
**MINUTES OF THE MEETING OF THE LOCAL PLAN COMMITTEE HELD ON
TUESDAY 15 JULY 2014 AT 6.02 P.M.**

IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY

Present: Councillors G V Guglielmi (Chairman), Amos, Broderick, De-Vaux Balbirnie, V E Guglielmi, Hawkins, I J Henderson, Howard, McWilliams, Nicholls and Richardson.

Also Present: Councillors Bucke, Challinor, Coley, Heaney, Johnson, Mitchell, Scott and White.

In Attendance: Head of Planning (Catherine Bicknell), Planning Policy Manager (Gary Guiver), Planning Policy Team Leader (Richard Matthams), Planning Officer (Gary Ashby), Planning Officer (Will Fuller), Senior Development Technician (Mary Foster), Development Technician (Hazel Long) and Democratic Services Officer (Michael Pingram).

9. CHAIRMAN'S OPENING REMARKS

The Chairman welcomed all those present to the meeting and, in particular, visiting guests of Colchester Borough Council who had taken the time to attend the meeting to listen to the deliberations.

10. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors R Callender and Shearing.

11. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 13 May 2014, were approved as a correct record and signed by the Chairman, subject to Councillor Howard recording that he was not in favour of the resolution in respect Minute 5 (Housing and Employment Growth in the New Local Plan).

12. DECLARATIONS OF INTEREST

Councillors G V Guglielmi and I J Henderson each declared a non-pecuniary interest by virtue of the fact they were Members of the Fire Authority, which was a statutory consultee on the progress of the Local Plan.

13. FUTURE PUBLIC SPEAKING PROTOCOL

The Chairman announced that, for future meetings of the Committee, a public speaking item would be printed on the agenda and that a public speaking protocol would be introduced, which would allow members of the public the opportunity to speak for up to three minutes on a matter contained within the agenda. It would also state that where there was more than one person wishing to speak on the same subject, a spokesperson would be identified to speak on behalf of them.

14. ANNOUNCEMENTS BY THE PLANNING POLICY MANAGER

The Council's Planning Policy Manager made the following announcements.

He explained a correction to Report A.2 of the meeting held on 13 May 2014 regarding the process of designation and de-designating local wildlife sites. He confirmed that the Council would need to ensure all sites determined by the Essex Wildlife Trust to be of sufficient

ecological value to warrant designation as a Local Wildlife Site are shown as such on the Local Plan Policies Maps.

He then enlightened the Committee on the progress of other Local Authorities' Local Plans, in particular Maldon District Council and Braintree District Council who had needed to reconsider their housing growth figures in light of newly published evidence. He also provided an update on some of the comments received in response to the recent public consultation on the Statement of Community Involvement (SCI) and the imminent publication of a new Essex Gypsy and Traveller Accommodation Assessment (GTAA), the findings and implications of which would be reported at the next meeting of the Local Plan Committee.

Following a concern that areas of the District without a Town or Parish Council would not be able to be kept informed of the progress of the plan as easily as those with Town and Parish Councils, the Chairman stated that the Council's Planning Policy Manager and his team would look at ways to improve engagement with residents and community groups in unparished areas.

15. PUBLIC SPEAKING

With the Chairman's agreement, the following members of public spoke; namely Mr. Peter Dumsday, who spoke against the concept of 1,000 new homes in Weeley; Mr Ted Gittins, who welcomed the broad strategic approach taken by the Council, urged that more attention be given to employment growth and mixed-use developments and expressed reservations about possible development of the western side of Tendring around the Colchester Fringe; Mrs Carol Bannister, who spoke against the concept of 1,000 new homes in Weeley; Councillor Barry Cook, a Colchester Borough Council Member for St. Anne's Ward, who urged that proper consideration be given to the inclusion of open spaces and green lungs in any new development that might take place on the land east of Colchester between A133 and A120; Councillor Paul Smith, a Colchester Borough Council Member for St. Johns Ward, who spoke on the land at Plains Farm, south of A120 and encouraged its continued protection as an Orchard; Mr. Joe Turner, who spoke against the potential development on the Colchester Fringe; and Mrs. Rosemary Palmer, who expressed concern that the capacity of schools and doctors surgeries were not being properly taken into consideration in relation to housing development proposed for the Martello Caravan Park site in Walton-on-the-Naze.

