

**MINUTES OF THE MEETING OF THE LOCAL PLAN COMMITTEE  
HELD ON 21 JANUARY 2016 AT 6.00 P.M. IN THE COUNCIL CHAMBER, COUNCIL  
OFFICES, THORPE ROAD, WEELEY**

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

**Also Present:** Councillors M Brown, Cawthron, Everett, Ferguson, V E Guglielmi, Massey, McWilliams, Newton and White

**In Attendance:** Head of Planning Services (Cath Bicknell), Legal Services Manager & Monitoring Officer (Lisa Hastings), Acting Planning Development Manager (Gary Guiver), Planning and Regulation Manager (Simon Meecham), Communications and Public Relations Manager (Nigel Brown), Planning Officer (Will Fuller), Senior Democratic Services Officer (Ian Ford) and Democratic Services Officer (Katie Sullivan)

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

**26. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Stephenson substituted for Councillor Cawthron.

Apologies for absence were submitted on behalf of Councillor Porter.

The Chairman welcomed Councillor Scott to this, his first meeting, since he had been appointed by Council to serve on the Committee

**27. MINUTES OF THE LAST MEETING**

It was moved by Councillor Platt, seconded by Councillor Bray and **RESOLVED** that the minutes of the last meeting of the Committee, held on 12 November 2015, be approved as a correct record and signed by the Chairman.

**28. DECLARATIONS OF INTEREST**

There were none on this occasion.

**29. PUBLIC SPEAKING**

The Chairman invited the following persons to address the Committee:

Item A.1 – Local Plan Evidence Update

Parish Councillor Peter Dumsday, Chairman of Weeley Parish Council, made a statement in which he reiterated the Parish of Weeley's concerns that the brunt of the new housing allocation in the emerging Local Plan would be in, and around, Weeley. He stated that he would commend any Local Plan that would avoid this.

Parish Councillor John Cutting, Chairman of Little Clacton Parish Council, made a statement in which he argued that there was no justification for an Objectively Assessed Housing Need of 500 – 600 houses per annum given the emerging demographic statistics. He encouraged the Council to look at allocating new housing development along the A120/A133 corridor. He urged the Council to resurrect the Local Plan that had been abandoned in 2014 with a 7% increase in housing spread evenly across the District.

John Smith-Daye, a resident of Little Clacton, made a statement in which he raised his concerns about the veracity underlying statistics within the Objectively Assessed Housing Needs Study (OAN) particularly in respect of the Unattributable Population Change, the Total Fertility Rate and the International Migration figures. He urged the Committee to explore the possibility of further routes that would enable the figure of 550 dwellings per annum as the OAN to be reduced.

The Chairman, on behalf of Steve Rowland, a resident of Little Clacton, asked the following question:

*“The population figures taken from the 2001 and 2011 Censuses show that the population across the Tendring District has remained broadly similar over that ten year period, despite statistical methods of identifying change suggesting that they shouldn’t have done so. Does the Committee believe that the statistical methods used to project the future housing needs for Tendring are now improved to such an extent that they will no longer be considered “a mess” (as stated by expert demographer John Hollis in his presentation on 17th December 2015)? If so, what has changed in the methods utilised?”*

The Chairman of the Committee replied as follows:

*“Most of the errors in data have come to light because the Census showed that the old Office of National Statistics (ONS) methods, used to estimate population change between Census years were wrong.*

*The ONS claim to have learnt from the Census and improved their methods. They have published a number of reports outlining this process but in summary they claim to have revised their model of international and domestic migration to improve accuracy. The latest revisions to the Unattributable Population Change estimates are one example of this process: “Further understanding of the causes of discrepancies between rolled forward and census based local authority mid-year population estimates for 2011” – September 2015.*

*The Council and its Consultants have worked hard to disprove the official household projections, often using new ONS data. But it is very likely that further errors will be found and this is one reason why the Council needs to take a positive approach to both Objectively Assessed Need and possible housing target. Members are asked to consider a wide range of possible housing targets to reflect the large margin for error and allow the plan to respond accordingly. The range has been set wide enough to try and cover for new data which emerges between now and the plan being submitted.”*

Angela Barnes, a resident of Weeley, asked the following question:

*“Why are the Committee being asked to approve a figure of 550 dwellings pa (potentially 600) as a target, when all the evidence, by their own admission, is flawed and erroneous with final details not due until mid-2016, and the existing transport system and other infrastructure is already struggling, with 106 provision being inadequate, and cannot be met?”*

The Chairman of the Committee replied along the following lines:

