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Planning Policy and Local Plan Committee

30 September 2020

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON WEDNESDAY, 30TH SEPTEMBER, 2020 AT 6.00 PM
THE MEETING WAS HELD IN ACCORDANCE WITH SI 2020/392.**

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| Present: | Councillors Turner (Chairman), Fairley (Vice-Chairman), Allen, Broderick, Bush, C Guglielmi, I Henderson, Scott and Steady |
| Also Present: | Councillors Alexander, Bray, Casey, Cawthron, Codling, Harris, Placey and White |
| In Attendance: | Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Gary Guiver (Assistant Director (Strategic Planning and Place)), Ian Ford (Committee Services Manager), Keith Durran (Democratic Services Officer), Will Fuller (Planning Officer), Karen Harde (IT Training Officer) and Hattie Dawson-Dragisic (Appentice (Democratic Services & Elections)) |

20. CHAIRMAN'S OPENING REMARKS

“Good Evening to all fellow Councillors; our Officers; and all who are listening. I have extra pleasure in welcoming the members of the Planning Committee tonight. They will be observers only. If they have any questions their Chairman, Councillor John White will be allowed to ask them. Before going to the vote I will ask for any comments and for our Officers to answer them.

As you can all see we have another daunting Agenda in front of us. All 610 pages of it. Despair not, we are not considering the RAMS (Agenda Item 6). That will be left for another meeting in October, giving us all time to read and digest a very lengthy item. We will be considering pages 1 to 16 and 495 to 610 being the legalities and minutes plus agenda items 7 and 8.

Since our last meeting much has moved on, not only locally but nationally. As we go through the Agenda, updates will be given so that we are all as fully informed as possible.”

21. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Chapman (with Councillor Steady substituting), S Honeywood (with no substitute) and Newton (with no substitute).

22. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee held on 15 July 2020 be approved as a correct record.

The Assistant Director (Strategic Planning & Place) updated the Committee on the latest position in respect of Section 1 of the Local Plan; the Colchester Tendring Borders Garden Community Development Plan Document; and NEGC Ltd. He then responded to questions put to him by Councillors Scott and Bush.

23. DECLARATIONS OF INTEREST

On a point of information for the public record Councillor G V Guglielmi reminded the Committee of his interest in any matter pertaining to the NEGC Ltd as he was, on behalf of the Council, an alternate Director of that company.

24. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

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

25. PUBLIC SPEAKING

There were no public speakers on this occasion.

26. REPORT OF THE CORPORATE DIRECTOR (PLACE AND ECONOMY) - A.1 - ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION STRATEGY (RAMS) CONSULTATION EXERCISE, FINAL SPD AND PARTNERSHIP AGREEMENT

The Chairman of the Committee (Councillor Turner) reminded the meeting that he had deferred the consideration of this item in order to allow Members more time to consider the considerable amount of paperwork associated with this item. He further informed Members that this item would now be considered at a meeting of the Committee to be held on Wednesday 14 October 2020 commencing at 6.00 p.m. Members were requested to keep their Agendas from this meeting as it was not intended to re-issue the Report and Appendices to the Committee.

The Committee noted the foregoing.

27. REPORT OF THE CORPORATE DIRECTOR (PLACE AND ECONOMY) - A.2 -THE PLANNING WHITE PAPER - 'PLANNING FOR THE FUTURE'

The Committee had before it a report (and appendices) of the Corporate Director (Place & Economy) (A.2) which informed it of the recently published Government White Paper titled 'Planning for the Future'. The report also Members' agreement for a draft formal response to the Government's consultation to be submitted to the Cabinet for its final approval and submission to the Government.

Key Points

The Committee was informed of the key points of the report as follows:-

- on 6 August 2020, the Government had published a White Paper entitled 'Planning for the Future' which set out proposals aimed at radically reforming the national planning system.
- that Paper had included proposals for the streamlining of process for the preparation of Local Plans; simplifying the process for making planning decisions; placing greater emphasis on high quality and 'beautiful design'; and introducing a new 'Infrastructure Levy' to fund infrastructure and affordable housing.

- the consultation paper contained 26 questions and responses needed to be submitted by 29 October 2020.
- Officers, in liaison with the Chairman of the Planning Policy and Local Plan Committee, had drafted responses to those questions and the Committee's comments and agreement was now sought for onward recommendation to the Cabinet.

It was reported that those draft responses aimed to support the principle of simplifying and speeding up the planning system but objected to any changes that might: a) hand too much power to unelected Planning Inspectors; b) force housing targets on Councils without any opportunity for challenge; c) undermine local democracy; or d) unintentionally bring about more bureaucracy and delay.

Members were made aware that the White Paper divided its proposed reforms into three broad themes, or "pillars" and set out how the changes could be delivered in varying levels of detail. The Paper also detailed a number of alternate options which were also set out in the Officer report. The three "pillars" were:-

Pillar One: Planning for Development (A New Role for Local Plans)

Pillar Two: Planning for Beautiful and Sustainable Places

Pillar Three: Planning for Infrastructure and Connected Places.

Members congratulated the Chairman (Councillor Turner) and the Assistant Director (Strategic Planning & Place) (Gary Guiver) on the robustness and challenging nature of the draft responses to the Government's consultation document. Councillor Turner and Mr Guiver undertook to take into consideration the comments made by Members in submitting the draft responses to Cabinet.

