

Public Document Pack

Planning Policy and Local Plan Committee

8 June 2020

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN COMMITTEE,
HELD ON MONDAY, 8TH JUNE, 2020 AT 10.00 AM
MEETING WAS HELD REMOTELY IN ACCORDANCE WITH THE PROVISIONS OF
SI 2020/392. LINK TO LIVE STREAM IS FOUND HERE:
[HTTPS://WWW.TENDRINGDC.GOV.UK/LIVEMEETINGS](https://www.tendringdc.gov.uk/livemeetings)**

Present:	Councillors Nick Turner (Chairman), Zoe Fairley (Vice-Chairman)(except item 10), Terry Allen, Mike Bush, Jayne Chapman (except items 9 (part) and 10), Carlo Guglielmi, Ivan Henderson (except item 10), Sue Honeywood (except items 9 (part) and 10), Mary Newton, Gary Scott and Colin Winfield
Also Present:	Councillors Peter Cawthron, Graham Steady and John White
In Attendance:	Ian Davidson (Chief Executive)(except items 8 - 10), Paul Price (Deputy Chief Executive & Corporate Director (Place and Economy)), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Gary Guiver (Temporary Assistant Director (Strategic Planning and Place)), Ian Ford (Committee Services Manager), Will Fuller (Planning Officer), Emma Haward (Leadership Support Assistant), Matt Cattermole (Communications Assistant) and Karen Harges (IT Training Officer)

1. CHAIRMAN'S OPENING REMARKS

"Good Morning Fellow Councillors, Officers and Members of the Public.

Strange times call for strange responses. We will all do as best as we can to make this a productive and successful meet using Skype business.

I will shortly invite my fellow Councillors on the Committee to confirm they can hear the meeting and preferably see it too. I will then ask the appropriate Committee Officer to confirm that the live stream of this meeting is active. The purpose of both of these actions is to ensure that we meet the legal requirements for remote meetings of Councils.

Following this, I will move through the agenda for the meeting. This agenda is available on line at the Council's website following the links to 'Council and Democracy', 'Committees' and then the Planning Policy & Local Plan Committee. A link to the live stream of the meeting is also available from there and in the next few days there will be a copy of the recording of the meeting.

My fellow Councillors on the Committee are being asked to keep their video feed on during the entire meeting. Officers of the Council and Councillors who are not on the Committee are respectfully asked to keep their video feed off while they are not contributing to the meeting. Everyone is asked to mute their microphone unless they are contributing. When contributing everyone is asked to say their name so that those listening in can follow who has said what.

At relevant times during the meeting I will check that Members of the Committee can hear the meeting, and preferably see it too. I would ask that where possible Members of the Committee contribute at those times so that we only have one person talking at a time. If a Member of the Committee does need to contribute at other times, for instance to declare an interest not already declared, then they should alert me as Chairman by interrupting briefly and then allowing me to invite them to make their point. Something like 'Chairman, it's Councillor XXX, I wish to make a point' will be sufficient.

As we move between items on the agenda, if there are members of the public who are to be invited to speak on the next item, I will pause after the end of the one item and before starting the next one. I will ask the Committee Officer to confirm if we have the members of the public invited in so that, when ready, they can make their contribution. Once this is confirmed I will start the item concerned. The same will apply to Councillors who are not members of the Committee and who are to contribute.

For the purposes of managing the meeting I will ask the Committee Officer to confirm that all members of the public who no longer have a contribution still to make under our public participation schemes have either left the meeting or will be removed. I will await that confirmation before moving on. They may continue to watch the live stream of the proceedings.

At the end of each item I will either, move a motion and ask for it to be seconded, or I will ask someone to propose and second a motion if one has not already been proposed. I will then ask each Councillor on the Committee in turn to identify how they vote on that motion. The Minutes will only record the overall decision of the Committee unless a recorded vote is requested in accordance with the normal rules.

So, in thanking you for your patience as I went through these arrangements for the meeting, I now intend to start by inviting my fellow Councillors on the Committee to confirm in turn they can hear the meeting and preferably see it too."

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Joy Broderick (with Councillor Colin Winfield substituting).

3. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee held on 29 October 2020 be approved as a correct record.

4. DECLARATIONS OF INTEREST

Councillor Scott declared a personal interest in relation to Agenda Item 9 – Report A.3 – Update on Neighbourhood Plans for Ardleigh and Alresford insofar as he was both a Ward Member and a parish councillor for Alresford.

Councillors Allen, Bush and Chapman each declared interests in relation to Agenda Item 7 – Report A.1 – Updated Housing Supply Position and Housing Trajectory insofar as there were development sites mentioned in the report and/or its appendices for which they were a Ward Member and/or a parish/town councillor.

Councillor G V Guglielmi declared an interest in relation to Agenda Item 7 – Report A.1 – Updated Housing Supply Position and Housing Trajectory insofar as Site SGG9 (Land off Colchester Road, Lawford) in Appendix 5 (Assessment of Alternative Sites) of the Strategic Housing Land Availability Assessment (SHLAA) was opposite his dwelling.

5. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question.

6. PUBLIC SPEAKING

Frances Grant made a statement in relation to item A.1 in which she stated the environmental and historic rural character grounds for maintaining the strategic ‘green gap’ between Lawford, Manningtree and Mistley and urged that Sites SGG9 and SGG 10 should be removed from the schedule of Alternative Sites in the SHLAA.

In relation to report A.1 – Updated Housing Supply Position and Housing Trajectory, John Hall asked:

“URB13, Land off Grange Road, Lawford, continues to remain on the list and map of Alternative Sites even when:

- 1. The first Planning Application by Gladman Developments 17/01950/OUT (which received over 280 written Objections) was refused by Tendring District Council,*
- 2. The second Planning Application by Gladman Developments 19/00067/OUT (which received over 310 written Objections) was refused by Tendring District Council,*
- 3. The Appeal by Gladman Developments against refusal by the Council was Dismissed by the Planning Inspector following a 6 day Public Inquiry in July 2019, APP/P1560/W/18/3201067*
- 4. Permission for a Judicial Review of that Inspector’s decision, requested by Gladman Developments, was refused by High Court Judge Mr Timothy Mould QC on 25 February 2020,*
- 5. Your own report to this committee, Appendix 2 Table, states that deliverability of this site in the Plan period (2013 to 2030) is unlikely.*

The Strategic Housing Land Availability Assessment (SHLAA) needs to be made clearer in respect of sites like URB13. It is misleading to policy makers, landowners, land promoters and the local community to continue to include a site which has been discounted. This perpetuates anxiety for the many local residents of Lawford, Manningtree and Mistley who are already having to come to terms with over 30% increase in housing stock resulting from over 1500 new homes which have recently received Planning Permission.

Can you therefore remove URB13 from your list of Alternative Sites or at least put sites like URB13 on a separate Table and Map because they have been discounted?”

The Chairman of the Committee (Councillor Turner) replied as follows:-

“Thank you Mr. Hall for your question.

Firstly I would like to congratulate the Lawford Tye Action Group for their professional and very effective participation in the Grange Road planning appeal which helped to see

off an unpopular and unwanted development in an area that has seen more than its fair share of planning applications in recent years.

The Strategic Housing Land Availability Assessment is not, in itself, a plan or a planning document identifying where development should go – that is the job of the Local Plan. It is however an important piece of the ‘evidence base’ which demonstrates how the Council has assessed a range of sites in determining which sites should, and indeed should not, form part of the Local Plan.

Whilst I appreciate Mr. Hall and other residents’ concerns about the depiction of the Grange Road site on the maps accompanying the assessment and potential confusion this might cause, it is absolutely essential that the site is shown as an ‘Alternative Site’ on the map and assessed for its suitability, availability and achievability (as indeed it is on page 56 of the assessment and page 96 of today’s agenda).

This is because the Grange Road site, along with a number of others shown in red as ‘Alternative Sites’, is the subject of a formal objection to the Local Plan from Gladman Homes which will need to be considered by the Planning Inspector when they come to examine Section 2 of the Local Plan hopefully later this year.

The assessment is an important part of the Council’s evidence that our Officers will rely on at the Section 2 examination to justify the reasons for excluding sites, such as Grange Road, from the Local Plan. To exclude the site from the assessment as Mr. Hall has suggested would leave the Council vulnerable to accusations that alternative sites have not been properly considered.

The assessment reflects the Council’s resistance to the Grange Road planning application, the damning rejection by the appeal Inspector and the judge, and the very good reasons why the Lawford Tye Action Group are strongly opposed to development in this location. In presenting this information to the Planning Inspector as part of this assessment, we should be in a very strong position to ensure the site continues to be excluded from the Local Plan.”

In relation to report A.3 – Update on Neighbourhood Plans for Ardleigh and Alresford, Bill Marshall asked:

“The Officer has stated that: Ardleigh - An 8 week public consultation has taken place, with no objections. This is not correct, and therefore the proposed NDPA for Ardleigh should not be endorsed by this Committee at this meeting.

Furthermore, until the residents of Ardleigh have been fully consulted on any NP recommendations should not come before this Committee.

Will the Chairman of the Committee undertake to ensure a full public consultation takes place with the residents of Ardleigh?”

The Chairman of the Committee replied as follows:-

“Thank you Mr. Marshall for your question. Mr. Marshall is well versed at attending these meetings and was present throughout the recent examination sessions for the Section 1 Local Plan.

At this first stage of the process, which is simply to establish the area to be covered by the Ardleigh Neighbourhood Plan, the level and nature of the consultation has been perfectly adequate, meets legal requirements and responses from key statutory consultees have been received.

Furthermore, today's report clearly explains that where a Parish Council is simply proposing the whole of its own administrative area for the purposes of a Neighbourhood Plan, the national guidance expects the District Council to agree that area without any question.

The position is more complicated for Parishes and other Neighbourhood Groups who propose areas that straddle parishes or form smaller defined areas that do not follow Parish lines. For Ardleigh, that is clearly not the case and this should be a fairly straight forward process.

