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Planning Policy and Local Plan Committee

31 May 2022

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN  
COMMITTEE,  
HELD ON TUESDAY, 31ST MAY, 2022 AT 6.05 PM  
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Turner (Chairman), Fairley (Vice-Chairman), Chapman BEM, Fowler, Nash, M Stephenson and Winfield.
<b>Also Present:</b>	Councillor Jeff Bray (Portfolio Holder for Planning)
<b>In Attendance:</b>	Gary Guiver (Acting Director (Planning)), Anthony Brindley (Agency Planning Officer), Mark Wilson (Development Technician), William Lodge (Communications Manager) and Emma Haward (Leadership Support Officer).

## 8. **CHAIRMAN'S OPENING REMARKS**

“Good evening to fellow Members, officers, the press, our residents and guests.

Tonight we have three recommendations to make to the Leader, Cabinet, and new Portfolio Holder for Planning, Councillor Jeff Bray.

The first two are for the rejuvenation and safety of Jaywick Sands.

This community has long been a problem for not only themselves, but Tendring and England. It has the unenviable reputation as the most deprived Ward. Yet at the same time, it is one of the most cohesive Communities in Tendring.

People like living there.

What they do not like is the threat of being flooded and the only recourse the EA has is to evacuate the residents.

Evacuation as a sea defence is unacceptable.

At last, after many years of trying, we have some suggestions as how to achieve acceptable 1 in 100-year flood defences.

Before us are the documents and ideas to create the right scheme. With modern housing and facilities, the deprivation levels will recede and with that, opportunities will appear to start the virtuous spiral. The answers may be simple but the processes are complicated and expensive.

As I have always applied to funding: ‘If the scheme is right then the funding will follow. If you cannot fund the funding, the scheme is wrong.’ Simple!

This requires much work and a lot of money!

It has taken many a long year to get to this point. I feel privileged to be able to be part of the creating of new Jaywick Sands.

The second part of our agenda is in regards to a non-statutory response to National Grid's proposal to their suggested options for joining the North Falls and later the Five Estuaries Wind Farms, which lie off the coast, to the main National Grid. Appendix 1 on page 49 is the suggested response from our authority, which must be submitted by Thursday 16th June at the latest".

Gary Guiver addressed the Committee advising the background of Jaywick Sands.

#### **9. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

An apology for absence was submitted on behalf of Councillor Bush, with Councillor M E Stephenson substituting. Apologies were also received from Councillor Chittock, with no substitutions.

#### **10. MINUTES OF THE LAST MEETING**

Subject to the following amendments to page 6 (Minute 7):-

- The Harwich Treadwheel Crane – to include '**repairs are underway**'.
- The Electric Palace Cinema had '**undergone**' a repair scheme.
- The Grade II listed Church of St Michael, within **Kirby-Le-Soken** on Historic England's At Risk register.

It was **RESOLVED** that, subject to the amendments noted above, the Minutes of the last meeting of the Committee held on 11 May 2022 be approved as a correct record and be signed by the Chairman.

#### **11. DECLARATIONS OF INTEREST**

Councillor Fairley declared for the public record that, a personal interest in relation to Agenda Items 8, (report A.3) due to family members owning land affected by the proposal. Councillor Fairley stated that the Monitoring Officer granted a dispensation to participate in the Committee's debate and vote for the following reason:-

*'to represent wider interests of the community and residents who are also impacted upon, especially as this is a non-statutory consultation and the role of a 'District Councillor' is to voice the view of the person living in the area'.*

Gary Guiver (Acting Director, Planning) confirmed that the dispensation from the Monitoring Officer was granted.

Councillor Nash declared for the public record that, an interest in relation to Agenda Items 6 and 7 (reports A.1 and A.2) due to being a Ward Member.

#### **12. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

On this occasion no Councillor had submitted notice of a question pursuant to Council Procedure Rule 38.

#### **13. PUBLIC SPEAKING**

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, it was reported that no member of the public had

registered to ask at this meeting a question or make a statement regarding the matters contained in the reports of the Acting Director (Planning).

**14. REPORT OF ACTING DIRECTOR (PLANNING) - A.1 - JAYWICK SANDS PLACE PLAN: SUPPLEMENTARY PLANNING DOCUMENT**

Councillor Nash, had earlier in the meeting, declared for the public record that, an interest in relation to Agenda Items 6 and 7 (reports A.1 and A.2) due to being a Ward Member.

Hana Loftus, HAT Projects gave a presentation to the Committee regarding the regeneration objectives for Jaywick Sands.