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

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

RESOLVED that the Planning Policy and Local Plan Committee agrees the draft responses (as set out in Appendix 2 to item A.2 of the Report of the Corporate Director (Place & Economy)) for their onward recommendation to the Cabinet.

28. REPORT OF THE CORPORATE DIRECTOR (PLACE AND ECONOMY) - A.3 - SECTION 2 LOCAL PLAN: PREPARATIONS FOR THE EXAMINATION HEARINGS

The Committee had before it a report (and appendices) of the Corporate Director (Place & Economy) which provided it with an update on preparations for the Examination of Section 2 of the Council's emerging Local Plan following initial advice received from the recently appointed Planning Inspectors.

Key Points

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

- the Inspector's Modifications to Section 1 of the Local Plan were currently out for public consultation and so attention had turned to the Examination of Section 2 of the Local Plan.

- two different Inspectors had been appointed to oversee the Examination of each of Tendring, Braintree and Colchester Councils' Section 2 Local Plans.
- those Inspectors had issued some initial advice to Officers and had requested information that would enable them to consider the potential timetable for the examination and the key issues that might need to be covered.
- they had also asked the Council to prepare for the possibility of the examination hearings being carried out face-to-face, 'virtually' or a combination of the two – depending on the status of COVID-19 restrictions in place at the time.
- it was anticipated that the examination hearings would take place in early 2021 in order to allow time for the Section 1 Local Plan process to be completed and for preparations for Section 2 to progress.

Members were informed that Mr. Jameson Bridgwater and Ms. Anne Jordan had been appointed by the Secretary of State to conduct the examination of Tendring, Braintree and Colchester Councils' Section 2 Local Plans. On 20 August 2020, they had issued advice on how to approach the examination process and Officers had been undertaking work in line with their advice. The work being carried out included the following:

- a new set of pages on the Council's website were being prepared, dedicated specifically to the Section 2 Examination and in a format that was broadly consistent with that of Colchester and Braintree Councils.
- an up-to-date library of all the evidence the Council would be relying on for the examination was being organised; with the documents arranged to correspond with the structure and policy order of the Plan and placed on the new webpages. This would include the new Employment Land Review; updates to the Council's Retail Study; and the latest Strategic Housing Land Availability Assessment (SHLAA).
- copies of all the relevant representations received in response to the Local Plan consultation in 2017 were being arranged to correspond with the structure and policy order of the Plan and would also be placed on the new webpages.
- a comprehensive set of schedules was being compiled that would: 1) summarise the various comments raised by different stakeholders; 2) provide a brief response to the points raised; and 3) set out any suggested amendments to the Plan aimed at addressing objections or otherwise updating, improving or correcting the Plan. These would include the suggested amendments considered and agreed by the Committee at recent meetings.
- a shorter schedule would be prepared to identify the 'key issues' arising from the representations which might, or might not, become the focus of the examination hearings.
- a 'Topic Paper' on 'Consequential Changes' identifying: 1) any issues arising from the Inspector's Main Modifications to the Section 1 Plan that might require changes to Section 2; and 2) any issues arising from changes in national legislation, policy or other guidance that might have a bearing on the soundness of the Plan. This was a specific request of the Inspectors which Officers were aiming to submit by the end of September 2020.

- a Topic Paper on 'Housing' that, on the Inspectors' specific advice, addressed the following specific matters:
 - i. whether the Plan provided an adequate supply of land to meet the housing requirement (as identified within Part 1 as Modified) over the Plan period;
 - ii. whether the Plan would provide a five-year supply of deliverable sites from its date of adoption;
 - iii. whether the Plan would make appropriate provision for affordable housing; accommodation for gypsies and travellers; accessible and adaptable housing; and housing to meet the needs of particular groups, such as (for example) disabled people, older people, and students.

Again, this would be submitted to the Inspectors by the end of September 2020.

- a series of 'additional topic papers' were also being considered to deal with any specific 'key issues' that were likely to require particular consideration as part of the examination process. Key issues were likely to include Employment Land; Retail and Town Centre Policies; Strategic Green Gaps; and the Hartley Gardens and Oakwood Park developments proposed for the edge of Clacton-on-Sea.

The Committee was informed that the Inspectors had acknowledged that circumstances would have changed in the three years since the Local Plan had been submitted, particularly in regards to sites that had obtained planning permission. For Tendring, grants of planning permission had strengthened the Council's housing land position considerably – to the extent that the Local Plan now over-allocated by around 1,600 homes. Officers considered that the substantial changes in the housing land position and grants of planning permission in the last three years would have addressed a large proportion of the objections received in 2017 and might allow for a relatively short and uncontentious examination process – although it would be the Inspectors who ultimately decided the programme for the examination and the key issues for debate.

It was reported that Officers would continue to liaise with the Inspectors, via the appointed Programme Officer, on the scope and programme for the examination. If the Inspectors required any further work ahead of the examination hearings, Officers would endeavour to undertake that work in a timely manner in order to enable the Plan to progress positively and for the examination process to run as smoothly as possible. Once the above tasks and any additional requested work had been completed and reported to the Inspectors, they would advise on the 'Matters, Issues and Questions' (MIQs) that would form the basis of the examination hearings and would determine the programme for hearings, the topics for discussion and who would be invited to participate. Officers would keep the Committee updated on progress as and when required.

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

It was moved by Councillor Scott, seconded by Councillor Bush and:-

RESOLVED that the Planning Policy and Local Plan Committee notes the preparations being made for the examination of Section 2 of the emerging Local Plan.

The meeting was declared closed at 8.04 pm

Chairman