

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>No</b>
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## CABINET

9 MARCH 2011

### REFERENCE FROM COUNCIL

**A.1 PROPOSALS IN THE DRAFT LOCAL DEVELOPMENT FRAMEWORK FOR RESIDENTIAL DEVELOPMENT OFF ST JOHNS ROAD, CLACTON-ON-SEA**  
(Report prepared by Ian Ford)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To report to Cabinet a Question pursuant to Council Procedure Rule 14 submitted to the last meeting of the Council.

##### **EXECUTIVE SUMMARY**

This report sets out a question pursuant to Council Procedure Rule 14 submitted by Mr Gordon Adams of 26 Smythe Close, Clacton-on-Sea to the meeting of the Council held on 8 February 2011 relating to proposals in the Draft Local Development Framework for Residential Development off St Johns Road, Clacton-on-Sea and which was referred to the Cabinet by the Council for consideration in accordance with the provisions of Council Procedure Rule 14.9.

##### **RECOMMENDATION**

**That following consideration of Mr Adams' question the Cabinet decide what action, if any, should be taken.**

#### **PART 2 – SUPPORTING INFORMATION**

##### **BACKGROUND**

At the meeting of the Council held on 8 February 2011 the following question pursuant to Council Procedure Rule 14 was put by Mr Adams to the Executive Leader and answered and then, in accordance with Council Procedure Rule 14.9, stood referred to the Cabinet for consideration:-

“I would like to ask the Leader of the Council, now that the interim planning proposals for Jaywick have been withdrawn, what further consultation there will be regarding the Council's proposals in the Draft Local Development Framework for at least 3,100 dwellings to be built off St. John's Road, Clacton?”

Most residents in the area seem to be totally unaware of these proposals and the significant impact they will have on Clacton. As we do not have a Parish Council, and the consultation so far has only taken the form of exhibitions, can you assure us that the Council will properly consult this non-parished area e.g. distributing an information leaflet or questionnaire to each household?

Hopefully the Council will be anxious to demonstrate best democratic process on this vitally important matter, by giving our electorate better opportunity for consultation than our minimum legal entitlement”.

The Executive Leader gave the following answer to Mr Adams question:-

“The Core Strategy and Development Policies Document, which contains the proposal to which Mr. Adams refers, was published on 21<sup>st</sup> October 2010 for just over six weeks public consultation ending on 6<sup>th</sup> December 2010. This followed on from a similar consultation exercise undertaken in the Spring of 2009 in which people were invited to consider a number of very broad ‘options’ for how the District might grow in the future.

To publicise the most recent consultation exercise, the Council placed public notices in the Clacton, Frinton and Walton Gazettes, the Harwich and Manningtree Standard and the Essex County Standard on the 23<sup>rd</sup> and 24<sup>th</sup> of October and, on-going coverage of the nine public exhibitions was achieved in these papers. In addition, the public exhibitions were advertised repeatedly on Dream 100 FM which proved highly successful in generating significant interest in the events and communicating with some of the more ‘hard to reach’ groups.

The Council was certainly keen to demonstrate best democratic process on this vitally important matter, by giving our electorate far better opportunity for consultation than the minimum legal entitlement. Radio coverage and public exhibitions go way beyond the minimum legal requirements for consultation and they are not a compulsory requirement of the planning regulations. Other authorities, including our colleagues at Colchester Borough Council (where it is worth pointing out that double the amount of growth is proposed), have not undertaken the level of public engagement that this Council has consciously sought to provide over and above the minimum legal requirements.

The most obvious and democratic way of communicating with the electorate about what the Council is doing or proposing to do is through our members. Tendring District Council has sixty elected members and those Councillors are charged with the responsibility of representing their residents. That duty includes communicating with residents about key issues that affect the area and it is obviously down to the judgement of individual members as to what they feel is important for their residents and their area; and come election time residents will be able to give their opinion on those judgements through the ballot box.

