

**MINUTES OF THE MEETING OF THE LOCAL PLAN COMMITTEE****HELD ON 12 NOVEMBER 2015 AT 6.00 P.M. IN THE PRINCES THEATRE, TOWN HALL,  
STATION ROAD, CLACTON-ON-SEA**

**Present:** Councillors Stock (Chairman), Turner (Vice-Chairman), Baker, Bray, Broderick, Cawthron, G V Guglielmi, Howard, Land, Mooney, Platt, Porter, Skeels Snr. and Talbot

**Also Present:** Councillors M Brown, Bucke, Everett, Massey, McWilliams, Newton and Stephenson

**In Attendance:** Corporate Director (Corporate Services) (Martyn Knappett), Head of Planning (Cath Bicknell), Acting Planning Development Manager (Gary Guiver), Planning and Regulation Manager (Simon Meecham), Communications and Public Relations Manager (Nigel Brown) and Senior Democratic Services Officer (Ian Ford)

**Also in Attendance:** Richard Pestall (Peter Brett Associates)

**16. RATIFICATION OF ELECTION OF THE CHAIRMAN OF THE COMMITTEE**

Further to Minute 1 (14.7.15) and Minute 11 (17.9.15), and in order to avoid any ambiguity, the Committee was requested to ratify its election of Councillor Stock as its Chairman for the remainder of the municipal year.

It was moved by Councillor Turner, seconded by Councillor Platt and **RESOLVED** that Councillor Stock's election as the Chairman of the Committee for the remainder of the municipal year be, and is, hereby ratified.

**17. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were no apologies for absence or substitutions.

**18. MINUTES OF THE LAST MEETING**

It was moved by Councillor Turner, seconded by Councillor Platt and **RESOLVED** that the minutes of the last meeting of the Committee, held on 17 September 2015, be approved as a correct record and signed by the Chairman.

**19. DECLARATIONS OF INTEREST**

There were none on this occasion.

**20. PUBLIC SPEAKING**

The Chairman invited the following persons to address the Committee:

John Smith-Daye, a resident of the District and a representative of the Tendring Residents Lobby Group, spoke in relation to item A.1 of the Report of the Head of Planning Services (Local Plan Evidence Update) and urged the Council to use uncertainties surrounding the statistics for the District's Total Fertility Rate, Net Overseas Migration and Housing Market Area as justification for the setting of the Objectively Assessed Needs figure for annual housing growth at a lower figure than the proposed 597 per annum.

John Cutting, Chairman of Little Clacton Parish Council, spoke in relation to item A.1 of the Report of the Head of Planning Services (Local Plan Evidence Update) and stated that there was strong evidence that would support the Council in pursuing a figure of 479 + 20% uplift as the Council's Objectively Assessed needs figure for annual housing

growth. He also advocated pursuing an upgrade of the A133 through the Council's emerging Community Infrastructure Levy charging schedule.

Carol Bannister, a resident of the District and representative of Weeley Residents' Action Group., spoke in relation to item A.2 of the Report of the Head of Planning Services (Results of Public Consultation on the Tendring District Local Plan Issues and Options Consultation Document) and specifically in relation to Option 2: Weeley Garden Village. She spoke against any allocated development on land north of the railway line which would lead to the loss of productive agricultural land; an urbanising effect on Weeley Village; and an even greater strain on the existing poor infrastructure. Mrs Bannister advocated development on the 'Colchester Fringe' as part of the 'Knowledge Gateway' developments.

Peter Dumsday, Chairman of Weeley Parish Council spoke in relation to item A.2 of the Report of the Head of Planning Services (Results of Public Consultation on the Tendring District Local Plan Issues and Options Consultation Document) and specifically in relation to Option 2: Weeley Garden Village. He stated the Parish Council's opposition to any proposals that threatened to double the size of the village and hoped that that the Council would give real weight to Parish Councils' representations.

Martin Rayner, Chairman of Mistley Parish Council spoke in relation to item A.2 of the Report of the Head of Planning Services (Results of Public Consultation on the Tendring District Local Plan Issues and Options Consultation Document) and specifically in relation to the importance of protecting the 'green' infrastructure and the 'Green Gaps' in the District within the emerging Local Plan.

Miss Yolanda Clark, a resident of the District, spoke on the importance of the District's strategic rail infrastructure and requested that the Committee invite a representative of Crossrail to address the Committee on the potential benefits of the scheme for workers commuting outside of the District.

Richard Naylor, a resident of the District, spoke in relation to item A.3 of the Report of the Head of Planning Services (Local Development Scheme 2015 - 2018) and stated his grave concerns that: (1) the Committee had preoccupied itself with housing numbers to the neglect of other important issues such as employment, transport, public and commercial services, the environment etc.; (2) the Committee had failed to quell public fear on the housing issue; and (3) that the Council had paid insufficient attention to accommodating increased densities within the existing settlement boundaries.