When Ardleigh Parish Council progresses to the next stage and produces a draft of its Neighbourhood Plan, it will of course be important for residents of the area to be given decent opportunities to engage in the process and have constructive input. Our Officers will work constructively with the Parish Council to make sure the programme of engagement going forward achieves this.

Notwithstanding all of this, I am somewhat surprised that Mr. Marshall is seeking to delay the progress of Ardleigh's Neighbourhood Plan and I would instead advise him to engage positively with the Parish Council as I'm sure he has ideas and suggestions that might, or might not, be of interest to them."

Mr Marshall also made statements in relation to items A.1 and A.2 in which he urged the Council, in the light of recent events, to withdraw from the joint Section 1 of the Local Plan with Braintree and Colchester Councils and to concentrate solely on its Section 2 of the Local Plan.

In relation to report A.3 – Update on Neighbourhood Plans for Ardleigh and Alresford, Parish Councillor Chris Whitfield (Chair of the Ardleigh Neighbourhood Plan Steering Group) asked:

"How soon can Ardleigh Parish Council expect to engage with the Strategic Planning and Placement Team, to fully understand the support and funding available to them in the preparation of their Neighbourhood Plan?"

The Chairman of the Committee replied as follows:-

"I thank Mr. Whitfield for his question and am happy to advise that our Officers are keen to work with Ardleigh Parish Council at the earliest opportunity to assist in the preparation of their Neighbourhood Plan.

Indeed Officers are already giving consideration to the Parish Council's request for advice on the number of homes that might be required in the Ardleigh area as part of the plan.

As soon as this Committee has agreed to the area for the Neighbourhood Plan, Officers will arrange to meet (virtually or otherwise) to discuss and share information including

the consideration of housing figures, analysis of the results of the public consultation and the national and local policy requirements – as well as funding opportunities.

William Fuller from the Strategic Planning and Place Team will be the Parish Council's main point of contact and will no doubt contact Mr. Whitfield shortly after today's meeting."

7. CHAIRMAN'S UPDATE - FORMAL OUTCOME OF EXAMINATION-IN-PUBLIC OF PART 1 OF THE LOCAL PLAN

The Chairman of the Planning Policy and Local Plan Committee (Councillor Turner) made a statement on the contents of the Local Plan Inspector's Letter dated 15 May 2020 as follows:-

"I am very pleased to report that Tendring District Council offered for Examination Section 1 of its Local Plan. It was found to be 'sound'.

It was offered in conjunction with Colchester Borough Council and Braintree District Council's Section Ones and the examination was considered to be the largest for any Local Plan in England. Together, the 3 authorities are known as North Essex Authorities, NEAs for short. The combined Plan was found to be 'not sound' by the Inspector.

The examination was held at Colchester Football Club over 7 days in January. I managed to attend for 5.5 days as an observer. The level of detail and information offered and received was intense. Some days there were 4 Queens Counsels in attendance, representing various bodies, Companies and the North Essex Garden Communities Ltd.

Mr Guiver was one of the spokespersons for the North Essex Authorities. He held his head up in the highest company, not only as the mouthpiece but also as one of the main authors of our Section One.

He was not found wanting.

Thank you Gary and your team. Very, very well done.

An important part of the Inspector's Letter received three weeks ago last was that he upheld our Dwellings per Annum target of 550. That is wonderful news, although we will still have to take into account the standardised formula as shown in the 2019 edition of the NPPF. The figure of 865 dpa will only go away, when we ratify this part of the plan in Full Council. A lot more on that in the next item.

Our idea of a Garden Community on the Tendring and Colchester Borders for upwards of 7,500 houses over the next 30 to 40 years is also found to be viable and sound. That means Tendring's extra growth can all be accommodated for this Local plan period and probably for most if not all of the succeeding Plan, i.e. 2033 onwards.

Finally, the successful bid, made by Essex Highways to the Housing Infrastructure Fund (HIF) has granted £65m to build a link road between the A133 and A120 and a further £34m to supply a rapid transport system from the Garden Community into and beyond Colchester. This is contingent on 50 houses and the road being built plus the RTS being

in place by March 2024. To that end the Cabinet at County have agreed to the route of the proposed road and plans are being drawn up to be submitted for Planning Permission by Christmas this year. The road builders will then be able to start in 2021. Preparation on the Master Plan for the Garden Community has begun so that we can start work on that first 50 houses and have them completed by March 2024.

The Inspector has invited the North Essex Authorities to agree with his recommendations for progressing the Local Plan to the next stages of the process or otherwise withdraw the plan and start again. This is shown in stark English on para 267 of his Letter.

To that end, a formal decision for how to proceed will be required from all three Councils and another meeting of this Committee will be arranged for a date next month to consider the Inspector's letter in more detail along with the specific changes to the Local Plan he has recommended. Our partner authorities are making similar arrangements with the aim of coming to a shared decision.

