
MINUTES OF THE MEETING OF THE LOCAL PLAN COMMITTEE HELD ON**TUESDAY 21 OCTOBER 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, Richardson and Shearing

Also Present: Councillors Challinor, Johnson, McLeod, Mitchell, Scott, Talbot, and White

In Attendance: Head of Planning (Catherine Bicknell), Legal Services Manager (Lisa Hastings), 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 (Janey Nice)

20. CHAIRMAN'S OPENING REMARKS

The Chairman welcomed all present to the meeting of the Committee and informed the public speakers, who had recorded their wish to speak at the meeting, that they, would be invited to speak for three minutes at the start of the specific item on the agenda they had requested to speak on.

21. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor R Callender.

22. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 15 July 2014, were approved as a correct record and signed by the Chairman.

23. DECLARATIONS OF INTEREST

Councillor Hawkins reminded the Committee that he had already declared on the public register that he was a Director of the East of England Co-operative Society and as there was a proposal that directly benefited the Co-operative Society he would leave the meeting at the appropriate time and not take part in any vote. Councillor Hawkins also declared a non-pecuniary interest in the retail policies contained in pages 119 – 123 in the report A.3 of the Head of Planning and informed the Committee that he would remain in the meeting.

Councillor De-Vaux Balbirnie declared a personal interest on any discussions for Little Clacton and Weeley as he was both a Ward and Parish Councillor for that area. He also declared a personal interest in Thorpe Road, Clacton.

The Monitoring Officer stated that Councillor I Henderson could declare a non-pecuniary interest as a member of the Fire Authority and could remain in the meeting.

Councillor Shearing queried whether he needed to declare an interest as a Ward Member for Bockings Elm as he intended to speak on several matters relating to Clacton-on-Sea. The Chairman informed Councillor Shearing that he need not declare an interest as a Ward Councillor.

24. PUBLIC SPEAKING

The Chairman informed those present that as there were a number of Public Speakers he would call them as each relevant item on the agenda arose.

25. ANNOUNCEMENTS BY THE PLANNING POLICY MANAGER

The Council's Planning Policy Manager (Gary Guiver) made announcements on the following matters:-

- (a) Continuing feedback from partner organisations;
- (b) Co-operation with Colchester Borough Council;
- (c) Alternative proposals for major development by promoted by third-parties in north-west Clacton ('Hartley Gardens') and on land around Frating, Hare Green and Ravens Green ('Tendring Central'); and
- (d) Alternative proposals for other housing developments being promoted by third-parties on land in The Street, Little Clacton, land off St Andrews Close, Alresford and land at Thorpe Road, Kirby Cross.

26. ADOPTING THE STATEMENT OF COMMUNITY INVOLVEMENT

The Planning Policy Manager (Gary Guiver) reminded the Committee that, at its first meeting held on 13 May 2014 it had agreed the draft Statement of Community Involvement for public consultation and a number of very helpful and constructive comments had been returned and, where practicable, those had been incorporated into the document. Mr Guiver therefore asked the Committee to agree the formal adoption of the revised Statement of Community Involvement, as attached at Appendix A1(b) to the Report of the Head of Planning.

Councillors raised concerns about the lack of time between the consultation and the Committee's meetings and whether all comments had been included. It was also commented there had not been enough time between the receipt of papers and date of meeting for Members to read all of the paperwork. The Chairman informed the Committee that the comments had helped formulate the Statement of Community Involvement, however, there had been special circumstances between the meetings which had created a very tight schedule. The Chairman therefore agreed to discuss with Officers to see if documentation could be sent to Members further in advance of the meeting.

After further discussion, it was **RESOLVED** that the formal adoption of the revised Statement of Community Involvement (SCI), attached as Appendix A1(b) to the Report of the Head of Planning, be approved.

27. GARDEN SUBURBS AND STRATEGIC EMPLOYMENT SITES

With the Chairman's agreement, the following members of public spoke: Mrs Joan Wrigley spoke against the concept of 12,000 houses being proposed for the Tendring District; Mr Edward Gittins spoke on the Tendring Central proposal and gave alternative suggestions for a new garden village proposal; Mrs Carol Bannister (Vice-Chair, Weeley Parish Council) spoke against the 1,100 homes being planned for Weeley; Mr Andy Butcher, Planning Consultant, speaking on behalf of the landowners west of Weeley, spoke in support of the proposal for the Weeley Garden Village; Mr William Prosser spoke concerning the lack of infrastructure regarding roads, rail, schools, GP surgeries and hospitals; Mr John Cutting from Little Clacton Parish Council spoke against the proposal for 1,780 houses for Oakwood Park Garden Suburb; Mrs Susan Jiggins spoke against the proposal for 1,100 houses in Weeley and asked for the item to be deferred for further consideration; and Councillor Paul Smith from Colchester Borough Council (CBC) spoke about the co-operation between CBC and Tendring District Council but raised concern about the potential plans for a large number of houses on the Colchester fringe.