Mr. Joe Turner requested that, before any plans were finalised, landscape character assessments should be prepared to complement Natural England's national character profiles and this was acknowledged by the Chairman.

16. UPDATE ON COLCHESTER BOROUGH COUNCIL'S LOCAL PLAN

The Council's Planning Policy Manager provided the Committee with an update on Colchester Borough Council's (CBC) Local Plan.

He said that CBC was in a similar position to Tendring with both Councils bound by the National Planning Policy Framework (NPPF), and both required to plan to meet the objectively assessed need for housing in full. He explained that CBC's new Strategic Housing Market Assessment indicated a need for around 1,000 new homes a year in Colchester over the next 20 years and that CBC would need to review its Local Plan to ensure it identified sufficient land to meet that need and that, similar to Tendring District Council, would now be looking at options for where future development could, potentially, be sited. He felt that this provided a good opportunity for the two Councils to work together to deliver the growth needed, ensure that the Local Plans were compatible and able to deliver benefits for residents and businesses in both areas. He confirmed that Officers of CBC and Tendring District Council were already working together to explore these opportunities.

Accordingly, it was **RESOLVED** that the contents of the report be noted.

17. VISION AND SPATIAL STRATEGY FOR THE NEW LOCAL PLAN

The Council's Planning Policy Team Leader sought the Committee's provisional agreement to the overarching 'vision and special strategy' that would underpin more detailed policies and proposals in the new version of the Local Plan and would allow Officers to proceed with more detailed work, work with partner organisations and identify specific sites for possible inclusion in the new Local Plan.

He said that the report set out a solution for delivering the 12,120 new homes and 5,000 new jobs needed in Tendring between 2014 and 2031 and that Clacton, Harwich, the Colchester Fringe and Weeley would be the focus for the largest developments.

He explained that, following the suggested approach, Clacton would deliver around 4,000 new homes, with the majority being built on land off Jaywick Lane close to Clacton Coastal Academy and to the north of the town close to Oakwood Business Park, Clacton Factory Outlet and Gorse Lane Industrial Estate; the Harwich area would deliver 1,000 new homes with continued support for employment-led developments already proposed for Bathside Bay, Harwich Valley (south of the A120) and further inland at Horsley Cross; and the potential for major development on land around the Colchester Fringe was being explored in cooperation with Colchester Borough Council.

He said that sites around Clacton, Harwich and Colchester were unlikely to deliver the full amount of housing needed in the District and that Officers had also explored the potential for major development in the centre of the District in locations with good connections to the road and rail network and that could accommodate development of sufficient scale to deliver infrastructure and community facilities alongside housing and employment. Officers had recommended Weeley as the most suitable location for such a development where around 1,000 new homes could be delivered. Furthermore, he explained that Frinton, Walton and Kirby Cross would accommodate around 900 homes, Manningtree, Lawford and Mistley would accommodate around 700 homes, Brightlingsea would accommodate around 200 homes, larger villages would accommodate development of no more than 50 homes and smaller villages would accommodate developments of no more than 10 homes.

During discussion, questions were raised about (1) why Officers had identified so many possible development site options in the technical documents appended to the report when this could lead readers to mistakenly think that all of the sites were proposed for development; (2) whether Officers should undertake a further 'sieving' exercise to reduce the number of options before asking Members to consider and agree a strategy for growth; and (3) what would happen if landowners did not want to sell and could that lead to land being acquired under the Council's compulsory purchase powers.

The Council's Planning Policy Manager and Planning Policy Team Leader answered (1) by clarifying that the sites shown in the technical documents were only being considered as options and that only a proportion of these would be recommended for inclusion in the Local Plan to meet the district's housing need; then answered (2) by saying that including a large number of sites in the technical papers was justified in the interest of transparency and ensuring the Council could not be accused of not properly considering all reasonable options before coming to any final decisions; and in response to (3) confirmed that land ownership and the willingness, or otherwise, of landowners to sell their land for development would be a key consideration to selecting sites for inclusion in the Local Plan and making sure the plan meets the expectations of the Government it had to be realistically deliverable.

Members of the Committee sought clarification that what they would be agreeing to was not a final decision on the development of any specific sites but rather a provisional agreement to the general approach that was being suggested to then allow Officers to undertake further technical assessment and consultations with relevant bodies before returning to a

future meeting with proposals for specific sites. The Council's Planning Policy Manager confirmed this was correct.