Discussions are also being had between Officers and Members of the three Councils over the future role of North Essex Garden Communities (NEGC) Ltd in light of the Inspector's findings but mainly because we are moving from the planning and promoting Garden Communities to delivery phase of Tendring Colchester Borders.

Officers will keep us updated in the coming days and weeks."

Councillor G V Guglielmi declared a personal interest in the contents of the Statement insofar as he was an alternate Board Director of NEGC Ltd.

Members asked questions of the Chairman on his statement which he responded to along with the Chief Executive and the Assistant Director (Governance) & Monitoring Officer.

The Committee noted the foregoing.

8. REPORT OF THE CORPORATE DIRECTOR (PLACE AND ECONOMY) - A.1 - UPDATED HOUSING SUPPLY POSITION AND HOUSING TRAJECTORY

Councillors Allen, Bush and Chapman each had earlier declared interests in relation to Agenda Item 7 – Report A.1 – Updated Housing Supply Position and Housing Trajectory insofar as there were development sites mentioned in the report and/or its appendices for which they were a Ward Member and/or a parish/town councillor.

Councillor G V Guglielmi had earlier declared an interest in relation to Agenda Item 7 – Report A.1 – Updated Housing Supply Position and Housing Trajectory insofar as Site SGG9 (Land off Colchester Road, Lawford) in Appendix 5 (Assessment of Alternative Sites) of the Strategic Housing Land Availability Assessment (SHLAA) was opposite his dwelling.

The Committee had before it a comprehensive report (and appendices) of the Corporate Director (Place and Economy) (A.1) which reported:-

- the Planning Inspector's latest conclusions on the housing requirement for Tendring;

- the number of new homes built in Tendring during the 2019/20 financial year and the up-dated year-by-year 'trajectory' for future housebuilding (taking the impact of COVID-19 into account);
- the current housing land supply position (the 'five-year' supply); and
- the implications for Section 2 of the Local Plan and the determination of planning applications.

Key Points

Members were informed of the key points of the report as follows:

- the Planning Inspector for the Section 1 Local Plan had again confirmed 550 homes per year as a 'sound' housing requirement for Tendring;
- 784 new homes had been built in the 2019/20 financial year, meaning that the housing requirement had been achieved for the fourth year running – however, the COVID-19 coronavirus outbreak was expected to have a significant impact on the rate of housebuilding in 2020/21 and future years;
- even with adjustments for the impact of the COVID-19, there was still sufficient land allocated for housing development in the emerging Local Plan, or with planning permission, to comfortably achieve the District's housing requirement up to 2033 without the need for any additional sites; and
- the Council could only demonstrate a 4.45 year supply of deliverable housing sites against the Government requirement to demonstrate a 5 year supply – but this was only because of a technicality within Government planning policy which required Councils to measure housing delivery against nationally set targets until such time as their Local Plan was formally adopted. This had implications for the way the Council currently dealt with planning applications.

Housing Requirement

In respect of the housing requirement it was reported that, following the further examination hearings for Section 1 of the Local Plan, the Planning Inspector had concluded, in his 15 May 2020 letter, that the 'objectively assessed housing need' (OAN) of 550 homes a year, as set out in the emerging plan, was still based on sound evidence and that there was no need to increase the figure in response to objections from some developers and landowners. The housing requirement for the period of the Local Plan 2013-2033 should therefore remain at 11,000 homes. With approximately 3,600 homes already built between 2013 and 2020, the remaining requirement between now and 2033 stood at approximately 7,400.

The Planning Inspector had also concluded that the Tendring Colchester Borders Garden Community could reasonably be expected to contribute 1,000 homes towards Tendring's housing requirement between now and 2033; if the North Essex Authorities decided to proceed with that proposal.

Housing Completions and Future Trajectory

In relation to housing completions and future trajectory the Committee was made aware that in the period 1 April 2019 to 31 March 2020, a net total of 784 new homes had been

completed in Tendring. This meant that the housebuilding target of 550 homes a year had now been achieved for a fourth year in succession. However, the COVID-19 coronavirus outbreak was already having a significant impact on rates of housebuilding and this was likely to continue some way into the future.

It was reported that Officers had updated the Council's 'Strategic Housing Land Availability Assessment' (SHLAA) which contained a trajectory for future housing building and adjustments to predicted housing delivery that had been made in response to COVID-19 and various other factors and information. It was likely that housebuilding would fall to around 550 in the 2020/21 financial year, but that delivery would then gradually improve over subsequent years.

Implications for the Local Plan

The Committee was informed that when the Local Plan had been submitted to the Secretary of State in October 2017, the housing supply figures set out in the various tables within the Plan had provided a fairly accurate account of the position at that time. However, in the two and a half years that had passed since the Plan was submitted, more houses had been built, more sites had obtained planning permission (either through decisions of the Council or through the appeal process) and the anticipated timescales for certain developments had needed to be reviewed – particularly in light of the potential impacts of the COVID-19 outbreak, the Planning Inspector's conclusions on Section 1 of the Local Plan and more up to date information supplied by developers and landowners.