## **21. ANNOUNCEMENTS BY THE PLANNING AND REGULATION MANAGER**

There were none on this occasion.

## **22. LOCAL PLAN EVIDENCE UPDATE**

The Committee had before it a report of the Head of Planning that updated the Committee on the latest progress in producing studies as part of the 'evidence base' that would inform the content of the new Local Plan and which also sought the Committee's endorsement of the Objectively Assessed Housing Needs Study (2015), following consideration of the concerns raised by the Committee at its last meeting (Minute 15 referred). Those studies included:

- (i) Objectively Assessed Housing Needs Study (July 2015);
- (ii) Strategic Housing Market Assessment – Part 2;
- (iii) Transport Junction Modelling;
- (iv) Retail Study; and
- (v) Employment Land Review.

In respect of the Objectively Assessed Housing Needs Study (OAHN) the Committee recalled that it had questioned the reasons for the use of the figure of 597 dwellings per annum for Tendring's 'low' housing target (as detailed in the table below taken from the OAHN) in that it appeared to be at odds with paragraph 4.39 of the OAHN Study which explained how 'unattributable population change' had potentially exaggerated the true need for homes in the District, with 479 dwellings per annum (from the PG-10year scenario in Table 4.4 of the OAHN) suggested as the most appropriate starting point.

**Table 9.5 Housing targets – suggested ranges**

	Low	High
Braintree	793	845
Chelmsford	736	775
Colchester	903	920
Tendring	597	705
<b>HMA</b>	<b>3,029</b>	<b>3,245</b>

Source: PBA

The Officers had summarised the main criticisms as follows:

- *It was not clear why the figure of 597 dwellings per annum (the 'employed people scenario') was considered the most appropriate to put forward as the basis for objectively assessed need over any of the other statistics referred to in the report.*
- *There were doubts over the robustness of the 597 figure because in the relatively short period of time between the publication of the Phase 6 EPOA Greater Essex Demographic Forecasts and the Phase 7 version, this figure had changed significantly by 25%.*
- *The range of figures contained within the alternative scenarios (tables 4.1 to 4.4) varied more for Tendring (between 705 and -230 – a difference of 1,015) than for Braintree (between 686 and 287 – a difference of 399), Chelmsford (between 657 and 404 – a difference of 253) and Colchester (between 1,139 and 584 – a difference of 555) suggesting a significant level of uncertainty arising from 'unattributable population change'.*
- *The percentage increase from previous rates of housing development (365) to the suggested objectively assessed housing needs figure (597) were significantly higher for Tendring (63.5%) than for Braintree (44%), Chelmsford (30%) and Colchester (13.3%) whereas the figure of 479 for Tendring would be a 31.2% increase which was more reflective of the increases suggested for the other authorities.*

It was reported that on Thursday 15<sup>th</sup> October 2015, the author of the OAHN, Mr. Richard Pestell of Peter Brett Associates had visited the Council to give a presentation to Members to explain the methodology behind the study and to answer questions. In his presentation, Mr. Pestell had explained the following:

- 1) *How Tendring, Colchester, Braintree and Chelmsford could, together, be legitimately considered as a 'housing market area';*
- 2) *The definition of 'Objectively Assessed Housing Need' and how this was a 'policy off' requirement for housing i.e. free of planning constraints;*

- 3) *How the figure was calculated and how housing need was heavily affected by people living longer and people living alone longer in smaller households (fewer people per property);*
- 4) *The effect of the ageing population on Tendring and why the population needed to be 'topped up' through migration;*
- 5) *The requirements of the Government's latest Planning Policy Guidance (PPG) which dictated how the assessment should be undertaken;*
- 6) *How Councils must identify the 'starting point' based on official Government population and household projections;*
- 7) *How, for Tendring, a lower 'starting point' of 497 homes a year was justified over the official Government figure of 705 homes a year because of 'unattributable population change';*
- 8) *How Government guidance was explicit in requiring Councils to revise the figures upwards from the starting point to take into account market signals and economic evidence;*
- 9) *How Planning Inspectors, as a rule of thumb, were generally requiring Councils to add 10%-20% uplift to their starting-point figures;*
- 10) *How an uplift to 597 homes a year would be needed to ensure a better match between the number of working-age residents in the District and projected jobs growth;*
- 11) *How Tendring was expected to see a decline in the size of the working-age population in the future with lower levels of housing development resulting in greater decline;*
- 12) *How Councils were required to consider the need for affordable housing and whether further increases to the overall housing target were required to ensure that this need was met (subject of the Strategic Housing Market Assessment Part 2);*
- 13) *That the figure of 597 homes a year was, in the consultant's informal view, had been calculated in accordance with the methodology set out in Government guidance and was defensible;*
- 14) *That, to justify a lower figure, the Council would need to demonstrate that there were overriding planning constraints (such as Green Belt or Areas of Outstanding Natural Beauty) that would prevent this figure being achieved; and*
- (15) *That, to justify a lower figure, the Council would also need to agree with other authorities, through the legal duty to cooperate, that they would address Tendring's 'unmet need'.*