The Committee gave consideration to a comprehensive report of the Acting Director (Planning) (A.1) which sought its support for an initial consultation in relation to the Jaywick Sands Place Plan Supplementary Planning Document (SPD) and also submitted for Members' information the Jaywick Sands Interim Report April 2022.

It was reported that the Jaywick Sands Place Plan comprised one of the two key work streams in relation to the regeneration of Jaywick Sands. The aim of the Place Plan, as stated in the Tendring Local Plan, was to: *"provide a development framework for the physical regeneration of Jaywick Sands facilitating the provision of new flood resilient homes built to modern building standards which will provide a high standard of accommodation for existing residents as well as providing land for employment opportunities and recreation and amenity areas."*

In line with the Tendring Local Plan, the Place Plan objectives were to:-

- *Transform housing quality and the built environment;*
- *Ensure long-term flood resilience;*
- *Create greater connectivity to neighbouring areas;*
- *Attract commerce & new economic opportunities; and*
- *Improve people's life chances, access to public services & health & well-being.*

The Place Plan would also allow the Council to present a co-ordinated regeneration strategy, which had been costed and which would form the basis to bid for Government monies and grants.

The Committee was informed that, in the absence of a Place Plan, the present situation of residents living in inadequate private and rented accommodation would continue. The problems were likely to escalate over time, and, given the historical rate of development on Jaywick Sands, the probability was only that a small number of new or replacement dwellings would be constructed. In the scenario of a flood event, the current properties would provide only minimal protection. The level of accommodation was a very significant contributor to Jaywick Sands being listed as the most deprived area in the country and this would likely continue. Overall, the absence of a Place Plan would mean that development and regeneration in Jaywick Sands would occur on a piecemeal basis or not happen at all, with the Council only having a limited ability to seek funding for regeneration projects.

Members were reminded that HAT Projects (with Igloo Regeneration) had been commissioned to undertake this work.

### Consultation

Members were advised that the initial consultation stage would inform the production of the draft Place Plan which would contain a proposed regeneration strategy for Jaywick Sands. The purpose of the consultation was to inform this process and the aims of the consultation were to achieve the following:-

- *centering the community in the process – ensuring that the commitment to developing the regeneration strategy through genuine community collaboration is carried through;*
- *better informed local community about key issues, with a realistic understanding of the options, scenarios and risks;*
- *insight into local community priorities– building and updating the evidence base for developing the Place Plan, understanding what incentives, risks and mitigation might be successful from a community perspective (user research); and*
- *building trust with the community and celebrating successes already achieved.”*

Officers felt that the key messages of the consultation would include that:-

- *real progress was already being made on the ground with projects that had already been implemented or were currently in delivery, led both by TDC and others – celebrating success.*
- *this was the next step in developing broader plans for improving Jaywick Sands for the benefit of the whole community. There would be many more steps in the process.*
- *the Flood risk was real and increasing all the time and that this would affect the most vulnerable residents the most. The risk to the community was increased by the poor quality of many of the homes in Jaywick Sands, so improving both the housing and flood safety needed to go hand in hand.*
- *relocation of the community and Compulsory Purchase Order/comprehensive redevelopment were not being considered at the present, as this Council believed that this was not what the community wanted to see.*
- *doing nothing was not an option – whilst change would take a long time and had many challenges, the issues that Jaywick Sands faced were serious and must be tackled.*

The Committee was informed that the consultation channels would include:-

#### In person engagement:

- *attendance at meetings of the Jaywick Community Forum, the Jaywick Sands Coastal Community Forum and the Jaywick Sands Revival CIC.*
- *attendance at the Jaywick Networking Group meeting (to be held at the Community Resource Centre) – this brought together groups and service providers.*
- *drop-in morning/day at Inclusion Ventures.*
- *drop-in morning/day at Martello Tower.*
- *an event with Frobisher Academy Primary School – for children, parents and teachers (e.g. special assembly or an after school drop-in).*
- *offers to attend other events organised by local groups.*

### Digital engagement

- online presentation and survey with short explainer videos.
- Webinar(s).

### Publicity

The consultation would be publicised in the following ways:-

- *printed flyer distributed to all addresses in Jaywick Sands.*
- *digital and social media communications and advertising.*
- *posters distributed to local shops and venues.*
- *advertisements at Green Elms Surgery (rolling digital display screens).*
- *a briefing of Essex Police.*
- *a briefing of TDC Ambassadors.*
- *dissemination of information through the Jaywick Networking Group (Teresa Enys).*
- *engagement with faith groups.*

Members were advised that those consultation events were timetabled for September 2022. The indicative detailed questionnaire was shown in Appendix 1 to the Officer's report.

