

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **PLANNING COMMITTEE** held on **MONDAY, 4TH NOVEMBER, 2024** at 7.00 pm in Council Chamber, Town Hall, Judd Street, London WC1H 9JE

MEMBERS OF THE COMMITTEE PRESENT

Councillors Heather Johnson (Chair), Edmund Frondigoun (Vice-Chair), Lotis Bautista, Nasrine Djemai, Tommy Gale, Eddie Hanson, Adam Harrison, Tom Simon and Robert Thompson

MEMBERS OF THE COMMITTEE ABSENT

Councillors Liam Martin-Lane, Andrew Parkinson and Sue Vincent

The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of the Planning Committee and any corrections approved at that meeting will be recorded in those minutes.

MINUTES

1. APOLOGIES

There were no apologies for absence.

2. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were none.

3. ANNOUNCEMENTS

Webcasting

The Chair announced that the meeting was being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made available to those that requested them. Those seated in the Chamber were deemed to be consenting to being filmed. Anyone wishing to avoid appearing on the webcast should move to one of the galleries.

Member Training

The Chair also announced that member training that was scheduled to take place on 6 November 2024 had been cancelled and the session had been re-scheduled for 3 December 2024.

4. REPRESENTATIONS TO THE COMMITTEE

There were none.

5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There was no such business.

6. PLANNING REFORM UPDATE

Consideration was given to the report of the Director of Economy, Regeneration and Investment.

The Planning Officer presented an overview of the planning reforms highlighting that the new government's proposed reforms sought to take a growth focused approach to help deliver its commitment to achieve economic growth and build 1.5 million new homes.

The Committee was informed that the government had published a consultation document on the proposed reforms some of which included

Planning Committee - Monday, 4th November, 2024

- Changing the starting point of the standard method for assessing housing need from advisory to mandatory, as well as revising the standard method for calculating housing targets.
- Reestablishing the five-year land supply requirement for all local authorities
- Amend the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF) to clarify that the policies relevant to triggering the presumption were only those for the supply of land and to ensure the presumption cannot be used to justify poor quality development.
- To deliver the biggest increase in social and affordable housebuilding in a generation
- That local plans identify suitable sites for uses such as laboratories, digital infrastructure, freight and logistics
- A 'vision-led' approach to transport planning rather than a 'predict and provide' approach.
- Amendments to direct decision makers to give significant weight to the benefits associated with renewable and low carbon energy generation, and contributing to meeting a net zero future;
- Removing references to 'beauty' and 'beautiful' in the NPPF while retaining references to well-designed buildings and places;
- Making it clear that all upward extensions, not just mansard roofs, were strongly supported;
- Removing the requirement for district-wide design codes, with focus to be on the preparation of localised design codes, masterplans and guides for areas of the most change and potential.
- Increasing planning fees.
- Future reform of Planning Committees.

Planning Officers provided the following responses to questions from Committee Members:

- In relation to uses of sites for freights and logistics, there was not much detail to go on with regard to the proposals, however the focus appeared to be on national infrastructure size logistics which were not prevalent in Camden.
- In relation to the proposals around housing targets and the mix of social housing, it was not likely to drastically change how the Council operated. Ultimately the onus was on the Council to show that the amount of housing proposed in the new Local Plan was achievable and viable in the borough. The proposed changes would be supportive of the Council's direction of travel.
- With regards to affordable housing, the government was generally supportive of providing more social housing but there was nothing more specific in the proposals.
- Nothing was mentioned in the consultation about Neighbourhood Forums or Neighbourhood Plans and there was no clarity on whether there would be any changes to this in the future.

Planning Committee - Monday, 4th November, 2024

- With regards to Brownfield development, the government were asking for views on how Brownfield land could be developed while still making sure that the necessary checks and proper assessments were in place.
- The government had instructed Planning Inspectors to limit work to resolve issues with local plans during public examinations.
- Although Planning Inspectors were still able to make changes under the new procedures, there was less scope to make fundamental major changes.
- The biggest stumbling blocks local plans had always faced were housing numbers and meeting housing needs.
- The emphasis was not on social housing in the NPPF at the moment. The current government were trying to move the emphasis on affordable housing back towards talking about social housing, for example removing reference to first homes.
- In relation to the fees charged for planning applications, these had not been increased by the previous government for a long period of time but were updated recently, about 18 months ago. There was not much detail in the proposals at the moment. Camden had made it known that it would be happy to be involved in any discussions about how fee setting might be established going forward.
- The main concern was that the fees charged for planning applications were not covering costs incurred by local planning authorities and did not reflect the complexity of the application. Fees were proposed to increase for householder applications. Camden would also like to see increased fees for section 73 applications.
- The Planning Advisory Service were already doing some work around fees and Camden along with other local authorities across the Country were providing them with data which gave a clearer idea around the scale and range of applications that came through section 73 applications.
- Although local fee setting might be a good idea given the complexity of a lot of applications received in the borough, trying to put in place a local level fee would involve a huge amount of work so it might be better if some sort of banded structure were used where an uplift would be used for more complex cases.
- There were also categories of applications which did not have fee, such as listed building consents and tree applications so costs were not recovered. Planning had become a lot more complicated and complex than it used to be,

Planning Committee - Monday, 4th November, 2024

officers were required to look at more things which was not reflected in the fees charged.