The Chairman adjourned the meeting to allow for Members and members of the public to take a short break.

The Planning Policy Team Leader (Mr Matthams) presented a series of planning policies, indicative concept diagrams and/or delivery schedules for the major developments recommended for the preferred locations for strategic growth and highlighting the visual and spatial strategy which had identified the Colchester Fringe, Weeley, Clacton, Harwich and Horsley Cross as the preferred locations for strategic growth. For each of those areas Planning Officers had prepared Planning Policies. These set out the specific requirements for those developments and if those sites were selected, Officers intended more detailed masterplans would be prepared at a later date on which members of the public would be consulted. Tendring District Council would also be working closely with Colchester Borough Council to explore the opportunities for major development at the area on the edge of Colchester which could provide 3,500+ homes and potentially 5,000 jobs. Mr Matthams added that this proposal was very early in its process and the recommended policy for that area was only being outlined about broad principles at this stage.

Mr Matthams talked about plans for Oakwood Park for the north of Clacton, Rouses Farm to the west of Clacton, Tendring Europark at Horsley Cross, Weeley and Harwich Valley in Dovercourt and highlighted the areas of interest on the maps.

During discussion of this item, Members asked for clarification that Officers were going away to do more work and more informal stakeholder consultation would take place on those proposals before the Committee was asked to make a final decision on what to include in the draft Local Plan for formal public consultation. Clarification was also sought on whether being a member of the Committee overseeing the preparation of the new Local Plan, would preclude Members from commenting on the proposals, on behalf of residents in their Ward, when the plans were published for consultation. It was also requested that local Ward Councillors be invited to be able to comment as they represented the views of local residents.

The Chairman confirmed that Officers would be doing more work on the plans before another public consultation and said that the point of this Committee's work for that evening was to consider proposals for the whole of the District from a strategic point of view rather than the implications for their individual Wards. The Monitoring Officer (Lisa Hastings) added even though it was looking at the documents from a strategic point of view it did not in any way stop a Ward Councillor from representing their residents. She added that the purpose of the Committee was about Policy and that either voting for, or against, did not stop a Councillor from representing his/her Ward.

Councillor Shearing queried the need for this meeting if changes could be made at a later date and wished it placed on record that he was not convinced of the requirement for 12,000 new homes within the Tendring District and that some of the suggested sites were unacceptable whether in his Ward or not. Councillor Shearing also added his concerns over sewerage capacity and the road infrastructure.

Mr Matthams responded that evidence had suggested 12,000 new homes were required and the document entitled 'The Strategic Housing Market Assessment' was available on the Council's website and was a crucial document in that it gave the evidence base for housing numbers. He added that the number of 12,000 was not up for debate, however, the locations of those 12,000 homes was. Mr Matthams further added that the National Policy Framework had made it very clear that if a Local Plan was not in place the District would be left open to speculative development where developers would put in applications to build which the Council would find hard to refuse if the developers could demonstrate that the developments were sustainable.

Councillor De-Vaux Balbirnie commented that it was a shame that the original draft Local Plan had not been accepted as it had been a first class plan and that the Council had

challenged the need for 12,000 new homes in the District. He further commented about the number of homes proposed for Little Clacton, Weeley and Thorpe Road, Clacton-on-Sea suggesting that the numbers are reduced on some sites and redistributed to other parts of the District.

Mr Matthams responded by reporting that Essex County Council will be undertaking a comprehensive transport modelling study to see what road infrastructure upgrades were required and that, when completed, would be brought before the Committee. He added that if numbers were reduced on a specific site below a critical level, then the numbers would not support the provision of any new infrastructure required which would put more pressure on already constrained services.

