



**COMMUNITY WORKING GROUP MEETING**  
**Planning & Regeneration Services including Building Consultancy**  
**Wed 4<sup>th</sup> Sept 2013 2.00pm - 4.30pm – Room 134**

<b>ATTENDEES:</b>	
<p><b><u>Borough of Poole Attendees:</u></b>  Stephen Thorne (ST) – Head of Planning &amp; Regeneration inc Building Consultancy (<i>chair</i>)  Richard Genge (RTG) – Planning and Regeneration Manager  Gabriella Cobelli (GC) – PA to Stephen Thorne (<i>minutes</i>)</p> <p><b><u>Community Groups / Resident Associations Attendees:</u></b>  Terry Stewart (TS) - CPRE  Mary Parsons (MP) Lake Residents Association / Hamworthy / Friends of Hamworthy Park  Julie Bagwell (JB) – Watch this Space  Gerald Rigler (GR) – Society of Poole Men  Graham Whitehall (GW) - Lilliput and Neighbourhood Association  Chris Mills (CM) – Bridging Communities</p> <p><b><u>Apologies:-</u></b>  Tony Hamilton (TH)– Poole Agenda 21  Chris Lewis (CL) – Parkstone Bay Association  Ann Wood (AW) - Hamside Residents Association  Chris Allenby (CA) – Poole Old Town Conservation Group  Brian Finch (BF) - Friends of Harbour Reach  Sue Ludwig (SPL) – Business Manager – Borough of Poole</p>	
1.	<p><b><u>Minutes of the last CWG meeting (8<sup>th</sup> May 2013)</u></b></p> <p><b><u>Item 1.1 Enforcement Activity Report</u></b>  Action was for RTG to speak to the Chairman. This is now complete. The details have changed slightly but Committee are more than happy.</p> <p><b><u>Item 1.1 Ward Walks</u></b>  Two strong themes transpired from the ward walks:-  <u>Bin obtrusion on the side of pavements:-</u> Planning and Regen / ECPS are currently bottoming out the issues.  <u>Untidy Street Furniture in Poole Town Centre:-</u> This ranges from paving stones, bollards railings, lamp posts etc. <b>ST welcomes any feedback relating to the above themes from CWG attendees.</b> The attendees present who also attended the Member Tour of Inspection felt it was a useful and worthwhile day.</p> <p><b><u>Item 2 Email Address Sharing</u></b>  GC has tried to contact the one remaining member but without success.  <b>Action: SPL will speak to the member direct.</b></p> <p><b><u>Item 4 - CIL Community Apportion</u></b>  Tim Martin is still available to discuss the legal features at the next meeting on 20<sup>th</sup> Nov 2013.</p> <p><b><u>Item 8.1 – Affordable Housing</u></b>  TS asked if we had negotiated the trigger points with developers. RTG advised that the BoP had negotiated on contributions only.</p> <p><b><u>Item 8.2 – Borough of Poole Website</u></b>  GC has been liaising with Chris Allenby as the changes required need clarifying.  <b>Action: GC will add to the next CWG agenda as Matters Arising.</b></p>
	<p style="text-align: right;">Note for attendees</p> <p style="text-align: right;">SPL</p> <p style="text-align: right;">GC</p>

