes

Please provide details if applicable::

Individuals who live at other addresses but who would be impacted. For example, a property that is not on the same street but backs on to the proposed development. Individuals who are on the housing waiting list for the area should be able to vote.

How will referendums be conducted?

43 Do you agree that street vote development order referendums should be conducted via postal voting only?

No

If not, please provide details::

Online voting should also be available.

44 Do you agree with our proposed referendum question?

Yes

If not, please provide details::

Approval thresholds:

45 Do you agree with the proposed approval thresholds?

Yes

If not, please provide details::

46 Do you have any views on whether the 2nd threshold should be applied at the relevant local authority's discretion?

Yes

If yes,
please
provide
details::

Yes, it
should be
applied.

Post permission process:

47 Do you have any views on the potential options for when development granted planning permission through a street vote development order must be commenced?

Yes

If yes, please provide details::

Option A but also with a finish date specified. If the finish date lapses, the application and impact assessment should be re-assessed.

Pre-commencement requirements:

48 Do you agree with our proposed pre-commencement requirements?

Yes

If not, please provide details::

Developer contributions:

49 Do you agree that the setting of Community Infrastructure Levy (CIL) rates for street vote development should be simplified and streamlined, and that Community Infrastructure Levy should be the main route for the collection of developer contributions on street vote development orders, prior to the introduction of the Infrastructure Levy?

Yes

If not, please provide details::

However, they must be transparent and rigorously enforced.

50 Do you agree that conditions requiring a s106 planning obligation should be limited to mitigations which cannot be achieved through condition alone, and which

cannot be delivered through Community Infrastructure Levy?

Yes

If not, please provide details::

However, they must be transparent and rigorously enforced.

51 Do you think the same approach should be taken for street vote development orders as for planning applications, that developments of 9 units or less should not have to make an affordable housing contribution via their Community Infrastructure Levy receipts?

No

Please provide details if applicable::

All developments should contribute to affordable housing irrespective of their size.

A digital process:

52 Do you agree that data standards and publication requirements should be implemented as part of the street vote development order process?

Yes

If not, please provide details::

53 Do you agree that the referendum should be paper-based and non-digital?

No

If not, please provide details::

It should also be digital.

Public sector equality duty:

54 Do you have any comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document?

No

If yes, please provide details::