It was therefore proposed that, ahead of the examination of Section 2 of the Local Plan, the Council should submit a 'topic paper' to the Planning Inspector which updated all of the housing figures in the Local Plan. Therefore the Committee was requested to agree the proposed updates, which included 'pushing back' the expected timescales for some of the larger developments in the Local Plan which were yet to obtain planning permission and for which more time was likely to be required for master planning and negotiations with landowners and developers. The 'Hartley Gardens' development proposed for north-west Clacton was the most notable of the developments that were expected to require more time for landowner discussions and master planning.

However, the 'good news' was that, even with adjustments for COVID-19, the updated SHLAA demonstrated that the sites allocated for housing development in the emerging Local Plan, along with sites that had already obtained planning permission, were more than sufficient to deliver the remaining 7,400 homes needed between now and 2033 – incorporating a healthy level of 'headroom' flexibility. There was subsequently no need, at this time, to include any additional sites in the Local Plan for housing.

Five Year Housing Supply and Decision Making

Members were aware that the Government required Councils to demonstrate an ongoing 'five year supply' of deliverable housing sites in order to ensure that they were well placed to meet their future housing needs. However, in February 2019, the Government had amended the National Planning Policy Framework (NPPF) which affected the way Councils calculated whether they could identify a five year housing supply – which had had particularly unfortunate implications for determining planning applications in Tendring.

The Committee was advised that where a Council's adopted Local Plan housing policies were more than five years old (as was the case in Tendring), they were required to calculate housing supply against a 'local housing need' figure generated using the Government's standard methodology which, for Tendring, had meant a housing target of 865 homes a year as opposed to the 550 homes a year target in the emerging (but yet to be adopted) Local Plan. This significantly higher figure was based on official population and household projections which, for Tendring, were known to contain errors and were considered to be substantially 'over-inflated'.

Therefore, despite the Planning Inspector's endorsement of 550 homes a year as the housing requirement for Tendring, and the very strong performance against that target in recent years, the change in Government planning policy meant that this Council could technically only demonstrate a 4.45 year supply of deliverable housing sites. Because of this, until Section 1 of the Local Plan was formally adopted or the Council was otherwise able to demonstrate a five year housing supply against the higher figure, planning applications for new housing would still have to be considered on their merits – weighing up the harm against the benefits, even where they were contrary to the emerging Local Plan.

During the consideration of this item the Temporary Assistant Director (Strategic Planning and Place) undertook to rename Appendix 5 of the SHLAA as "Assessment of Discounted and Alternative Sites" and to amend the key to the related Maps accordingly.

Having duly considered and discussed the contents of the report and its appendices:-

It was moved by Councillor G V Guglielmi, seconded by Councillor Bush and unanimously:-

RESOLVED that the Planning Policy and Local Plan Committee endorses the contents of this report and the new Strategic Housing Land Availability Assessment (SHLAA) (attached as Appendix 2) as evidence to support the deliverability of housing proposals in the new Local Plan and to demonstrate an up-to-date housing land supply position for the purposes of updating the Local Plan (as set out in Appendix 1), determining planning applications and contesting planning appeals.

9. REPORT OF THE CORPORATE DIRECTOR (PLACE AND ECONOMY) - A.2 - HOUSING SIZE, STANDARDS, EFFICIENCY AND ACCESSIBILITY

The Committee had before it a comprehensive report (and appendix) of the Corporate Director (Place and Economy) (A.2) which sought its endorsement for suggested amendments to policies in the Council's emerging Local Plan that related to the design, layout and quality of new housing.

Key Points

Members were informed that the suggested amendments to Local Plan policies set out in this report were aimed at:

- explicitly embracing the Government's technical housing standards which set minimum requirements for internal space in new housing;

- explicitly setting out the Council's expectations for minimum garden sizes in Tendring, rather than referring developers to the standards set out in the separate Essex Design Guide;
- promoting the installation of solar panels and vehicle charging points in new residential properties along with other measures to improve sustainability, including water efficiency;
- promoting improved standards of accessibility to ensure homes were fit for purpose and adaptable for older and disabled people; and
- addressing any other policy wording issues either identified by Officers or raised by objectors to the Local Plan during the last formal consultation period in 2017.

The Committee was reminded that Section 2 of the Council's emerging Local Plan contained a number of policies concerned with the design, quality and layout of development as well as renewable energy and water efficiency. Given the time that had passed since the Local Plan had been submitted to the Secretary of State to begin the examination process, Officers had been reviewing the content and specific wording of those policies, taking into account any comments that had been submitted during the last statutory consultation period in 2017, any changes in Government policy and any new evidence or other factors that had arisen. In response to specific local concerns (including those raised by the Council's Planning Committee when determining planning applications), the Chairman of the Planning Policy and Local Plan Committee had also asked Officers to consider, specifically, whether the wording of any of the policies in the Section 2 Local Plan could be strengthened to help improve the quality of new homes, particularly in respect of their internal space, garden sizes, energy efficiency and accessibility. Those matters were considered in this report.

