

**A MEETING OF THE ECONOMIC DEVELOPMENT BOARD  
WAS HELD ON 17 MARCH 2021**

The Mayor,  
Councillor Hook,

Councillors Ms Ballard, Bateman, Beavis, Casey, Mrs Cully, Mrs Furlong, Hutchison, Jessop, Johnston, Mrs Jones, Miss Kelly, Mitchell, Philpott, Mrs Prickett and Scard

**45. GUIDANCE ON DESIGN CODING**

Consideration was given to a report by the Manager of Planning Policy seeking approval for the consultation response and consideration of the implications of the draft National Model Design Code.

The Chairman advised that he would take questions and discussion on both this item and agenda item 7 together as they were closely linked. The votes on the items would be taken separately.

The Manager of Planning Policy advised the Board that the first report was regarding the National Model design code, which was part of the same consultation as the NPPF amendments but related to a separate document. The document was a 'how to' document and the Board was advised that it was well written.

The Manager of Planning Policy advised that the main concerns were how it would be used in the future with the white paper proposals and this was the essence of the comments including in the report.

The Board was advised that the second report set out proposed changes in a Government consultation to the NPPF and was similar to other papers previously presented.

The Board was advised that officers had significant concerns in relation to the proposed changes, and that appendix a set out that there were three objections to it, an objection to plan making based on the conflict within the consultation document between Town Centres and permitted development rights proposed and the desire of the Government to improve the overall design.

The second objection was with regard to the permitted development rights and the impact this would have on developments in the Borough. The third was in relation to the design element of the changes and the use of the term beautiful, as it was felt that whilst there was agreement for aspiration of the design, the term beautiful was too ambiguous and open to interpretation. This was reported to Members at the January meeting and it was therefore proposed to object to these three elements of the proposal.

Members welcomed the report and recognised that the objections had previously been submitted and now were presented with a design code that had placed the Council in a contradicting position.

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In answer to a Member's question, the Board was advised that with regard to the uncertainty of the standards if someone appealed using the guidance. The Board was advised that this was where the ambiguity lay with the guidance as it was written in a directional way. It was recognised that if it was just guidance then it would be acceptable, however, the aspiration was that the Government wanted the document to be a document to be a default if the local authority did not have the relevant design code in place and it would bring ambiguity on several levels and this formed the basis of the main comment and concern. It was felt the ambiguities made it difficult to understand how this would work with a local plan, particularly if the local plan was over 5 years old or was out of date because it didn't have a 5 year housing supply.

The Board was advised that the document was one that described how authorities could create their own design codes it would be useful, however there was not clear clarification on how it would be used.

Members acknowledged that considerable time had been dedicated to consultation on SPD's and Conservation Areas and acknowledged the work that had been undertaken in doing these. It was felt that there would be a significant drain on the resources of the Council with the new suggestions. People were happy with the consultations.

Members acknowledged that plans were not set in stone but would evolve with the needs of residents and expressed concerns that there was no indication that this would evolve as desired.

Members also endorsed the strong comments on the 'white paper'

The Planning Policy Manager advised that if the design codes were introduced before the white paper it was understood existing design guidance could be kept, however it was felt that the issue would come when the white paper came forward with a design code led approach, as the documents had not gone through the consultation process, a whole new local plan system could therefore be introduced by the white paper.

It was reiterated that the document in itself was not an issue, but its potential use for the future, with the white paper, could present issues.

A Member expressed concern at the requirement of only 10% affordable home and felt the currently level of 40% was key to meeting the needs of residents. The Board was advised that there was evidence from 2019, that would support the progression of the Local Plan moving forward that set out that there was potential for the affordable home ownership tenure, but the 10% proposed for the NPPF was the maximum affordable home ownership and this was acceptable, but it would be difficult to meet any increase. Social housing was additional to this.

In answer to a Member's question, it was confirmed that the Council were in a relatively strong position with the work that had already been undertaken in relation to the SPD's and areas of special character and that if some clarification was received on the status of the issues raised, that GBC could be in a position where putting a design code in place would not be too difficult. It was acknowledged that there was a firm foundation in place and also that there was a townscape assessment in place which looked at the characteristics of each area in the Borough. It was also felt that if it was introduced with the NPPF in the next 6

months there was enough guidance to work with the local plan, however the issue would be when the white paper came in as planning consultation would need to be made up front.

Members felt the proposals were contradictory, expected long and detailed design work to be undertaken that would then be overridden by a change in permitted development.

Members also expressed concerns at the low level of engagement from members of the public at the early stages of planning or development, recognising that they were more likely to engage with planning applications in their locality. It was felt that the documents presented encouraged public consultation early on, and that this would come at a cost of having none or next to no consultation when it really mattered and when the public wanted to engage. It would felt the Council would be placed in a difficult situation explaining to residents that engagement opportunities were earlier in the process.

Members felt that the proposals were detrimental to Local authorities' reputation, that they did not enhance the planning process and did not help residents or feel democratic. In answer to a Member's question, the Board was advised that existing policy required there to be 40% affordable housing, where a site met the threshold. Under the proposals, the requirement would be for 10% of the total to be affordable ownership housing and that this was broadly comparable to the evidence base.

It was acknowledged that negotiations took place on proposals regarding affordable housing and it was reiterated that the Local Plan took priority over national guidance. It was confirmed that currently an offsite provision could be an option, but the current policy set a preference for onsite first, before discussions for offsite provision.