Members were reminded that throughout his presentation and in his answers to Members' questions, Mr. Pestell had emphasised that, whilst some Councils might prefer to plan for lower levels of housing, through the Local Plan examination process across the country, developers and landowners were pushing to increase housing targets and were often producing and tabling their own technical evidence to try and convince Planning Inspectors that more housing land would be required.

The Committee was advised that, following Mr. Pestell's advice, Officers had remained of the view that the Objectively Assessed Housing Needs Study (July 2015) should be endorsed, unchanged, as part of the evidence base to inform the Local Plan and that it should be noted that Braintree, Chelmsford and Colchester's respective Committees had all now endorsed the study.

The Committee was further advised that, if the Committee was still minded to set a housing growth target for the Local Plan that was less than 597 homes a year, the Council would need to agree with other Authorities in the housing market area that they would address the 'unmet need' through their Local Plans. To set a lower housing target and not secure such an agreement with other Authorities would jeopardise the soundness of the new Local Plan and could result in the plan being rejected by the Planning Inspector.

Richard Pestall, Peter Brett Associates, attended the meeting and gave an update to the Committee on the ongoing investigations into the new data released by the Office of National Statistics in relation to the scale and origin of the error surrounding the District's 'Unattributable Population Change'. He also outlined the work being undertaken by John Hollis (a member of the ONS Expert Panel on National Population Projections), on behalf of the Council, in examining the District's demographic profile which might have an effect on the Essex Planning Officers' Association/Edge Analytics 'Employed Persons Scenario' and which could have a 'knock-on' effect on the Council's Objectively Assessed Housing Needs figure.

Having discussed the information received, it was moved by Councillor Stock, seconded by Councillor Turner and:

**RESOLVED** that:

- a) the Local Plan Committee notes the latest progress on the evidence base for the Local Plan;
- b) Officers continue to investigate options to reduce the housing growth figures for Tendring in line with the aspirations of the Committee as resolved at its last meeting and share their calculations with the Members of the Committee;
- c) the outcomes of this work are reported to the next meeting of the Committee, or to an earlier special meeting to be called by the Chairman, if practicable.

**23. RESULTS OF PUBLIC CONSULTATION ON THE TENDRING DISTRICT LOCAL PLAN ISSUES AND OPTIONS CONSULTATION DOCUMENT**

The Committee had before it a comprehensive report of the Head of Planning that provided an initial review of the issues raised through the representations received on the Local Plan 'Issues and Options' consultation. The Issues and Options consultation had taken place between 1<sup>st</sup> September 2015 and 13<sup>th</sup> October 2015.

The Committee was aware that, on 1<sup>st</sup> September 2015, the Council had published an 'Issues and Options' consultation document for its emerging Local Plan. That consultation had ended on 13<sup>th</sup> October 2015 and over 600 submissions, many with multiple representations, had been received; four of which submissions had included petitions. The consultation document had invited local people, technical stakeholders and other interested parties to consider and put forward their views on the issues facing the District including the location of future development.

The comprehensive report now before Members outlined the responses received to the 7 main issues set out in the public consultation exercise which were:

Issue 1: Jobs

Issue 2: Homes

Issue 3: Infrastructure

Issue 4: The Environment

Issue 5: Setting out a vision for the future

Issue 6: Options for growth – Four options had been presented, namely

- Option 1: Hartley Gardens Suburb
- Option 2: Weeley Garden Village
- Option 3: Tendring Central Garden Village
- Option 4: Higher Urban Densities

Issue 7: Planning Policies

The key findings of the consultation were:

- Technical Stakeholders: A number of stakeholders had suggested that a Sustainability Appraisal would be required for the consultation options and the 'Call for Sites' submissions. That Appraisal would be carried out to aid the next stage of plan production, the 'preferred options'.

The most significant concern expressed by other Councils was that Tendring should adopt the recommended annualised housing target of at least 597 new dwellings each year. Essex County Council (ECC) had suggested that Tendring should plan for the higher economic growth scenario which had an annualised housing target of 705 new dwellings each year.

Environmental submissions had included the need to protect and enhance the most sensitive habitats and to ensure the provision of appropriately networked Green Infrastructure.