### Supporting Report – Jaywick Sands Place Plan: Interim Report

It was reported that the interim report supported the first phase of public consultation on the Place Plan, as commissioned by Tendring District Council. The report outlined the strategic, physical and social context for the Place Plan and the work to date to develop potential strategies for Jaywick's renewal. It did not yet present a final proposition as this had to be guided by the feedback obtained through the consultation with the local community and stakeholders. The final framework was also dependent on the Environment Agency's ongoing work to review flood defences along the Jaywick and West Clacton coastline. The report had been produced by HAT Projects with input from Igloo Regeneration.

The sections of that interim report that were the most relevant for the Committee's consideration had been highlighted within the Acting Director's report.

Having considered all of the information and advice contained in the Officer report and its appendices:-

It was moved by Councillor Chapman, seconded by Councillor Nash and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee:

1. notes and welcomes the Consultation Strategy (Appendix 1) and Jaywick Sands Place Plan Interim Report April 2022 (Appendix 2); and
2. recommends to Cabinet that an initial consultation be undertaken to inform the production of the Jaywick Sands Place Plan in line with the Consultation Strategy (Appendix 1).

**15. REPORT OF ACTING DIRECTOR (PLANNING) - A.2 - JAYWICK SANDS DESIGN GUIDE: SUPPLEMENTARY PLANNING DOCUMENT**

Earlier in the meeting, Councillor Nash declared for the public record that, an interest in relation to Agenda Items 6 and 7 (reports A.1 and A.2) due to being a Ward Member.

Hana Loftus, HAT Projects gave a further presentation to the Committee regarding the Place Plan and SPD for Jaywick Sands.

The Committee gave its consideration to a comprehensive report of the Acting Director (Planning) (A.2) which sought its comments on the Jaywick Sands Design Guide Supplementary Planning Document (SPD) Draft April 2022 and which also requested the Committee's approval to recommend to Cabinet that it approved a statutory consultation on that document.

It was reported that the Jaywick Sands Design Guide SPD comprised one of the key work streams in relation to the regeneration of Jaywick Sands and aimed to guide the development of new and replacement dwellings within the existing residential areas of Brooklands, Grasslands and the Village. This Design Guide SPD would be a useful tool for:-

- *Planning officers in determining planning applications and pre-application submissions;*
- *Property owners and developers, and their design and planning consultants, in producing proposals for their sites; and*
- *Stakeholder and community members when commenting on planning applications or early stage proposals.*

Members were aware that much of the site, including existing residential development, was within an area at a high risk of flooding. Public safety was the highest priority and the Council had worked, in particular with the Environment Agency, to identify a strategy to safeguard and improve public safety as well as achieve wider regeneration benefits for the community. It was accepted by all concerned that regeneration of the area presented an opportunity to also improve the safety of existing residents. The agreed approach was to allow new development, including new dwellings, in the area and to manage risk from flooding through bespoke building design rather than by resisting development as a standard sequential test would do. This approach to the sequential and exception test was outlined in a background document to the report entitled "Jaywick Sands – Approach to betterment, sequential and exception test - Technical Guidance April 2022".

The current absence of a design guide meant that proposals were submitted which did not meet the required standards of safety and amenity and had resulted in protracted negotiations with the Council, thereby delaying development within Jaywick Sands. Clear guidance would help the applicant, the community and the Council to facilitate regeneration, which benefited the community as a whole.

Having considered all of the information and advice contained in the Officer report and its appendices:-

It was moved by Councillor Fowler, seconded by Councillor Fairley and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee:

3. notes and welcomes the Jaywick Sands Design Guide Supplementary Planning Document (SPD) Draft April 2022; and
4. recommends to Cabinet that the above document (forming Appendix 1) be approved for consultation with the public and other interested parties.

**16. REPORT OF THE ACTING DIRECTOR (PLANNING) - A.3 - EAST ANGLIA GREEN: NON-STATUTORY CONSULTATION**

Earlier on in the meeting Councillor Fairley declared for the public record that, a personal interest in relation to Agenda Items 8, (report A.3) due to family members owning land affected by the proposal. Councillor Fairley stated that the Monitoring Officer granted a dispensation to participate in the Committee's debate and vote for the following reason:-

*'to represent wider interests of the community and residents who are also impacted upon, especially as this is a non-statutory consultation and the role of a 'District Councillor' is to voice the view of the person living in the area'.*

Gary Guiver (Acting Director, Planning) addressed the Committee with details of the East Anglian Green consultation and proposals.

