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Planning Policy and Local Plan Committee

14 October 2020

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON WEDNESDAY, 14TH OCTOBER, 2020 AT 6.00 PM
THE MEETING WAS HELD IN ACCORDANCE WITH SI 2020/392.**

Present:	Councillors Turner (Chairman), Fairley (Vice-Chairman), Allen, Broderick, Bush (except item 34 (part)), I Henderson, S Honeywood, Newton, Scott and Talbot
Also Present:	Councillors Casey, Cawthron (except item 34 (part)), Codling, Placey and White
In Attendance:	Paul Price (Deputy Chief Executive & Corporate Director (Place and Economy)), 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), Karen Hardes (IT Training Officer) and Hattie Dawson-Dragisic (Appentice (Democratic Services & Elections))

29. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Chapman (with Councillor Talbot substituting) and G V Guglielmi (with no substitute).

30. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee held on 30 September 2020 be approved as a correct record.

31. DECLARATIONS OF INTEREST

During the consideration of the matters set out in Minute 34 below Councillor Talbot declared a personal interest in the light of the fact that he was a life member of both the RSPB and the Essex Wildlife Trust.

32. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

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

33. PUBLIC SPEAKING

There were no public speakers on this occasion.

34. REPORT OF CORPORATE DIRECTOR (ECONOMY AND PLACE) - A.1 - ESSEX COASTAL RECREATIONAL AVOIDANCE AND MITIGATION STRATEGY (RAMS) CONSULTATION EXERCISE, FINAL SUPPLEMENTARY PLANNING DOCUMENT (SPD) AND PARTNERSHIP AGREEMENT

Further to Minute 26 (30.9.20) the Committee had before it a report (and appendices) of the Corporate Director (Place & Economy) (A.1) which updated it on the outcome of public consultation on the Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) and which also sought its

agreement to forward the revised SPD and the associated RAMS Strategy document and Partnership Agreement to Cabinet for its formal approval.

The Committee was aware that the RAMS was a coordinated response, across Essex, to protect internationally important and legally protected wildlife sites from the direct and indirect impacts of recreational disturbance arising from housing development and population growth.

Members were also aware that under European Law and the associated Habitat Regulations, local planning authorities had a legal obligation to assess the impacts of new development on internationally important wildlife sites and, where necessary, put mitigation measures in place in order to minimise any harm.

The Committee was reminded that due to a number of internationally important wildlife sites around the coast (namely Hamford Water, the Colne Estuary and the Stour Estuary), the whole of the Tendring District fell within a 'Zone of Influence' whereby any new residential development and associated increase in population had the potential to lead, either directly or indirectly, to an increase in recreational disturbance to the important wildlife habitats in those designated areas.

It was reported that twelve Essex planning authorities, including Tendring District Council, had been working together on the RAMS which included a programme of measures for protecting the internationally designated wildlife habitats around the Essex Coast from the potential effects of increased recreational disturbance resulting from house building and population growth.

Members were informed that a SPD had also been prepared which set out guidance for Councils in determining planning applications in order to ensure compliance with the Habitat Regulations. It included a mechanism for seeking financial contributions from all new residential development towards delivering the mitigation measures – a tariff of £125.57 (April 2020) per dwelling secured through legal agreements on the grant of planning permission.

The Committee recalled that, at its meeting held on 16 July 2019, it had considered the draft SPD and had approved it for public consultation. That consultation had been undertaken by Essex Place Services across all of the Essex authorities in January and February 2020.

It was reported that a significant number of comments, including many from Tendring residents, had been received during that consultation exercise and had resulted in a number of changes to the content of the SPD – although the general thrust of the RAMS Strategy remained unchanged. Officers had also submitted a written response to the consultation exercise to highlight some specific concerns raised by landowners around Hamford Water, urging that they be given careful consideration.

In addition, Essex Place Services had produced a 'You Said, We Did' document which had analysed the various comments received in response to the consultation exercise and explained how they had been taken into consideration in recommending changes to the SPD. The main outcomes of the consultation and subsequent changes to the SPD were summarised in the main body of the Officer report.

It was reported that Chelmsford City Council had offered to manage and administer, on behalf of all the Essex authorities, all of the developer contributions. This would avoid the duplication of resources across the Essex Councils and keep administration costs to a minimum. A 'Partnership Agreement' had been prepared for all of the authorities to sign up to which would formalise the arrangements with Chelmsford City Council, including the establishment of a 'Delivery Officer' role.

The Committee was advised that if any Council chose not to approve those documents and sign up to the Partnership Agreement, it would still have an obligation to comply with the Habitat Regulations and would therefore have to put their own arrangements in place, with significant implications for their resources. It was therefore strongly recommended by Officers that the Committee endorsed the Essex-wide approach.

Members were reminded that, under the Council's constitution, the approval of strategies and Supplementary Planning Documents was a Cabinet function and therefore the Committee was requested to agree that the RAMS Strategy, revised Supplementary Planning Document and Partnership Agreement be forwarded to Cabinet for its formal approval.

During the Committee's discussions on this item, Councillor Talbot declared a personal interest in the light of the fact that he was a life member of both the RSPB and the Essex Wildlife Trust.

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

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

RESOLVED that the Planning Policy and Local Plan Committee -

- a) notes the content of the Officer report, including the responses to the consultation exercise on the Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD), as set out in the 'You said, we did' document (at Appendix 3); and
- b) agrees that the RAMS (as set out in Appendix 1); the revised SPD (as set out in Appendix 2); and the Partnership Agreement (as set out in Appendix 4) be forwarded to Cabinet for its formal approval, subject to the inclusion of further recommendations to Cabinet in relation to:-
 - (1) the proposed Warden service being used to augment this Council's existing warden services with the necessary funding coming from this Council's contributions to the RAMS central funding pot; and
 - (2) the bodies responsible for the provision and maintenance of signage for the Essex Coastal Path being permitted to apply for funding for such works from the RAMS central funding pot.

The meeting was declared closed at 7.16 pm

Chairman

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