2.	<p><b><u>Campaign for Sensible Tree Management Update</u></b></p> <p>RTG updated attendees. This went back to Economy Overview and Scrutiny Committee in July 2013. Recommendations were as follows:-</p> <ul style="list-style-type: none"> <li>• Review of area/ Group Tree Preservation Orders (TPO's) to be undertaken in consultation with the CWG and prioritising arrears of concern by residents.</li> <li>• Consideration to be given by residents in the application of BS 3998:2010 when determining Tree Work Applications.</li> <li>• Production of a guidance booklet for residents regarding management of trees with a TPO.</li> </ul> <p>It was also agreed at the Arboricultural Working Group in July for members to email the unit with nominations of 3 or 4 species that reflect the character and are appropriate to particular areas of the Borough.</p> <p><b>Action: RTG to chase for a response.</b></p> <p>MP mentioned a specific issue relating to trees at one site in Hamworthy, in that they had no TPO on them, and there is almost insufficient room for replacement trees as the area is too narrow. RTG advised that this was a matter of following a process of amenity and longevity scoring, and sometimes a TPO is not sufficient to retain a tree.</p> <p>A TPO merely adds constraint for the Planning Officer – the power of a planning application can override a TPO. ST concluded that the unit determine 70% of Tree Work Applications, and that everything has to be balanced with other needs.</p>	RTG
3.	<p><b><u>Definition of both Minor and Non Material Amendments</u></b></p> <p>ST began by stating that items 3, 5 and 6 in some ways are intertwined. A discussion took place on Non Material Amendments (NMAs) and Minor Material amendments (MMAs). RTG explained that there is no definition to an MMA, that is, the Government Guide on MMAs does not specify what changes may be treated as such.</p> <p>It is down to the BoP to decide on what a MMA might be. From 1st October 2009, amendments to planning applications (NMA or MMA) must be addressed via a formal application and just because a developer has not received authority to carry out works, it constitutes as a breach of planning law, not a criminal offence.</p>	
4.	<p><b><u>Definition of when CIL rather than S106 should be levied</u></b></p> <p>RTG explained that if an applicant is seeking new consent, the BoP will need to review the original consent and assess whether a Deed of Variation is necessary, or whether it now becomes CIL liable.</p> <p>In the majority of instances where a MMA is sought this would not be CIL liable where no increase in floor space is proposed. CIL only applies to increase in floor space of 100msq or more. Around when the CIL Charging Schedule took effect (2nd Jan) there was immense pressure to resolve decisions on all planning applications.</p> <p>The various cut off points for registering applications prior to CIL being adopted were 2<sup>nd</sup> Oct 2012 for major developments and 6<sup>th</sup> Nov 2012 for minor applications. Any application received on or after 1<sup>st</sup> Dec 2012 became CIL liable.</p>	
5.	<p><b><u>Enforcement when Building is Progressing to a Design not Planning Approved</u></b></p> <p>TS asked at what stage in the development the BoP would take enforcement measures when a design had not obviously been planning approved. The group put forth views for discussion.</p> <p>RTG advised that it remains a risk to undertake development in advance of approval. If this occurred, the LPA needs assurance that material harm was caused, in order to justify serving an enforcement notice. If no harm can be identified it would not be in the public interest to serve notice. RTG advised that a seller is perfectly able to submit a retrospective application.</p>	
6.	<p><b><u>Enforcement when a Retrospective Application has been rejected e.g. Seven's Boatyard Decking.</u></b></p> <p>Refer to item 5</p>	

7.	<p><b><u>Retrospective Applications</u></b> Refer to items 3 and 5.</p>	
8.	<p><b><u>European Maritime Day</u></b> ST gave an overview of EMD, Options are currently being investigated as to where Poole may benefit, and it will be mutually funded by local businesses and the EU. The Lighthouse has been booked to host the conference, and a report will be going to ECOS on 12<sup>th</sup> Sept 2013. Further details are on the BoP website. Link below:- <a href="http://www.boroughofpoole.com/newsroom/july-2013/poole-to-host-european-maritime-day-2017/">http://www.boroughofpoole.com/newsroom/july-2013/poole-to-host-european-maritime-day-2017/</a></p>	
9.	<p><b><u>Access and Movement Workshop – 9<sup>th</sup> July and 5<sup>th</sup> Sept 2013</u></b> Teams have been put together from Transportation and Planning and Regeneration further to the refresh of the SPG for Poole Bridge Regeneration in 2004. Significant changes have happened since (change of government plus the recession) and the initiative along with Town Centre North project has been parked as a result, though a point was reached where there was a ‘preferred option’ put forth. The BoP now has a desire to move this initiative forward. A workshop was held on 9<sup>th</sup> July with both units, and there will be a workshop on 5<sup>th</sup> Sept to that both stakeholders’ and residents’ views are captured. <u>The four proposed options are as follows:-</u></p> <ol style="list-style-type: none"> <li>1. The approved scheme</li> <li>2. The sketch book scheme (Phil Jones)</li> <li>3. The sketch book alternative scheme ( a mix of the above two options)</li> <li>4. Do nothing</li> </ol> <p>This is due to go to Economy Overview and Scrutiny Committee on 12<sup>th</sup> Sept to be followed by Cabinet for member’s views, and then out to public consultation next year. <b><u>Action: GC to send the agenda to Julie Bagwell as she would like to attend the workshop.</u></b></p>	<b>complete</b>
10. 10.1	<p><b><u>AOB</u></b> <b><u>S106 Monies</u></b> Discussions are taking place on how the BoP will use S106 monies going forward. S106 agreements are put in place to require the developer to make a contribution as part of a planning application. ST explained what the money can and cannot be used for i.e. it can be used to mitigate development impact, capital projects and Affordable Housing. Some S106 money has been allocated to the SPS beach showers for example, as this constitutes part of a capital project. CIL monies, however, can be used for maintenance unlike S106. ST then explained how the SANG (Site for Alternative Natural Greenspace) at Upton Farm is an example of mitigation of impact from a major development in the town. This prompted further discussion amongst the group. CIL works differently in that it is a tax on a development, to raise monies for infrastructure required. A proportion of CIL monies, however, does go towards Heathlands. <i>Please also refer to the last minutes from the CWG of 8<sup>th</sup> May 2013 – CIL Community Apportion.</i></p>	
	<p><b><u>Date of Next Meeting: Wednesday 20<sup>th</sup> November 2013</u></b> <b><u>2.00pm-4.30pm – Cattistock Room</u></b></p>	