Members felt the proposal took away democratic rights from local councillors and engagement opportunities for members of the public.

Members also felt the play area requirements were unrealistic and a policy requiring such levels would be difficult to introduce and also that the proposed documents would be a disaster for the character of the High Streets. In addition concern was expressed that a national design code would not be acceptable in Gosport.

Members thanked the officers for a well written report addressing the concerns of elected Members.

Members were advised that if the recommendations were approved a response would be sent to the Government the following day.

**RESOLVED:**

That the Board approved the Councils consultation response and gave delegated authority to the Manager of Planning Policy in consultation with the Economic Development Chairman to submit a response to the Government.

That the Board noted the contents of the report and the potential resource implications for the Borough Council.

**46. PROPOSED NATIONAL PLANNING POLICY FRAMEWORK (NPPF)  
AMENDMENTS**

Consideration was given to a report by the Manager of Planning Policy briefing Members regarding the content of the Governments latest public consultation relating to the National Planning Policy Framework and setting out key matters to form the basis of a formal online consultation.

RESOLVED:

That the Board agreed to make a number of representations to the Government.

That the Board gave delegated authority to the Manager of Planning Policy to, in consultation with the Economic Development Chairman submit a response to the Government, for both consultations.

**47. GBC WATERFRONT (BUS STATION) REDEVELOPMENT - ACQUISITION OF LAND FROM AND DISPOSAL OF LAND TO PREMIER MARINAS LTD AT MUMBY ROAD, GOSPORT**

Consideration was given to a report by the Assistant Director Property & Investment, Regeneration, Portsmouth City Council, setting out the details of the Councils proposed purchase of freehold land from Premier Marinas Ltd at Mumby Road Gosport and the simultaneous disposal of freehold land owned by the Council at Mumby Road Gosport, currently leased by the Council to Premier Marinas Ltd.

Members were reminded that the proposal and report presented was not the planning application and that Members should only be considering the report presented.

The Board was advised that the proposal was to consider two transactions with Premier Marinas which were necessary to be able to relocate and construct the new and improved bus station facilities. The Board was advised that Gosport had been awarded £5.2 million from the transforming cities fund to support the delivery of the new facility. The Board was advised that the funds were time limited and needed to be fully expended by June 2023. Design work was ongoing and being led by Hampshire County Council and it was anticipated that consultation would begin shortly after the local elections. It was noted that the relocation of the bus facilities was a pre cursor to any future change of the bus interchange.

In answer to a Member's question the Board was advised that the land that was proposed to be transferred to the Marina was currently subject to a lease and was not being given away and that the transaction for the land would tidy matters up and not cause any problems for the Council.

It was acknowledged that there was an element of inconvenience to the Marina in the Council acquiring land which was essential to the development of the new bus station facility. The land in question was currently a car park, with an entrance that was used by the marina and this would be forfeited as part of the proposal.

The Board was advised that the relationship with the Marina was a good one and the proposed agreement reflected the loss of land and inconvenience to the Marina.

Members recognised the desire to improve and revitalise the waterfront and allow the transport gateway to maintain the essential transport links, and acknowledged that proposals to redevelop the area had been in discussion for a long time.

Members reiterated that it was essential that there was safe ingress and egress for buses and the only way that this was possible was with the acquisition of the land.

Members recognised that the proposal was exciting and would make a huge difference for the redevelopment of the area.

Members were advised that a land swap was not as straight forward as a simple swap of land as the land being given to the marina was currently leased. The land being acquired would open up the relocation of the bus station, the redevelopment of the existing bus station, and as such the value was greater than monetary. It was not just land, it was the loss of access to the building which was considered as part of the proposal.

The Board was advised that the yellow land was roughly 100sqm, and the green land was approximately 7000sqm.

The scheme was wider than just the bus station redevelopment and included transport options being considered by Hampshire County Council.

Members were advised that it would not be appropriate to discuss the mechanism for the agreement for the figure of £89,000 at the Board, but would contact Councillors separately should they so wish.

**RESOLVED:**

That the Board approved:

- i) The Councils purchase of freehold land from Premier Marinas Ltd at Mumby Road in the sum of £89,000 t/w the Council acquiring associated new rights in favour of Council over Premier Marinas retained adjacent land.
- ii) The Councils disposal of freehold land to Premier Marinas Ltd
- iii) Delegated authority being granted to the Chief Executive Officer and Borough Solicitor and Monitoring Officer to conclude negotiations, agree details associated with paragraphs (I) and (II) and complete the transactions.

#### **48. ANY OTHER ITEMS**

The Leader thanked the Chairman for his hard work as he approached the end of his 5<sup>th</sup> year as Chairman of the Board. He paid tribute to the many projects that had come to fruition. The Chairman thanked the Board and Officers for their support and commitment over the past year and thanked his Vice-Chairman for his help and advice.

#### **49. EXCLUSION OF THE PUBLIC**

**RESOLVED:** That in relation to the following item the public should be excluded from the meeting, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all circumstances of the cases, the

public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

**50. HUHTAMAKI, HOLBROOK SITE - 2013 RENT REVIEW IMPLEMENTATION**

Consideration was given to a report of Assistant Director Property and Investment, Regeneration at Portsmouth City Council advising the Board of the outcome of the rent review between Gosport Borough Council and Huhtamaki Ltd in respect of their Holbrook site.

RESOLVED: That the recommendations contained within the report be agreed.

**CHAIRMAN**

Concluded at 7.36 pm