The Chair commented that although there had been talk for some time about planning reforms there appeared to be a lack of understanding of what the problems were with planning such as viability that prevented Councils achieving affordable housing targets. Members were encouraged to make their voices heard wherever they could.

The Committee thanked officers for a comprehensive report; and

Resolved:

To note the report.

7. DIGITAL PLANNING UPDATE

Consideration was given to the report of the Director of Economy, Regeneration and Investment.

Planning Officers provided a Digital Planning programme update to the Committee.

Committee members remarked that it was good to have seen the development and progress with the digital innovation work from last year.

Planning officers provided the following responses to Committee members questions:

- With regards to whether renewable technology and other sources of energy could be built into the digital planning software, the Council had regular meetings with the Ministry of Housing, Communities and Local Government (MHCLG) data team and was in a position to influence their data standards that they were going to mandate as well as highlight to the various government departments the need to link up the various elements of the built environment which came through the planning system.
- There was the expectation that with the implementation of the digital planning system planning applications would be processed much quicker.
- As part of the development of the service a lot of user testing had been conducted with people from different backgrounds, different accessibility needs and across the country to understand what would make it easier for them to navigate the planning system.

- With regards to data on trees, it was difficult to keep accurate up to date records of trees because they tended to be snapshots in time unlike a building which got built and goes through the planning system. There was also less of a standard of how to record trees.
- With regards to commercialisation, an issue that had been flagged early in the project was around long-term sustainability of the digital programme given that its development had been continuously funded by MHCLG. There were ongoing discussions on whether income could be generated from this as well as legal questions on how this would operate with Camden being a key contributor in these discussions.

Members thanked Officers for their work on the Digital Planning System remarking that it was interesting, useful, and looked forward to hearing more about it in the future.

RESOLVED –

THAT the report be noted.

8. POLICY UPDATE

Consideration was given to the report of the Director of Economy, Regeneration and Investment.

Responding to a question about the Euston Area Plan and whether the Council had considered what would happen if HS2 did not reach Euston, the Planning Officer commented that consideration had been given to the possibility that HS2 would not happen at Euston, however, the view was taken that there would need to be some kind of train station expansion at Euston which would most likely be a form of HS2.

The Chair commented that it was difficult not knowing what form the station would take, although it appeared certain that there would be less over station development than was originally thought. The Euston Area Plan had changed in many ways and the plan needed to be fluid as there was no indication of what was intended.

Answering further questions Planning Officers made the following points:

- With regards to the Kilburn area, this had been designated as one of the boroughs most important town centres and coupled with Camden Planning Guidance this provided detailed advice for people looking to develop the area.
- The Council had also taken an area-based approach with the new local plan focussing on areas where there was most development potential which was

Planning Committee - Monday, 4th November, 2024

different from the current version of the plan. The new draft local plan had been divided into 4 areas with an introduction to each of those 4 areas providing context to the policies that applied in that part of the borough.

- The new plan provided more information on Kilburn and enabled the new plan to be more in line with the neighbourhood planning approach than the old version of the plan. Neighbourhood planning was a good way of providing the next level of detail to what was in the local plan.
- In terms of the delivery and day to day operational work there was a Kilburn Officer Working Group that covered lots of different service areas such as Planning Enforcement, Regeneration, Air Quality and Libraries. The different services were coordinated to provide a clearer picture of the different projects occurring in the area as well as providing an area-based focus which had provided a positive change.

Resolved:

That the Committee note the report.

9. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

Consideration was given to the report of the Director of Economy, Regeneration and Investment.

Planning Officers presented an overview of the update on Development Management Performance.

The following responses were provided to questions from Committee Members:

- In relation to the accelerated planning system, this was about increasing the speed at which planning applications were determined. This involved removing reliance on time extensions to change applications which was previously used to agree with the applicant a period for determining applications. The idea being that this would speed up the planning process however there would be less opportunities for negotiation during the course of an application.
- In terms of the backlog, it was initially a post Covid backlog when staff were redeployed to various other areas of work as well as having a recruitment freeze during that period so when people left the Council the positions were not filled. The backlog had significantly reduced over time but the new measures announced in March in terms of accelerated planning system had put greater pressure on getting those numbers down because the way in which planning

Planning Committee - Monday, 4th November, 2024

applications were determined needed to change to make sure they were much quicker.