Across most of Tendring any key changes being proposed to the District’s planning policy will be swiftly identified and communicated to residents by the Town and Parish Councils which serve Tendring so well. But as Mr Adams points out quite rightly in his question Clacton is unparished and until such time as that situation alters a greater onus must lie with the District Councillors representing Clacton to ensure that residents are engaged with the process. Certainly in the case of the unparished Holland-on-Sea where I understand major development is proposed in the draft Core Strategy Cllr Bragg has mobilised the residents, held public meetings and generally kept people informed about what is going on and what they can do about it. And I have no doubt that when the consultation responses are all collated and sorted there will be many from Holland-on-Sea!

It is a regrettable fact of local government life that the language that is often used is alien to most normal people so when a public notice is displayed that talks about formal consultation on the Core Strategy of the Local Development Framework I quite understand

that people will not immediately realise that it could directly affect them and it could even mean hundreds of new homes being built in their neighbourhood. The responsibility for translating local government speak into plain English must lie with us councillors and the Council certainly recognises the importance of this role as it has carried out several specialist presentations and training sessions exclusively for members since the new Local Development Framework was started. These meetings have been generally well-attended with some councillors attending every one of the sessions.

Just to give some clarity to the specific housing allocation to which Mr Adams refers and how this came about, the Core Strategy Issues & Options document was published in March 2009. This had two member workshop briefing sessions, the first on 4<sup>th</sup> December 2008 and then again on 15<sup>th</sup> January 2009. The second event involved members participating in identifying areas within the district considered to be more suitable for development. Certainly at the January 2009 workshop and in the March 2009 publication the major development at west Clacton was a consistent theme. At that stage the Council was looking at 3,500 houses.

When my administration took power in May 2009 we chose to stall the LDF process pending the General Election as we hoped that the Regional Spatial Strategy would then be abolished by the new government and we would then no longer be forced to adopt arbitrary and unrealistic housing numbers. The new government has effectively abolished the RSS and we are now proceeding on our own, lower and more realistic housing numbers. Also in respect of the housing in West Clacton the other significant decision that my cabinet took was to insist that there be an upper limit on affordable housing quotas. In the Council's previous planning policy all large housing developments had to comprise 40% affordable housing; this is one of the highest figures anywhere in the country and certainly contrasts with the 25% ratio that neighbouring Colchester works to.

It is an undeniable fact that the 40% figure has deterred would-be investors and developers from building new housing developments in Tendring but the real problem with that policy reared its head when a planning application was approved for the largest housing allocation site in the old local plan, at St John's Road, Clacton. That application was for 157 new homes to be built – 100% of which would be affordable housing. My cabinet were strongly of the view that whilst we recognise a strong need for decent quality affordable housing across the District clumping them all together in one massive site is not the way forward and simply risks the creation of a social housing ghetto. So a new policy has been formulated which will require up to 30% of new homes to be affordable but will also cap the upper limit for any such scheme so that no one site will have more than 30% affordable housing.

The public exhibitions were focussed on the areas most affected by the proposals in the Core Strategy document so officers could answer more detailed localised questions. In response to the major proposals for north-west Clacton, officers held an exhibition at Clacton Coastal Academy (formerly Bishops Park College) on Saturday 23<sup>rd</sup> October 2010 which was well attended.

Officers wrote directly to all people that responded to the 2009 consultation exercise, all churches, all schools, main supermarkets, all Parish and Town Councillors and all District Councillors and the documentation was made available to the public at Council Offices, Libraries and on the Council's website.

Officers are currently analysing the numerous responses received and inform me that it is

likely that some changes to the document will be recommended to address a number of the concerns raised by the public and other respondents. Later this year, it is intended to publish a schedule of proposed changes and invite further comments in response to these changes, from the public and other interested parties. The document, proposed changes and comments received will then be considered by an Independent Inspector at a Public Examination, likely to take place towards the end of this year.

And finally, Officers are now starting to prepare for the more detailed planning document, the 'Site Allocations Document' which itself will be the subject of further public consultation."

<b>BACKGROUND PAPERS FOR THE DECISION</b>
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<b>APPENDICES</b>
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