*“The reasons for the figures mentioned in this question are clearly laid out in the committee report. And whilst data is rarely 100% accurate the Council has delved deeper in to the figures through the aid of one of the country’s top demographers who has validated the data. We are now presented an Objectively Assessed Housing Need– compliant with Government requirements. Data will emerge throughout the production of the plan; the mid-2016 date is only one data release from Government others will happen - but that, as the Government makes clear, is not a reason for not*

*getting on with the Plan.”*

#### Item A.2 – Optional Technical Standards – Housing

Parish Councillor Peter Dumsday, Chairman of Weeley Parish Council, asked the following question:

*“When will the next Annual Monitoring Report (AMR) be issued? The last one covered 1 April 2013 to 31 March 2014 and was published in February 2015. The Local Development Scheme (LDS) 2014-2017 states (on page 8 and on the Project Chart, page 22) that the AMR will be published each December. Can we expect an updated AMR soon?”*

The Chairman of the Committee replied along the following lines:

*“The Authorities Monitoring Report, as it is now known, will be published by the end of this month. The LDS you refer to has been superseded to cover 2015-18 – this LDS states that the AMR will be published in January.”*

#### Item A.3 – Garden Communities Update

Parish Councillor Peter Dumsday, Chairman of Weeley Parish Council, asked the following question:

*“It has been recently reported that “English GP surgeries reach new patient ‘breaking point’”, it included “In Clacton-on-Sea, three out of the four town centre surgeries have had to stop taking new patients” and another report headlined that “Teacher shortage means pupils travel to another school”. We always hear that a development will have a doctor’s surgery and/or a school but what provision is envisaged to staff and maintain these infrastructures over their lifetime?”*

The Chairman of the Committee replied along the following lines:

*“The responsibility for the provision and maintenance of state run health-care lies with the NHS and the Clinical Commissioning Group for North East Essex, both these organisations are fully aware and engaged in the production of the Local Plan are reviewing current and future provision. Teacher provision at state run schools is the responsibility of the County Council and any academy or free school. There is a national shortage of teachers and less people entering graduate training programmes than are required. In recognition of this the Government is now providing tax free bursaries and scholarships as well as targeting industries such as banking where career moves may be a sensible next step. The Council’s Housing department is looking at Key Worker Housing in an effort to encourage more teachers to move to the District.”*

Parish Councillor Gilliane Foster of Weeley Parish Council, asked the following question:

*“Why has a large development somewhere along the A120 between Ardleigh roundabout at Colchester and Harwich not been considered for development? The A120 is due for an upgrade. There is plenty of (farm) land both sides of the A120 along this route.*

*A large development along the A120 could become a new town and the infrastructure, education, NHS medical short falls that are being faced in all planning applications in this District may be solved by the government, which would have to provide monies along with developers for such developments!!!*

*The number of homes provided could also help Colchester if a joint venture were established.”*

The Chairman of the Committee replied along the following lines:

*“The prospect of a large development is being considered in the west of the Tendring district. This is being evaluated in collaboration with Colchester Borough Council and Essex County Council and the Department for Communities and Local Government. Further growth to the north of the A120 may be considered in future Local plans but at present the proximity of services and employment in Colchester favours the southern side of the A120.”*

### **30. LOCAL PLAN EVIDENCE UPDATE**

The Committee had before it a report of the Head of Planning Services that updated the Committee on the latest progress of the ‘evidence base’ that would underpin the content of the new Local Plan and which also sought the Committee’s approval of the evidence and recommendations, as derived from the Objectively Assessed Housing Needs Evidence (December 2015), in relation to the housing target range of 500 – 600 dwellings per annum and the annualised target for both Local Plan and Development Management purposes of 550 dwellings per annum.

Members were aware that The National Planning Policy Framework (NPPF) required Local Plans to be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. The Council’s evidence was well developed and the report provided a further update on the latest work including most critically the Objectively Assessed Housing Needs.

Those studies included:

- (i) Objectively Assessed Housing Needs Study (July and December update 2015);
- (ii) Strategic Housing Market Assessment – Part 2;
- (iii) Transport Junction Modelling;
- (iv) Retail Study;
- (v) Employment Land Review;
- (vi) Traveller Needs Definition Review; and
- (vii) Sustainability Appraisal.