Few technical stakeholders had commented specifically in regard to locations for growth although ECC had suggested that the potential allocation of East Colchester/West Tendring needed further housing trajectory work to see if more homes could be delivered in the Plan period. It had suggested that Option 1: Hartley Gardens Suburb and Option 4: Higher Urban Densities were the most sustainable, Option 2: Weeley Garden Village was only sustainable in ECC's view if secondary school travel was by train and Option 3: Tendring Central Garden Village was not sustainable.

- Landowners and Developers: The majority of representations proposed sites which could accommodate between 40 – 250 dwellings. Other representations had suggested revisions to settlement development boundaries in order to enable smaller residential developments to take place. There had also been two representations from developers and landowners promoting large, mixed use development in support of Option 2: Weeley Garden Village.
- Community Representatives including Town and Parish Councils, residents associations and community groups as well as individual District, Town or Parish Councillors and MPs.

The comments received from community representatives had been wide-ranging and had generally dealt with issues specific to the area being represented. Options 1: Hartley Gardens Suburb and 2: Weeley Garden Village had generally been preferred with Option 3: Tendring Central Garden Village being the least preferred. The lack of healthcare, transport, education and employment had been common concerns. Traffic and congestion issues had also been raised as an area of concern. A number of representations had raised the need for a new town within the District and a number of representations had questioned the need for new housing growth in their particular areas.

- Members of the public: The responses from residents had been numerous and wide-ranging. Broadly, the benefits of Option 1: Hartley Gardens Suburb, had been noted in terms of infrastructure and access to employment although concerns had also been raised over the scale and impact of development. The general consensus was that the only advantage for Option 2: Weeley Garden Village was in respect of transport infrastructure, including the railway. The main advantages of Option 3: Tendring Central Garden Village were perceived to be in its proximity to Colchester. Disadvantages included the lack of supporting infrastructure of all types. The main advantages of Option 4: Higher Urban Densities were perceived to be in relation to the reduced need for greenfield land and better job opportunities although disadvantages were also perceived in that respect and in terms of traffic and medical facilities.

It was moved by Councillor Stock, seconded by Councillor Platt and:

**RESOLVED** that the Local Plan Committee:

- (a) notes the main issues raised by the Local Plan 'Issue and Options' consultation;
- (b) reiterates the importance of completing the sustainability appraisals as soon as possible; and
- (c) authorises Officers to clarify any representation as necessary.

#### **24. LOCAL DEVELOPMENT SCHEME 2015 – 2018**

The Committee had before it a report of the Head of Planning that sought the Committee's agreement to publish a new Local Development Scheme (LDS) in order to update the proposed timetable for preparing the new Tendring District Local Plan and other planning documents.

Members were reminded that the LDS was designed to set out the process for producing the Local Plan, Community Infrastructure Levy (CIL) and other planning documents. It included the anticipated timetable of consultation periods, examinations and expected dates of adoption. Publishing the LDS also ensured that stakeholders, including members of the public, Town and Parish Councils, landowners and developers, partner organisations and the Planning Inspectorate were kept aware of the timetable the Council was working to and to organise their time and resources accordingly.

It was reported that the current LDS had been published in 2014 and needed to be updated to reflect the progress to date and the timetable for implementation of the Local Plan and CIL going forward.

The Committee was made aware that the updated LDS proposed a revised timetable for the Local Plan and the CIL. It also deleted a proposed Supplementary Planning Document on Aspirational Housing because local standards were no longer able to be applied for space and energy standards for housing. National space standards, water and energy efficiency standards would be considered in the Development Management policies of the Local Plan, subject to relevant and required viability analysis.

It was moved by Councillor Turner, seconded by Councillor Platt and:

**RESOLVED** that the Local Plan Committee approves the Local Development Scheme 2015 – 2018, as attached as the Appendix to item A.3 of the Report of the Head of Planning, and agrees to its publication on the Council's website.

**25. PUBLIC SPEAKING SCHEME – RECOMMENDATION TO COUNCIL**

The Committee considered whether to recommend to Council that Council Procedure Rule 38 of the Council's Constitution (which permitted a public speaking scheme for the Planning Committee) be extended so that the Local Plan Committee could also have a formal public speaking scheme.

It was moved by Councillor Stock, seconded by Councillor Land and:

**RECOMMENDED TO COUNCIL** that:

Rule 38 of the Council Procedure Rules, as set out in the Constitution, be amended to read as follows:

**“SCHEMES TO PERMIT MEMBERS OF THE PUBLIC TO SPEAK AT MEETINGS OF THE LOCAL PLAN AND PLANNING COMMITTEES**

The Local Plan Committee and the Planning Committee will each have a scheme providing a limited right for speaking by members of the public in relation to applications or other matters of business. The schemes shall be in such a form as the Monitoring Officer determines after consulting with the Head of Planning Services and the Chairman of the relevant Committee.”

The meeting was declared closed at 7.40 p.m.

**Chairman**