Further concerns were raised by Councillors Howard, I Henderson, Nicholls, Broderick and Hawkins in respect of the following:

1. Lack of confidence in the Essex County Council transport policies and modelling;
2. The need for public consultation on the location of the proposed sites;
3. Transport infrastructure to be put in place including rail and buses;
4. The need for more schools;
5. The need for employment sites and opportunities for jobs;
6. The timescale for 12,000 houses;
7. Not all residents had access to the internet for public consultation; and
8. The need for the NHS to have more surgeries and more staff in place before extra housing was built.

Mr Matthams said that the Council was due to receive a letter from Essex County Council stating that it would be setting up a Board to see how transport systems would be integrated, to discuss how and where new bus routes would be located and how to work with the private bus companies on their routes.

The Chairman summed up that the evidence had shown the need for more houses and that it had become clear that the Council believed that it would not be able to defend the earlier plan proposing a lower number of homes and it was now time to move forward.

After discussion on the wording of the recommendation (b) it was **RESOLVED** that the Local Plan Committee:

- (a) gave provisional agreement to the recommended policy for the 'East Colchester and West Tendring Joint Development Plan', as attached as Appendix A2(a) of the Report A.2 of the Head of Planning, and agreed for this to be forwarded to Colchester Borough Council for its consideration; and
- (b) gave provisional agreement to the recommended 'planning policies, concept plans and/or delivery schedules', as attached in Appendices A2(b) to A2(g) to the aforementioned report, for the proposed garden suburbs and employment sites to enable further engagement to take place with partner organisations, relevant developers, landowners, Town and Parish Councils and Ward Councillors; and
- (c) that Officers report back to the Committee the results of that engagement before it makes a decision to consult on the preferred options draft of the Plan.

NOTE: In accordance with the provisions of Council Procedure Rule 18.5 Councillor Broderick required that she be recorded in the minutes as having voted against the motion.

28. PLANNING FOR PROSPERITY

The Planning Policy Manager (Gary Guiver) said that this item concerned a series of Policies and Appendices to be included in the draft Local Plan to promote employment growth in the District such as:

1. Policy PRO1: Improving the Public Transport Network;
2. Policy PRO2: Improving the Strategic Road Network;
3. Policy PRO3: Improving the Telecommunications Network;
4. Policy PRO4: Improving Education and Skills;
5. Policy PRO5: Priority Areas for Regeneration;
6. Policy PRO6: Town, District, Village and Neighbourhood Centres;
7. Policy PRO7: Use of Shop Units in Shop Centres;
8. Policy PRO8: Retail, Leisure and Office Development;
9. Policy PRO9: Tourism
10. Policy PRO10: Hotels and Guesthouses;
11. Policy PRO11: Holiday Parks;
12. Policy PRO12: Camping and Caravanning;
13. Policy PRO13: Freight Transport and the Movement of Goods;
14. Policy PRO14: The Renewable Energy Industry;
15. Policy PRO15: Employment Sites;
16. Policy PRO16: The Rural Economy; and
17. Care and Assisted Living – no Policy Number

Councillor I Henderson asked about the policy on Improving Education and Skills and asked if there had been any thought given to having a new college in Clacton in order to save students travelling to Colchester. He also said that he did not want to see any town centre ground floor retail premises replaced with residential use and would like to see it clearly laid out what part of town centres were still protected from residential occupation. Councillor Henderson said that it was useful that thought had been put into freight, and would like to see 'hubs' for the transfer of freight between road and rail.

Mr Guiver commented that discussions were ongoing with colleagues on the issue of colleges for Clacton and that he would report back to the Committee on this at a later meeting. He then said Members would be presented with maps in their documentation at a later date which would show which areas of the Town Centres would be protected against the loss of shops to residential use. Mr Guiver also referred to varying levels of protection in different parts of Town Centres including core shopping frontages where protection of retail premises would take priority over non-retail use such as restaurants, cafes and takeaways. On the issue of freight Mr Guiver said the Bathside Bay, Harwich proposal had an element of freight transfer within the scheme to try and get freight from road to rail and he agreed to look again at the issue of freight transfer other than at Bathside Bay.

Councillor Howard declared a non-pecuniary interest in partnership matters concerning the University of Essex and Colchester Institute as he was employed by the University of Essex.

Councillor Shearing asked if the Council was encouraging the use of the space above retail units for residential use as there were dozens of retail units with space above that could be utilised in that way. He then raised the issue of care homes and the fact that jobs in that industry were amongst the lowest paid in the country; whether more care homes were needed in Clacton as there was the risk that Clacton could become the 'care home capital'. Councillor Shearing also referred to coastal protection along the seafront.