- Commenting further on the reason for the backlog the Head of Development Management stated that because the Council could use extensions of time, officers had focussed on getting the right outcome for customers working with them to negotiate during the course of an application to improve their scheme which meant the Council had a high approval rate as well as ensuring high quality schemes. However, because the extension of time had gone that approach could no longer be used.
- Budget pressure was a concern because of limited financial resources, it was important for the service to have some additional resource in place to help clear the number of applications that had accumulated and over the next few months the team would be working hard making use of that additional resource. Going forward officers felt confident that with the established posts and the backlog gone the service would operate successfully.
- The extension of time needed was mutually agreed between the planning officer and the planning agent or applicant.
- In terms of whether changes to fees would help very much depended on what the fees were likely to be, it would help if fees charged got close to cost recovery on applications and the work the digital team were doing would help in saving time and money.
- The Council had income targets that it was required to meet for pre application and statutory applications so if the government allowed local planning authorities to charge more that would increase the probability of reaching income targets and if the Council managed to surpass those income targets and generate a surplus that income could be invested in the service.

A member suggested that for future Policy and Performance meetings it would be good to have concrete examples about things that were done and achieved during the pre-application process.

ACTION BY: Planning and Improvement Support Manager

In terms of communicating with people waiting for outcomes of their planning applications, the process of allocating applications to officers had changed to meet the new standards expected. Applications were now allocated to officers every day, with applications received on the previous day allocated and the requirement that case officers contact the applicant within 3 days of the application being submitted.

It was expected that this would not be an issue with newer applications, however there might still be some older applications which fell under the old approach but was being addressed through customer satisfaction surveys which were looking at all the

Planning Committee - Monday, 4th November, 2024

issues with regards to communication and response times. It was likely to show an improvement the next time this report was presented to the Committee.

A member suggested that members briefing packs with all the relevant documents should be promptly uploaded on to the planning portal as soon as available. The member suggested that this was a good way of communicating with people interested in an application on what the situation was with a case including the arguments and the Council's reasoning which was sometimes helpful.

ACTION BY: Planning and Improvement Support Manager

Answering further questions officers commented that:

- There had been a slight increase in the number of application refusals by about 2.5% partly because the Council was taking a more pragmatic approach and determining applications as they were and not going into negotiations where it was felt there was not a good solution that could be reached within the given time frame.
- Although the Council was turning over half of its applications within eight weeks the Council's approval rate was still above 90% which was reassuring when compared to the top percentage of local authorities in London whose approval rates had dropped to 60% and 70%.

Resolved

The Committee noted the report.

10. ENFORCEMENT, TREES AND APPEALS PERFORMANCE UPDATE

Consideration was given to the report of the Director of Economy, Regeneration and Investment.

Planning Officers presented an overview of the Enforcement, Trees and Appeal Performance Update.

A Committee member commented that although Planning Enforcement was not a statutory service, it was a service the Council had maintained for a long time and was something to be proud of. The Construction Management Planning Site Inspector (PSI) work seemed to have advanced in recent years and having this service in place was an important source of reassurance.

Responding to a question about joint working with the Street Tree team in terms of nature and biodiversity, the Planning Officer explained that the Enforcement Service liaised with Street Tree Team colleagues. The Team lobbied the previous government for greater controls to save trees and this was something Camden would do with the current administration to ensure more trees could be protected.

With regards to the capacity of the Construction Management Team to cope with major projects happening in the borough, the set up of the team and planned inspections enabled the team to cope with the major projects. If it were to get to a point where additional resources were required this would be considered but the team were satisfied that it had sufficient resources to cope at the moment.

In terms of knowing when people went over 90 days for short term lets, evidence was gathered in a number of ways including software that looked at various data, site reviews, calendar availability and witness statements from residents. The evidence was collated on the balance of probability. However, to prosecute would require beyond reasonable doubt which made it more difficult.

It was hoped that by lobbying the new government changes would be made to make it easier for Council's to enforce by implementing a register system as used in other Countries.

Answering a further question on short term lets the Head of Development Management commented that although with more resources the Council would be able to make more of an impact, the problem with prosecuting those short-term letting was the ability to demonstrate that it was happening by collecting the data, serving the notice, and then prosecuting the offender to bring it to an end. At the moment it was too easy for someone to get away with short term lets. There needed to be better controls in place.

Resolved

That the Committee note the report.

11. PROPOSED CHANGES TO PLANNING PROTOCOL

Consideration was given to the joint report of the Director of Economy, Regeneration and Investment and Borough Solicitor.

RESOLVED –

THAT the report be noted and changes to the Planning Protocol be agreed, as set out in the report.

ACTION BY: Borough Solicitor

12. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

Planning Committee - Monday, 4th November, 2024

There was none.

The meeting ended at 9.37 pm.

CHAIR

Contact Officer: Sola Odusina / Rebecca Taylor

Telephone No: 020 7974 6884 / 0207 974 8177

E-Mail: planningcommittee@camden.gov.uk

MINUTES END