Internal space standards

It was reported that one of the concerns that had arisen both nationally and locally was the size of new residential property, in particular their internal dimensions and the effects they could have on quality of life. For some years, Members of this Council had referred to, and advocated a return to, the 1960s 'Parker Morris' housing standards (or a modern day equivalent) as a way of improving the size and quality of new housing in Tendring. In 2015, the Government had introduced optional internal space standards called the 'Technical housing standards - nationally described space standard' (often referred to as 'The Standard') which local authorities could adopt through their Local Plan policies, so long as they could evidence that they were necessary, economically viable and would not have a negative impact on affordability. Those standards were similar in many respects to the historic Parker Morris approach and Officers were satisfied that there was sufficient evidence of need and viability to justify their application.

Members were aware that through the emerging Local Plan, the Council had already sought to embrace such minimum internal standards. Policy LP3 'Housing Density and Standards' in Section 2 of the Council's emerging Local Plan for example required new residential and mixed-use development in order to achieve an appropriate housing density that had regard to, amongst other things, "*national minimum floor-space standards*". Similarly, Policy LP4 'Housing Layout' required the design and layout of new residential and mixed-use developments in the Tendring District to meet certain criteria,

including that they “ensure dwellings meet minimum standards of internal space”. However, as neither policy explicitly referred to the Government’s Standard Officers therefore considered that amendments would be sensible in order to avoid any ambiguity.

Members were further aware that Section 2 of the Local Plan had yet to be examined by an independent Planning Inspector (pending the final outcome of the Section 1 examination); and whilst Policies LP3 and LP4 had not attracted a significant level of objection during the last round of public consultation in 2017, there were a relatively small number of objections from the development industry which - 1) challenged the Council’s justification for wanting to apply minimum space standards and requiring evidence on need and the impacts on viability and affordability; and 2) sought clarification on which standards would apply. There were also a number of comments about the wording of the policies and how their various criteria would apply in practice. A number of amendments had therefore been put forward for Members’ consideration.

Private Amenity (Garden) Standards

The Committee recalled that Policy SPL3 in the emerging Local Plan entitled ‘Sustainable Design’ required, amongst other things, that new development made provision for private amenity space. Policy LP4 on ‘Housing Layout’ then referred to the Essex Design Guide for Residential & Mixed-Use Developments, within which were contained the standards for private amenity or garden sizes that planning applications were judged against. Unlike the 2007 adopted Local Plan, the emerging Local Plan did not contain a specific policy of its own in relation to garden sizes.

On reflection, because the approach set out in 2007 Local Plan remained broadly in line with the current Essex Design Guide and there had been calls for the emerging Local Plan to be more explicit in respect of garden sizes, Officers were now recommending that it be suggested to the Planning Inspector, as part of the examination of the Section 2 Plan, that a private amenity or garden sizes policy was included in the new Local Plan. Details of this were set out in the Officer’s report.

Energy efficiency and climate change

Members were advised that another area of concern was the ability of new residential property to minimise energy consumption and to embrace other measures aimed at reducing carbon emissions and tackling global climate change. Whilst today’s building regulations already required new homes to meet high levels of energy efficiency through their design, insulation and technology; authorities could require, through their planning policies, developments to exceed regular standards.

In August 2019, this Council had declared a ‘climate emergency’ which committed it to preparing an action plan for consideration by Councillors with the aim of making its activities carbon neutral by 2030. A Climate Change Working Group had been set up to explore the opportunities and to develop recommendations for achieving this goal and consultants were assisting with the preparation of the action plan. On the request of the Chairman of the Planning Policy and Local Plan Committee, Officers had considered whether the policies in the emerging Local Plan could be strengthened to require, specifically, new residential development to be installed with solar panels and charging points for electric vehicles (in anticipation of significant increases in electric car ownership in the future). Officers had considered the potential cost of installation and

the potential visual impacts in concluding that the policies could be strengthened and amendments had therefore been put forward for Members' consideration.

Water efficiency

The Committee was aware that, as the population grew and more new homes were built, there was increasing pressure to make efficient use of water resources and the design and specification of new housing had a role to play in achieving such efficiencies. Whilst the Tendring District was not identified specifically as an area of serious stress in terms of water supply, there were obvious benefits to householders and to the wider environment to reducing consumption. Policy PPL5 in the emerging Local Plan entitled 'Water Conservation, Drainage and Sewerage' already required developers to consider measures aimed at maintaining the supply of drinking water and it was considered that the requirements of the policy could be strengthened to require such measures to be implemented.

Accessibility and adaptability

It was suggested that, with a higher than average proportion of older and disabled residents in the Tendring area, there was a good argument for having more residential property that was easily accessible for people with mobility impairments and/or adaptable to people's changing mobility through the course of their life. The building regulations included two optional requirements in relation to access in residential property which could be specifically promoted through policies in the Local Plan namely

- Requirement M4(2) which required new dwellings to make reasonable provision for most people to access the building and to incorporate features that made it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users; and
- Requirement M4(3) which required new dwellings to make reasonable provision, either at completion or at a point following completion, for a wheelchair user to live in the dwelling and for them to use any associated private outdoor space, parking and communal facilities that might be provided for the use of the occupants.