Mr Guiver said that Government policy allowed for the upper floors above shops to be utilised as residential without planning permission as it encouraged the town centres to be occupied with a constant presence. As to care homes, Mr Guiver said there was protection in the Policy to prevent traditional care homes changing to more specialist and secure institutions, however, with an aging higher proportion of older residents already, there was a need to look to the future when more traditional care homes might be needed and these would provide a range of job opportunities including catering staff, managerial staff, medical staff and maintenance people as well as frontline care assistants.

Councillor Broderick suggested trying to get away from the thinking of care homes and look at the possibility of smaller complexes, with communal restaurants and shared facilities, this could encourage people to move here for an active retirement where they could still enjoy the coastal facilities such as swimming and sailing for example.

Councillor I Henderson agreed with Councillor Broderick's comments and said there had been a lot of research into people being given more assistance into their own homes and perhaps Tendring District Council could become a lead Authority on Care in the Community on an independent basis in partnership with the University who had been researching this issue.

Councillor V Guglielmi commented that one such facility was being built in Jaywick Lane, Clacton-on-Sea for people with physical and other disabilities to live independently.

Councillor De-Vaux Balbirnie commented this suggestion had been considered in the past and thought it would be a good one to be again considered for the future.

It was **RESOLVED** that the Local Plan Committee provisionally agreed the recommended wording for the Planning Policies (and supporting text) in Appendices A3(a) to A3(q) attached to the Report A.3 of the Head of Planning.

29. EMPLOYMENT SITES

With the Chairman's permission the following people spoke on this item:

Peter Domesday suggested that the Public Speaking Scheme be revised to allow for more than one person from each Parish to be allowed to speak, but welcomed the flexible way in which the Chairman had exercised discretion in this regard; he then spoke against the proposal for additional housing in both Weeley and Weeley Heath; and Mrs Carol Bannister (Vice-Chair Weeley Parish Council) spoke about there not being an evidenced need for more employment land in the Weeley area.

Mr Matthams reminded the Committee that the Local Plan must identify sufficient land for new business and industrial development, as required in the National Planning Policy Framework and in 2013 the Council's Consultants, Regeneris, had been appointed to carry out an employment land review. He said that the review had focussed on the likely demand for premises for office use, research and development, light industrial, general industry and storage and distribution and gave details of the various sites to be proposed for employment use in Harwich, Frinton, Walton, Manningtree, Lawford, Mistley and Brightlingsea and clarified that land in Crow Lane, between Weeley and Tendring was not being proposed for development and that included for employment, and the 'mixed-use' notation shown for this land was a mapping error. He then referred to sites in Alresford, Elmstead Market, Great Bentley, Little Clacton, Ardleigh, Frating, Thorpe-le-Soken, Wix and Horsley Cross (Tendring Europark).

It was **RESOLVED** that:

- (a) The Local Plan Committee gave provisional agreement to the existing and proposed 'employment sites', as listed in the report A.4 of the Head of Planning and shown on the 'Indicative Maps' attached as Appendix A4(b) to the afore-mentioned Report with a view to them being protected and promoted for employment use in the new version of the Local Plan; and
- (b) Officers report back to the Committee on the results of any further public engagement before it makes a decision to consult on the preferred options draft of the Plan.

30. HOUSING SITES AND HOUSING TRAJECTORY

With the Chairman's agreement, the following members of public spoke: Mrs Carol Bannister (Vice-Chair, Weeley Parish Council) informed the Committee that Weeley Parish Council was reflecting the views of its residents and although it was compiling a large petition against the allocation of housing for the Weeley area, this was not ready to be presented to the Committee; Mr Martyn Rayner informed Members that generally Mistley Parish Council was supportive of the proposals, however, it was requested that the area of Mistley, Manningtree and Lawford, while treated as one area for the Local Plan, was in fact three separate areas which wished to maintain its individuality as three separate communities, with no infilling between them and that land to the south of Mistley might be a possibility for development; Mr Joseph Greenhow representing an Almshouse Charity promoting land for development in Elmstead Market, spoke against the sites for housing in the village and urged that the Parish Council's preference for the inclusion of his client's site to be considered; Mr David Barnes, a Planning Consultant, spoke about the difficult decisions the Council would have to make and suggested the Officers be allowed to go away and do the necessary work for the public consultations; Mr Sam Metson, a Planning Consultant from Bidwells who were acting on behalf of promoters for the land at St Andrews Close, Alresford, spoke against the deletion of the site from the Local Plan; and Councillor Gary Scott (a non-member of the Committee) who spoke in support of the deletion of St Andrews Close from the Local Plan.