The Committee gave consideration to a comprehensive report of the Acting Director (Planning) (A.3) which its comments on initial proposals from the National Grid for the 'East Anglia Green' 400kV and on a draft response from Tendring District Council to the current non-statutory consultation exercise.

It was reported that, in order to help achieve the Government's ambition to achieve net zero carbon by 2050 and to ensure that the power network had the capacity to accommodate a projected increase in demand for electricity generated from renewable means, National Grid was proposing the 'East Anglia Green' project. This involved:

- *A new 400kV powerline between Norwich and Bramford (near Ipswich);*
- *A new 400kV powerline between Bramford and Tilbury; and*
- *A new 400kV substation in the Tendring area to facilitate the connection to the proposed North Falls Offshore Windfarm and Five Estuaries Offshore Windfarm – both of which were to be located off the Tendring coast.*

The Committee was informed that, as a Nationally Significant Infrastructure Project (NSIP), the planning process would be overseen by central Government and a specialist unit within the Planning Inspectorate. National Grid would be seeking a 'Development Consent Order' (DCO) from the Government, as opposed to planning permission from the local authority however, local authorities like Tendring District Council would be consultees in the process.

Members were made aware that this project was currently at a non-statutory pre-application stage whereby National Grid was inviting comments on its initial proposals. Its intention was to proceed to a statutory consultation in 2023, to be followed by the

submission of the DCO application in 2024, an examination and decision process over the course of 2024 to 2026, construction between 2027 and 2030 and connection/operation from 2030/31 onwards.

It was reported that the current eight week non-statutory consultation had commenced on 21st April 2022 and would close on 16th June 2022. National Grid had put in place a programme of briefing sessions for stakeholders, communities and other interested parties, many of which had already taken place.

In anticipation that the North Falls and Five Estuaries Offshore Windfarms (which would be the subject of their own DCO process in due course) would connect to the grid in Tendring (between Holland Haven and Frinton-on-Sea), it was proposed that there would be a large electricity substation in the Tendring District. This would enable connection of the windfarms to the new 400kV Norwich to Tilbury powerline.

The Committee was advised that the preferred location of the substation was on land close to the existing 132kV substation south of Lawford and west of Little Bromley and that the land-take would be around 20hectares (taking into account the need for landscaping). It was also anticipated that two additional 132kV 'customer' substations serving each of the two separate windfarms could be located in and around the same area.

Members were made aware that the preferred route for the 400kV powerline would enter the District of Tendring to the substation to the north of Ardleigh, coming in from the north through the Dedham Vale Area of Outstanding Natural Beauty (AONB) and out to the south around the north of Colchester. Apart from the section that would pass through the Dedham Vale AONB, which was planned to be provided underground in order to minimise its landscape impact, the remainder of the powerline was intended to be suspended from pylons.

It was reported that Essex County Council was working on behalf of all the affected local authorities to coordinate a technical response to each stage of the DCO project. However, Tendring District Council (TDC) could provide its own response from a community perspective. Therefore, informed by initial feedback from communities and informal discussion with TDC Members, TDC Officers had prepared a draft response to the non-statutory consultation on which comments were invited from this Committee. Once approved by the Leader of the Council and the Planning Portfolio Holder, it was intended that a final version of the response would be submitted to National Grid before the consultation period closed on 16th June 2022.

Having considered all of the information and advice contained in the Officer report and its appendix, including the proposed response:-

It was moved by Councillor M E Stephenson, seconded by Councillor Fowler and:-

**RESOLVED** that the Planning Policy and Local Plan Committee:

- (a) notes and welcomes the draft response to the non-statutory consultation on the East Anglia Green project outlined in Appendix 1; and



- (b) notes that, with the approval of the Leader of the Council and the Planning Portfolio Holder, a final version of the response will be submitted to National Grid before the consultation period closes on 16<sup>th</sup> June 2022.

In addition to the above recommendations, the Committee agreed to submit the following comments:

- Reinforces strong community anxiety about the development and its significant impact on affected communities.
- Question if the proposal is genuinely 'green' and if the carbon footprint of the development is offset by the energy generated by offshore wind farms.
- Misleading naming, imagery and terminology within the proposals.
- High impact on the farming, requires further consideration and engagement with the farming community.
- Training engineers for delivery would be time-critical if development is to commence in 2027.
- There is general support for the alternative concept of a 'ring-main' extending around the coast on or below the sea bed.
- Pylons would be susceptible to changes in weather patterns and heat and are a 100-year old technology that is outdated.

The meeting was declared closed at 7.46 pm

**Chairman**

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