It was further reported that Policy SPL3 in the emerging Local Plan (which dealt generally with 'Sustainable Design') already included a requirement that, on housing developments of 10 or more dwellings, 10% of market housing should be Building Regulations Part M4(2) compliant and, for affordable housing, 10% should be Part M4(2) compliant and 5% should be Part M4(3) compliant. This requirement had been tested and confirmed as economically viable through the Council's viability assessments. However, Officers considered that those requirements could be set out more clearly and explicitly within Policy LP4 which was more specifically concerned with the design and layout of new housing development.

Summary of Suggested Policy Amendments

Policy SPL3 - SUSTAINABLE DESIGN

It was reported that the suggested amendments to Section A of the policy in respect of landscape character and the use of locally occurring and characteristic hedge species had been advised by Essex County Council in its representations to the Local Plan and the suggested amendments to Section B in respect of highways responded to comments raised by Persimmon and Gladman Homes. The additions to criterion d) of Section B responded to the need for action in response to the climate emergency. The suggested deletion of the asterisk and paragraph relating to Part M accessibility standards was to enable such guidance to be more logically set out in Policy LP3. The inclusion of a new criterion e) to Section C of the policy was to address a particular concern raised by the Chairman of Planning Policy and Local Plan Committee which reflected local concerns about the impact of development on neighbours during the construction phase and the damage caused to the highway and public realm.

Policy LP3 - HOUSING DENSITY AND STANDARDS

Members were informed that the suggested amendments to criterion b) of Policy LP3 were to make it explicit that it was the nationally described space standards that should be met in new residential developments and to refer to the new section of the policy proposed in respect of minimum garden sizes, which reflected the wording already present in the Council's adopted Local Plan. The reference to public rights of way in criterion f) of the policy was in response to a specific representation from the Essex Bridleways Trust. The inclusion of the paragraph relating to Part M accessibility standards followed the suggested deletion of such wording from Policy SPL3.

Policy LP4 - HOUSING LAYOUT

The Committee was advised that numerous amendments were proposed for Policy LP4 – mainly aimed at addressing local concerns about the quality of new residential development and providing more detail of the principles expected to be followed. The simplified reference to development density responded to representations from developers highlighting the potential confusion caused by the existing wording around town centres, semi-rural areas and urban areas. The additional reference to Neighbourhood Plans and Village Design Statements should help to ensure that those planning documents produced at a local or parish level and adopted by the District Council were given due consideration in the determination of housing schemes.

Policy PPL5 - WATER CONSERVATION, DRAINAGE AND SEWERAGE

Members were made aware that the amendment to the second paragraph relating to the sewerage provision responded directly to the advice of Natural England and the additions to the third paragraph were simply designed to ensure that measures aimed at minimising water consumption were not only considered, but also implemented.

Policy PPL10 - RENEWABLE ENERGY GENERATION

Members were advised that the suggested amendments to Policy PPL10 were aimed at strengthening the policy to ensure, amongst other things, that the incorporation of solar panels into new residential and other developments was a clear requirement and expectation of the Council, apart from Conservation Areas where it might not be appropriate visually.

Next steps

The Committee was aware that the Local Plan had already been submitted to the Secretary of State for it to be examined by a Government-appointed Planning Inspector. The Inspector had the power to recommend 'modifications' to the Local Plan, following the examination, aimed at addressing any issues with the soundness of the plan. Whilst it would be at the Inspector's discretion which modifications were formally recommended, the Council would have the opportunity to suggest changes to the Inspector, for their consideration, as part of the examination process. It was therefore recommended that the changes outlined in this report be put forward to the Inspector for their consideration, at the appropriate time.

Having duly considered and discussed the contents of the report and its appendix:-

It was moved by Councillor Turner, seconded by Councillor G V Guglielmi and:-

RESOLVED that the Planning Policy and Local Plan Committee -

- a) has considered the Officers' suggested amendments to Policies SPL3, LP3, LP4, PPL5 and PPL10 in the Tendring District Local Plan 2013-2033 and Beyond: Publication Draft (the emerging Local Plan) as set out in Appendix 1 to this report be approved;
- b) authorises the Assistant Director (Strategic Planning and Place), in consultation with the Chairman of the Planning Policy and Local Plan Committee, to put forward the additional suggested amendments to the above policies based upon the Committee's debate to the Planning Inspector for their consideration as part of the examination of the Section 2 Plan; and
- c) requests that further consultation is undertaken with the Council's Climate Emergency Working Party (with invites extended to members of the Planning Policy and Local Plan Committee, who wish to be involved) prior to reporting back to the Committee.

10. REPORT OF CORPORATE DIRECTOR (PLACE AND ECONOMY) - A.3 - UPDATE ON NEIGHBOURHOOD PLANS FOR ARDLEIGH AND ALRESFORD

Councillor Scott had earlier in the meeting declared a personal interest in relation to Agenda Item 9 – Report A.3 – Update on Neighbourhood Plans for Ardleigh and Alresford insofar as he was both a Ward Member and a parish councillor for Alresford. He participated in the discussion of this item but took no part in the voting on the Alresford Neighbourhood Plan.

