

MINUTES OF THE MEETING OF THE LOCAL PLAN COMMITTEE**HELD ON 9 JUNE 2016 AT 6.00 P.M. IN THE COUNCIL CHAMBER, COUNCIL OFFICES,
THORPE ROAD, WEELEY**

Present: Councillors Stock (Chairman), Amos, Bray, Broderick, Cawthron, Cossens, G V Guglielmi, I J Henderson, Howard, Land, Newton, Platt, Scott and Stephenson

Also Present: Councillors M Brown, Ferguson, Heaney, Hones, McWilliams, Nicholls, Talbot and White

In Attendance: Head of Planning Services (Cath Bicknell), Head of Governance and Legal Services & Monitoring Officer (Lisa Hastings), Planning and Regulation Manager (Simon Meecham), and Senior Democratic Services Officer (Ian Ford)

Also in Attendance: Corporate Director (Corporate Services) (Martyn Knappett) (except item 5 (part)), Communications and Public Relations Manager (Nigel Brown), Senior Development Technician (Mary Foster), Planning Officer (Will Fuller) Planning Officer (Consultant) (Michael Narthey) and Planning Officer (Naomi Hart)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors M J D Skeels and Councillor Turner (with Councillor Cossens substituting).

The Chairman welcomed Councillors Amos, Cawthron and I J Henderson who had all recently been re-appointed as members of the Committee.

2. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the last meeting of the Committee, held on 12 April 2016, be approved as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

The Monitoring Officer read out the following advice which had previously been circulated by her to all Members of the Council in relation to the Tendring District Council Local Plan Preferred Options consultation document:

"It is important to recognise that the decision being sought at these meetings, including Cabinet and full Council, does not concern the adoption of the Local Plan, but simply whether to consult on the preferred options (and the Preferred Options decision is looking at the District as a whole, rather than site by site). However, the majority of Members could be regarded as having, as a matter of law, Disclosable Pecuniary Interests due to land ownership within the red line settlement boundaries simply because you are residents of the District. Government has previously issued guidance that the legislation was not intended to cover such District wide decisions, however, for the avoidance of doubt the Council's Monitoring Officer states it is entirely reasonable that the criteria set out in Section 33 (a) to (e) of the Localism Act 2011 applies and for land ownership within the red line settlement boundaries, a dispensation is granted to all Members to debate and vote on the preferred options consultation document.

However, if Members have land ownership in any of the specific areas to be allocated, shown coloured orange on the plans within the consultation document, Members must approach the Monitoring Officer individually to discuss the interest, as the above dispensation does not apply to the specific land allocations.

Ownership of land may also fall within the definition of Non-Pecuniary Interests, if you were appointed or nominated to an outside body or organisation by the Council or are a member of an outside body which owns land. A number of these organisations could meet the "likely to affect" test. The impact of having a Non-Pecuniary Interest on participation at meetings is set out in the Code of Conduct. The test is whether the Councillor could reasonably be regarded as having an interest so significant that it was likely to prejudice their judgement. As the decision is not to adopt the Local Plan, but to recommend or approve the Preferred Options document for consultation, my advice to Councillors is that this test would not be met and therefore, Councillors can play a full part in the debate and vote (after declaring the interest). By making the declaration of interest, each Councillor will confirm that their interest does not prejudice their judgement and would not affect their consideration of the merits of the decision. If any Member feels that their judgement is prejudiced, or could be regarded as such, that Member should not take part in the decision."

Councillor G V Guglielmi declared a non-pecuniary interest in respect of item A.1 – Tendring District Council Local Plan Preferred Options Consultation insofar as he was a Director of Lawford Housing Enterprise Trust.

4. PUBLIC SPEAKING

The Chairman invited the following persons to address the Committee:

Item A.1 – Tendring District Council Local Plan Preferred Options Consultation

Carol Bannister, resident of Weeley, made a statement in which she questioned why the Sustainability Appraisals were not publicly available at this meeting and was concerned at whether they would independently assessed.

David Crewe, representing Cockaynes Lane Alresford Action Group, made a statement in which he said that the recent decision by the Planning Inspector to approve a planning application for a large development at Cockaynes Lane had made it clear that any proposed development, whether sustainable or not, would be granted on appeal in the absence of a Local Plan and an unmet supply of housing land. He asked Members to look to themselves and get a Local Plan in place.

Sue Jiggins, resident of Weeley, made a statement in which she questioned the categorisation of Weeley in the Settlement Hierarchy as the public transport provision was inadequate. She felt that the Local Plan as it was currently emerging was leaning towards the landowners/developers over residents.

Parish Councillor Peter Dumsday, Chairman of Weeley Parish Council, made a statement in which he said that the allocation of housing should be more evenly spread across the District.

Tony Woodward, resident of Thorpe-le-Soken, made a statement in which he objected to the inclusion within the Local Plan as an allocated site for development of land east of Landermere Road, Thorpe-le-Soken.

Parish Councillor Penny Barker, Chairman of Tendring Council, made a statement in which she objected to any increase in the size of the village of Tendring.