In respect of the Objectively Assessed Housing Needs Study (July and December update 2015) (OAN) the Committee recalled that it had received a presentation on 17 December 2015 from John Hollis (an independent demographer) and Richard Pestall (Peter Brett Associates). The two slides presented below summarised their conclusions and supported the Officers’ recommendations in the report to the Committee:

## Conclusions

- New evidence shows the EPOA reports wrongly adjusted for UPC
- New data shows 480 dpa is a reasonable 'starting point'
- New data also suggests (TBC) that the need for an economic uplift is reduced
  - The migration flow is younger and so fewer new homes needed to secure the labour supply
- But there is evidence of some market pressure
  - +10% or 20% depending on professional judgement
  - PBA thinks 10% is defensible
- But need to consider meeting affordable need
  - Until policy changes
- Suggests you need to try to find land for around 550 dpa
- To meet affordable housing need in full

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## Conclusions (2)

- We say 'around' because a huge amount of uncertainty
  - Don't pretend this is a science
  - It is not
- 550 dpa is defensible today
  - Meets tend base migration, economic need and affordable need
  - Suggest new economic work to re-enforce this
  - Double check the job alignment
- However, it will change
  - Affordable housing is changing
  - New projections will keep emerging
  - Likely to be higher as international migration estimates increase
- Suggest you consult on a range
  - Unlikely to fall below the 480 dpa
  - Unlikely to exceed the old EPOA 597 dpa number
  - So a range between 500 – 600 dpa looks sensible
    - Or 480 – 600

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The Committee was also asked to note the following corrections to the November 12 2015 Local Plan Committee, Evidence Update:

“Page 8 – second paragraph. The ~~B1027~~ **B1033 at Kirby Cross**  
Page 13 – Bullet 3. Tendring (between 705 and -230 ~~1,015~~ **935**)”

Appendix 1 to the Report of the Head of Planning Services presented a background paper for the OAN prepared by John Hollis.

Having discussed the information received, it was moved by Councillor G V Guglielmi and seconded by Councillor Turner that the Committee:

- a) *notes the latest progress on the evidence base for the Local Plan;*
- b) *approves that the range of Objectively Assessed Needs for Tendring District Council is 500-600 dwellings per annum; that the mid-point of 550 dwellings per annum is used as the Council’s provisional housing target for the Local Plan and that Officers consider options up to 600 dwellings per annum as the Local Plan refines through its next consultation stage and new data is assessed; and*
- c) *approves for Development Management purposes that the Objectively Assessed Needs be set at the level needed to meet the District’s affordable housing in full which is 550 dwellings per annum.*

Councillor Mooney moved and Councillor Broderick seconded that Councillor Guglielmi’s motion be amended as follows:

*That recommendations b) and c) be replaced with the following:*

- b) *recognises that there remains substantial reasons to believe that a figure below 480 dwellings per annum is the appropriate Objectively Assessed Housing Needs figure for Tendring District Council; and*
- c) *approves for Development Management purposes that the Objectively Assessed Needs be set at 480 dwellings per annum whilst Officers continue to identify the correct figure, including delivering against resolution b) to Minute 22 of the meeting of the Committee held on 12 November 2015.*

Councillor Mooney’s amendment, on being put to the vote was declared **LOST**.

Pursuant to Council Procedure Rule 18.5, Councillor Broderick requested that she be recorded in the Minutes as having voted for Councillor Mooney’s amendment.

Councillor Guglielmi’s motion, on being put to the vote was declared **CARRIED**.

### **31. OPTIONAL TECHNICAL STANDARDS – HOUSING**

The Committee’s agreement was sought to test the technical standards on internal space, water and access for viability. The evidence would inform the potential for the inclusion for policy on those housing standards in the emerging Local Plan.

The Committee was informed that, on 25 March 2015, the then Secretary of State, Eric Pickles MP had issued a Written Ministerial Statement in relation to the operation of the planning system in delivering new housing. The stated intention was that this package of measures would help deliver more homes in a locally-led planning system; protect the environment; provide certainty for local residents and business; and contribute to the Government’s long-term economic plan and economic growth.

It was reported that, as part of this, the Government had created an approach for the setting of technical standards for new housing. This had rationalised many previous standards into a simpler, streamlined, national system which was aimed at reducing burdens on developers to help bring forward new homes. The system comprised new optional Building Regulations on water and access and national internal space standards. The system complemented the existing set of Building Regulations, which were mandatory.

Members were advised that, in order to implement the regime, the Written Ministerial Statement set out the Government's new national planning policy on the setting of technical standards for new dwellings. That Statement had to be taken into account in applying the National Planning Policy Framework, and, in particular, the policies on local standards or requirements at paragraphs 95, 174, and 177 of that Framework, in both plan making and decision-taking. Any local authority that wished to adopt the optional standards policies in their local plan needed to carry out an impact assessment and produce evidence relating to local need, viability, affordability and timing. Even after adoption, current proposals would still allow developers to make a case for exemption on grounds of viability or other factors, with an ability to appeal.

Having considered the information provided, it was moved by Councillor Stock, seconded by Councillor Scott and:

**RESOLVED** that:

- (a) the Committee approves the undertaking of appropriate viability assessments for the optional housing standards in:
  - a. Internal space standards;
  - b. Accessible and Adaptable Dwellings; and
  - c. Water Efficiency.
- (b) the Committee would also like to see renewable energy and waste water recycling looked at such time as legislation allows; and
- (c) the Committee would also welcome a presumption in favour of 'lifetime' homes.