The Committee had before it a detailed report (and appendices) of the Corporate Director (Place and Economy) (A.3) which updated it on the progress of Ardleigh Parish Council and Alresford Parish Council in producing 'Neighbourhood Plans' for their respective areas and which advised on the next steps in the process.

Key Points:

- Ardleigh Parish Council had begun the process of preparing a Neighbourhood Plan and was seeking the District Council's agreement to designating the whole of the Ardleigh Parish as the 'Neighbourhood Development Plan Area'. Officers had

recommended that the Planning Policy and Local Plan Committee agrees to this in order to allow the Parish Council to continue work on its plan.

- Alresford Parish Council was at a more advanced stage of preparing its Neighbourhood Plan, having prepared a draft and undertaken public consultation. The Parish Council now had to formally submit its final version to the District Council in order to initiate the next steps including final consultation, independent examination and local referendum.
- Neighbourhood Plans were designed to supplement the policies and proposals in the District Local Plan. Officers work constructively to assist the Parish Councils in preparing their Neighbourhood Plans to ensure this, as well as compliance with the various legal and policy requirements.

Members were informed that Neighbourhood Plans could be prepared by either Town and Parish Councils or other recognised neighbourhood forums in order to set out specific planning policies and proposals for their local area. Neighbourhood Plans must support and not prejudice the delivery of strategic policies in the District Local Plan but they could add an additional level of guidance and could propose additional developments aimed at addressing locally identified needs and aspirations. Once formally adopted, a Neighbourhood Plan formed part of the Statutory 'Development Plan', alongside the District Local Plan and became a material consideration in the determination of planning applications.

It was reported that there was a formal process for preparing a Neighbourhood Plan that included the identification and confirmation of the 'Neighbourhood Plan Area'; public consultation; independent examination; a local referendum; and formal adoption by the District Council as the Local Planning Authority. To date, Ardleigh Parish Council and Alresford Parish Council were the only bodies in Tendring that were actively involved in preparing Neighbourhood Plans.

Members were made aware that Ardleigh Parish Council was at the very beginning of the Neighbourhood Planning process having submitted an application to Tendring District Council to agree the proposed Neighbourhood Development Plan Area (NDPA). As was common with many Neighbourhood Plans, the Parish Council had applied for the whole of the Ardleigh Parish to be designated as the NDPA.

The Committee was advised that the proposed NDPA had to be formally approved for designation by the Local Planning Authority, although regulations and Government guidance dictated that where a Parish or Town Council simply applied to designate its own administrative area, the Local Planning Authority was expected to agree. Furthermore, an eight-week consultation on the proposed NDPA had been carried out earlier this year and it had attracted no objections. The Committee was therefore being asked to agree to the designation of Ardleigh Parish as a Neighbourhood Development Plan Area, thus allowing Ardleigh Parish Council to progress within the preparation of its Neighbourhood Plan.

It was noted that Neighbourhood Plans must compliment and not prejudice the policies and proposals in the District Local Plan. Therefore, Ardleigh Parish Council would need to ensure the policies and proposals in their Neighbourhood Plan did not prejudice the delivery of, amongst other schemes, the Tendring Colchester Borders Garden Community of which, pending the final outcome of the Section 1 Local Plan examination, a large proportion would be located in Ardleigh Parish.

The Committee was also informed that Alresford Parish Council was at a more advanced stage in the process and had prepared a draft Neighbourhood Plan that had been the subject of a seven-week public consultation. Officers had been assisting the Parish Council with comments and advice and had commissioned a Strategic Environmental Assessment and Habitats Regulation Assessment required as part of the process.

It was reported that some of the key policies and proposals in the emerging Alresford Neighbourhood Plan included new open spaces; additional protection for existing open spaces; the identification of important non-designated heritage assets; encouragement of developments of new housing for older people; and additional policy requirements aimed at incorporating wildlife into new development.

Members were advised that the Parish Council was now considering the comments received as part of the consultation exercise in order to determine whether any further changes to the Neighbourhood Plan were required.

It was further reported that the next step for Alresford was for the Parish Council to formally submit the revised draft Neighbourhood Plan to the District Council so that Officers could check that it complied with all relevant legislation. If it did, this Council would then hold a formal consultation exercise and appoint an independent Inspector to undertake an examination-in-public.

Having duly considered and discussed the contents of the report:-

It was moved by Councillor G V Guglielmi, seconded by Councillor Turner and:-

RESOLVED (a) that the application from Ardleigh Parish Council to designate the whole of the Ardleigh Parish as a Neighbourhood Development Plan Area (NDPA) be noted and that that designation be approved.

It was then moved by Councillor G V Guglielmi, seconded by Councillor Turner and:-

RESOLVED (b) that the progress of the Alresford Neighbourhood Development Plan be noted.

The meeting was declared closed at 2.20 pm

Chairman