The Planning Officer (Gary Ashby) spoke about the need for the provision of extra housing over a 17 year period (1 April 2014 to 31 March 2031) to meet objectively assessed housing needs and to comply with the requirements of Government Planning Policy and he stated the recommendations had been based on all the evidence available at this time. Mr Ashby highlighted recommended changes from the last Draft Local Plan and he also highlighted the additional new sites which had been recommended including those that were already in the planning process with planning permission or under construction.

Mr Ashby detailed numbers for each proposed site and at this time Councillor Hawkins left the meeting as the map for Harwich showed a site where he had previously declared a pecuniary interest.

Mr Ashby continued through the maps highlighting the sites which were proposed for each area and giving details of the proposed housing numbers.

Councillor De-Vaux Balbirnie spoke against the increase in the development of the site proposed for the Oakwood Park area and the recommended allocation, for housing, at the boot sale site off Centenary Way on the boundary between Clacton-on-Sea and Little Clacton and asked that this be reconsidered, along with a view to maintaining a greenfield wedge between the two settlements near Little Clacton. He also suggested that further consideration be given, as an alternative, to the redevelopment of the Nursery site off Earls Hall Drive, Clacton and on land in the centre of Little Clacton which might help to bring the two halves of the village together.

It was **RESOLVED** that the Local Plan Committee provisionally agreed:

- (a) the recommended wording for the planning policies (and supporting text) on 'Housing Supply (Appendix A5(a)) as attached to item A.5 of the Report of the Head of Planning; and
- (b) the sites recommended for inclusion in the new Local Plan for housing and mixed-use development (shown on the maps attached to Appendix A5(c) in the aforementioned report; and

- (c) Officers report back to the Committee on the results of any further public engagement before it made a decision to consult on the preferred options draft of the Plan.

In accordance with the provisions of Corporate Procedure Rule 18.5 Councillors Shearing and Broderick required that they be recorded in the minutes as having voted against the motion.

Councillor Hawkins then returned to the meeting.

31. **GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT**

With the Chairman's agreement, Mrs Carol Bannister (Vice-Chair, Weeley Parish Council) spoke broadly in support of the recommendation but highlighted a suggestion for consideration by the Committee on the possibility of a transit or permanent site for Travellers so that, in the event of unauthorised encampments, there was somewhere for them to be moved to.

The Chairman informed the Committee that he and the Planning Policy Manager (Gary Guiver) had gone to County Hall to receive the latest 'Gypsy and Traveller Accommodation Assessment (GTAA) for Essex' which had been made in conjunction with all of the other Essex Authorities to meet the projected future need for pitches for gypsies and travellers.

Mr Guiver informed the Committee that Tendring District Council has one of the lowest requirements for pitches in Essex and five of the projected requirement of ten pitches had already been subject to planning decisions leaving only five pitches required.

Councillors McWilliams, De-Vaux Balbirnie, Shearing and Howard raised concerns on:

1. Not expanding current pitches, but consider locating them to other parts of the District;
2. A transit camp was not needed as could encourage more travellers to the District;
3. Did not believe the District should take any more pitches for Travellers and asked if the Officers had considered placing pitches on existing camp sites and holiday parks; and
4. Clarification of whether it was five pitches or five sites.

The Chairman clarified that the requirement was for five pitches not sites and this was to be addressed during the period 2014 – 2033.

It was **RESOLVED** that:

- (a) the Local Plan Committee noted the findings of the new Essex Gypsy and Traveller Accommodation Assessment which had been attached as Appendix A6(a) to the A.6 Report of the Head of Planning and the recent update report attached as Appendix A6(b) attached to the afore-mentioned Report; and
- (b) the Local Plan Committee agreed that the number of additional pitches, for which allocations in the new Local Plan would be needed, was 5.

NOTE: In accordance with the provisions of Council Procedure Rule 18.5, Councillor Shearing required that he be recorded in the minutes as having voted against the motion and Councillor Broderick required that she be recorded in the minutes as having abstained from voting on the motion.

The Chairman declared the meeting closed at 10.00 p.m.

Chairman