### **32. GARDEN COMMUNITIES UPDATE**

The Committee had before it a report of the Head of Planning Services which provided an update on the activities of Braintree, Colchester, Essex and Tendring Councils in relation to Garden Communities. The report focused on:

- (1) Garden Communities – Further Information;
- (2) Current Position; and
- (3) Department for Communities and Local Government Funding.

The Chairman informed Members that, the previous day, he had had a 'high-level' meeting with representatives from the other local authorities and Civil Servants on Garden Communities and he was pleased to state that Tendring District Council, with its partners in Braintree and Colchester, were leading the way nationally on this initiative.

Having considered the update, it was moved by Councillor Stock, seconded by Councillor G V Guglielmi and:

**RESOLVED** that the Committee notes:

- (a) the activities undertaken in relation to the investigation and assessment of Garden Communities as part of the Local Plan preparation by the North East Essex Local Authorities; and

(b) the award of £640,000 of grant assistance from the Government's Department for Communities and Local Government.

The Committee placed on record its appreciation for all the hard work and effort put in by the Officers to date in progressing this initiative.

**33. CHELMSFORD CITY COUNCIL'S ISSUES AND OPTIONS – CONSULTATION RESPONSE**

The Committee's agreement was sought to submit a response to Chelmsford City's Council's Issues and Options Document which was the subject of public consultation.

It was reported that, on 19 November 2015, Chelmsford City Council (CCC) had published, for public consultation, a document entitled 'Local Plan Issues and Options'. This was the first stage in preparing a new Local Plan for Chelmsford which would eventually supersede its current plan (which ran to 2021) and guide development in the District up to at least 2036. Through the legal 'duty to cooperate', Tendring District Council was a key partner in the preparation of the new Chelmsford Local Plan, as was CCC in the preparation of the new plan for the District of Tendring.

The Committee was informed that the consultation document presented three options for where the majority of new housing and commercial development could take place in the period up to 2036. Those were:

*Option 1 - Urban Focus: This option sought to concentrate new development at locations within and/or close to the existing urban areas that are within Chelmsford City. Those are the urban areas of Chelmsford, where the majority of new development would be planned; on land to the north of the town of South Woodham Ferrer; and on land to the north and east of Great Leighs which was two miles south of Braintree and which would provide linkages to development planned in Braintree District.*

*Option 2 - Urban Focus and Growth on Key Transport Corridors: This option also promoted development at locations within and/or close to the existing urban areas, but to a lesser extent than contained in Option 1. The remaining development would be planned at locations on the key transport corridors serving the District, notably the A130/A131 and A132 in order to maximize the locational opportunities of sites along those corridors and to enhance the ability to secure further transportation benefits.*

*Option 3 - Urban Focus and Growth in Key Villages: This option promoted a more dispersed approach to planning for new development within and/or close to the existing urban areas, but to a lesser scale than Options 1 and 2. The remaining development would be planned at the Service Settlements outside of the Green Belt that provided existing local services and facilities which included Boreham, Danbury and Bicknacre and other locations where new development could provide new services and facilities, such as Howe Green.*

Members were advised that this Council's Officers considered Option 2 to be the most favorable. Whilst Option 1 represented a very sustainable form of development it did rely on a location which had the potential to be undeliverable within the plan period. Option 3 spread development throughout the City Council's area, however, a number of those sites could have significant constraints upon them. It was further considered that if Chelmsford City Council could not deliver its entire housing need it could be the case that Tendring



District Council would have to take on some of its shortfall. Option 2 was therefore considered to be the option which had the least likelihood of this happening.

The Committee had before it, contained within the body of the report, the Officers' recommended answers to the questions contained within the consultation document.

Having considered CCC's Issues and Options Document and the Officers' proposed formal response thereto, it was moved by Councillor Stock, seconded by Councillor G V Guglielmi and **RESOLVED** that:

- (a) the Committee agrees the recommended responses (as set out in the main body of the report) to the thirty questions contained within the Issues and Options document, subject to the inclusion therein of the extra comments made by Members of the Committee at the meeting which included:
1. Support for upgrading of the A12 from the M25 to Chelmsford;
  2. Commuting to from Tendring to Chelmsford for work should be recognised in the Chelmsford evidence;
  3. Commuting through Chelmsford by train, from Tendring and Suffolk, should be recognised in the Chelmsford evidence; and
- (b) the Planning Policy Manager be authorised to submit the agreed response, with a covering letter, as the formal response of Tendring District Council, to Chelmsford City Council before the end of the extended consultation period.

The meeting was declared closed at 8.22 p.m.

**Chairman**