Accordingly, it was **RESOLVED** that:

- (a) The recommended 'Vision for Tendring in 2031' (attached as Appendix A2a); the policy wording and supporting text on 'Spatial Strategy' (attached as Appendix A2b) and the 'Key Diagram' (Appendix A2c) for potential inclusion in the new version of the Local Plan, subject to any refinement considered necessary following consultation with partner organisations, be agreed: and
- (b) Initial comments on the agreed vision and spatial strategy from partner organisations including Essex County Council, Colchester Borough Council, the NHS and utility providers be invited and that these comments be reported back to the next meeting of the Local Plan Committee on 30 September 2014.

In accordance with Council Procedure Rule 18.5, Councillor Howard wished that it be recorded that he voted against the recommendation.

18. COMMUNITY INFRASTRUCTURE LEVY (CIL)

Following a request for more information at the previous meeting, the Council's Planning Policy Manager informed the Committee of 'Community Infrastructure Levy' (CIL) and explained how this could be applied in Tendring, alongside the new Local Plan, to help pay for the new and improved infrastructure required to support the necessary growth in homes and jobs.

He explained that CIL was a mechanism by which Councils could secure a financial contribution from developers by charging a standard tariff based on a calculation of £ per square metre of new development and that money collected could be used to help pay for any new and improved infrastructure that may be required in the District.

He informed the Committee that the current approach adopted was the use of Section 106 agreements, which were legal agreements binding developers to the provision of new facilities, services or infrastructures, but that the Government was keen for Councils to adopt CIL due to a number of benefits that it provided and wanted all Councils to use CIL by March 2015, at which time the use of Section 106 agreements would be restricted.

He explained that a Council must first demonstrate that there would be an infrastructure funding gap resulting from developments in the Local Plan and confirmed that this Council could demonstrate that. The CIL rate per square metre set, he said, needed to be economically viable to developers and that the CIL rate the Council could expect from one part of the District would likely vary with other parts, which was all related to the price of properties.

He then highlighted the issue that higher rates in CIL would impact upon the provision of on-site affordable housing as both had an effect on the economic viability of development.

In discussions it was asked how could a balance between affordable housing and CIL be achieved and would it be a problem if the initial emphasis was on affordable housing so that young people could get on to the property ladder. The Council's Planning Policy Manager explained that because of the differences in property values across the district, the balance between CIL and the delivery of affordable housing could vary significantly across the district. He also suggested that, from experience of monitoring other Council's work on CIL, the Government saw the delivery of affordable housing as a higher priority than generating CIL and that CIL was only one source of funding, amongst others, that could be used to pay for infrastructure.

Accordingly, it was **RESOLVED** to note the recommendation but to defer provisional agreement to the recommended policy wording on 'Securing Facilities and Infrastructure' to allow the Council's Planning Policy Manager to come back to the next meeting of the Local Plan Committee with revised wording that reflected the relationship between Community Infrastructure Levy (CIL) and the Council's policies on Council Housing and Affordable Housing.

19. **DELIVERING A CHOICE OF QUALITY HOUSING**

The Council's Planning Policy Manager sought the Committee's provisional agreement to the policies to be included in the new Local Plan that would be used to deliver a choice of high quality homes across a range of size, type and tenure to meet the future needs of residents in the Tendring District.

He explained that there were eight policies required to be agreed by the Committee, namely: Housing Choice; Housing Density; Housing Standards; Council Housing; Rural Exception Schemes; Aspirational or Self-Build Homes and House in Multiple Occupation (HMOs) and Bedsits.

Accordingly, it was **RESOLVED** that:

- (a) Recommended wording for the planning policies (and supporting text) on 'Housing Choice' (Appendix A4a), 'Housing Density' (Appendix A4b), 'Housing Standards' (Appendix A4c), Housing Layout (Appendix A4d), 'Council Housing' (Appendix A4e), 'Rural Exception Schemes' (Appendix A4f), 'Aspirational or Self-Build Homes' (Appendix A4g) and 'Bedsits and HMOs' (Appendix A4h) with a view to them being included in the new version of the Local Plan, be agreed; and
- (b) The Committee thank Officers for all of their constant hard work.

The meeting was declared closed at 9.06 p.m.

Chairman