Parish Councillor John Cutting, Chairman of Little Clacton Parish Council, made a statement in which he advocated restoring Policy SD3 to the Local Plan.

Angela Barnes, resident of Weeley, made a statement in which she objected to any increase in the size of the village of Weeley.

Kate Anthony, resident of Weeley, made a statement in which she objected to any further development at Weeley Heath.

5. TENDRING DISTRICT COUNCIL LOCAL PLAN PREFERRED OPTIONS CONSULTATION

The Committee's approval was sought to recommend to Full Council, that the Tendring District Local Plan Preferred Options consultation document (attached as Appendix A to the Report of the Head of Planning Services), be published for public consultation for a period of eight weeks. Likewise the Committee's approval was sought to put in place arrangements to allow the Sustainability Appraisal of the Local Plan to be made available for public consultation for a period of six weeks.

It was reported that, subject to the agreement of this Committee and Council, the consultation for the Tendring District Local Plan Preferred Options documents would be held in the Summer 2016. The actual dates of the consultation would be agreed by the Head of Planning Services, in consultation with the Planning Portfolio Holder, and would be carried out in conformity with the Council's Statement of Community Involvement. The anticipated dates for consultation on the Local Plan were 14 July to 8 September 2016, subject to any changes made to the Plan resulting in a delay in anticipated printing schedules.

The Committee was informed that a number of methods would be used to advertise the consultation and encourage members of the public and other interested parties to get involved. The Council would hold exhibitions and make leaflets available to residents in communities affected by the most significant development proposals and would undertake general publicity in other areas. Communities directly affected by development proposals would also be notified by site notices. All the relevant Local Plan documents would be made available to view on the Council's website, at Council offices and at libraries within the District.

The methods that would be used included:

- extensive use of the Council's website;
- a leaflet prepared, to be available to residents, businesses and interested parties in Tendring District and as relevant in the Babergh District and Colchester Borough. This would be delivered by Royal Mail to all addresses within the District;
- publicity in local newspapers;
- site notices on proposed housing and employment sites;
- visits schools, on request, to speak to groups of students;
- letters and emails would be sent to local schools, churches and special interest groups;
- the Council would hold meetings with various stakeholders on request to discuss the preferred options; and
- Up to 10 exhibitions would be held in the District focusing mainly on areas which were affected by the proposed developments.

A hard copy of the consultation document would be available at the Town Hall, Weeley Council Offices and public libraries across the District. It would also be available to view and to submit comments on the Council's website. A hard copy of the response form would also be available for those who do not have access to the internet.

Members were made aware that, following the close of the consultation exercise, the Planning Policy Team would then collate and summarise the representations received and those would be reported to the this Committee before the Council made a decision on

what should be included in the submission version of the Local Plan. The submission version of the Local Plan would then be published and consulted upon by this Council on behalf of the Government who would appoint an independent Planning Inspector to examine the Plan and invite any objectors to the hearings. It was likely that the strategic element of the Local Plan, which was common to the Braintree, Colchester and Tendring Local Plans, would be examined jointly.

The Head of Planning Services gave a presentation to the Committee that detailed how the Local Plan had reached its present status; set out the contents of the Local Plan and detailed the way forward.

The Committee also had before it a schedule prepared by Officers of suggested textual alterations and additions to the consultation document which Members considered and agreed.

Councillor Howard suggested that, in respect of Settlement Hierarchy – Smaller Rural Settlements, the paragraph which read: *“Larger Developments will not be permitted unless there is local support from the Town or Parish Council, an approved Neighbourhood Plan that advocates additional growth or an identified need for affordable housing that could be addressed through a ‘rural exception site.’* should be amended to begin – *“Developments which exceed 10 dwellings in size.....”*. The Committee considered and agreed this amendment to be incorporated into the schedule of alterations and additions.

Having considered all of the information provided, including the Members’ debate, it was moved by Councillor G V Guglielmi, seconded by Councillor Cossens and:

RESOLVED that the Committee approves the content of the Tendring District Local Plan Preferred Options consultation document, attached as Appendix A to the Report of the Head of Planning Services, subject to the amendments agreed at the meeting, for recommendation to Full Council and that the Cabinet be consulted and invited to endorse the content of the Local Plan.

RECOMMENDED TO COUNCIL that

- (a) the content of the Tendring District Local Plan Preferred Options consultation document, as set out in the Appendix to the Report of the Head of Planning Services, and as amended at the meeting, be approved for public consultation for a period of eight weeks;
- (b) authority be delegated to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to make minor amendments to the text of the Local Plan consultation documents up to the point of publication for consultation purposes. Such amendments are to be circulated to all Members of the Council prior to the commencement of the public consultation; and
- (c) authority be delegated to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to agree the content of the Sustainability Appraisals for the Local Plan Consultation Documents for public consultation for a period of six weeks. The content of the Sustainability Appraisals are to be circulated to all Members of the Council prior to the commencement of the public consultation.

NOTE: in accordance with the provisions of Council Procedure Rule 18.5, Councillors Bray and Broderick requested that they be recorded in the minutes as having voted against the above decisions.

The meeting was declared closed at 8.07 p.m.

Chairman