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Planning Policy and Local Plan Committee

20 December 2023

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON WEDNESDAY, 20TH DECEMBER, 2023 AT 6.00 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

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| Present: | Councillors Guglielmi (Chairman), Bush (Vice-Chairman), M Cossens, Fairley, Newton, Scott and Skeels |
| Also Present: | Councillor Baker (Portfolio Holder for Housing & Planning) |
| In Attendance: | Gary Guiver (Director (Planning)), Ian Ford (Committee Services Manager), Paul Woods (Planning Policy Team Leader), Will Fuller (Senior Planning Policy Officer), Keith Durran (Committee Services Officer) and Eleanor Storey (Planning Policy Officer) |

17. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Chapman BEM and Fowler. There were no substitutions.

18. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee, held on Thursday 5 October 2023, be approved as a correct record and be signed by the Chairman.

19. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members on this occasion.

20. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No questions on notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

21. PUBLIC SPEAKING

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, no member of the public had registered to ask at this meeting a question or to make a statement regarding the matters contained in the reports of the Director (Planning).

22. REPORT OF THE DIRECTOR (PLANNING) - A.1 - COMMENCING THE REVIEW OF THE LOCAL PLAN

The Committee considered a detailed report of the Director (Planning) (A.1) which advised it of the legal and policy requirements to review Local Plans and accordingly sought its approval to commence the first mandatory review of the current Tendring District Local Plan. In doing so, this report provided initial advice on the likely scope and timeframe for the Local Plan review; set out a series of overarching 'guiding principles'

for the Committee's consideration; and sought its agreement to carry out an initial 'call for sites' consultation exercise in early 2024.

Members were reminded that legislation required Councils to review and update Local Plans every five years in order to ensure that they remained up-to-date and effective, complied with the latest national policy and were adjusted accordingly to respond to changing circumstances. Failure to keep a Local Plan up-to-date could, and did, result in Councils losing control of planning decisions, particularly if they had begun to fall behind on housing land supply and the delivery of new homes.

The Committee recalled that the 'Tendring District Local Plan 2013-2033 and Beyond' had been formally adopted by the Council in two sections – Section 1 in January 2021 and Section 2 in January 2022. Therefore, this Council's Local Plan would need to be reviewed and updated by January 2026; i.e. within five-years of adopting the Section 1 Local Plan.

Members were made aware that the Government was proposing significant changes to the system for producing Local Plans through the Levelling Up and Regeneration Act 2023 which were designed to streamline and speed up the plan-making process but also to simplify the content of Local Plans and reduce the amount of detail contained within local policies. However, there was a 'transition period' within which Councils could still progress a Local Plan review under the current arrangements so long as the updated Plan was submitted to the Secretary of State by June 2025.

The timetable for reviewing the Local Plan under the current system was therefore very tight, however Officers considered it both necessary and prudent to commence the review of the Local Plan under the transitional arrangements in order to avoid a situation by which the Council found itself with an out-of-date Local Plan come 2026. Another advantage of progressing the Local Plan review under the current arrangements was that the Council could extend the life of the Local Plan through a focussed update of its policies and proposals, rather than having to re-write the Plan from 'scratch'.

With that approach in mind, and to assist in scoping out the work required to review the Local Plan, Officers had undertaken a preliminary assessment of all the Policies in the current Local Plan in order to identify where amendments and updates might need to be considered in response to changes in national policy or legislation, changes on the ground (for example, where developments had been built), or where practical issues had arisen in the application of certain policies in the determination of planning applications. Initial consideration had also been given to the technical and background evidence that might need to be updated and reviewed to ensure the Local Plan continued to be based on robust and proportionate evidence – having regard to the cost and necessity of studies and assessments.

Officers had also developed a set of overarching 'guiding principles' for the Committee's consideration which were designed to provide an initial focus and direction for the Local Plan review, but which could be kept under review in their own right as work progressed.

Members were informed that the indicative timetable for progressing the Local Plan review through the key stages of the plan-making process, as set out in the main body of this report, would be reported back to the Committee in greater detail in early 2024, as part of an updated 'Local Development Scheme (LDS) document'.

The Committee was advised that, in reviewing and rolling forward the timescale of the Local Plan to 2041 or beyond, there would be a need to consider the requirement for further housing and employment land and other forms of development and to make provision for additional land for those purposes. Whilst it was anticipated that some of the developments in the current Local Plan (particularly the Tendring Colchester Borders Garden Community and the Hartley Gardens development in Clacton) would contribute to meeting the longer-term requirements, there was likely still to be a residual requirement (yet to be determined) that would require further land allocations.

To help inform the Council's consideration of potential options and the availability of land across the District for different forms of development, Officers had recommended the carrying out of an initial 'call for sites' consultation exercise in early 2024. This would be a focussed consultation, targeted mainly at landowners, developers and planning agents (but open to others) to invite proposals and suggestions for housing and mixed-use developments of different scales or commercial development as well as any community-led or environmental-led proposals for community facilities, habitat creation or open space.

The Committee also had before it an Update Sheet prepared by Planning Officers and circulated prior to the commencement of the meeting which summarised the key issues and changes made contained within the new version of the National Planning Policy Framework (NPPF) published by the Government on 19 December 2023. This meant that all subsequent work to review and update the Local Plan would need to be undertaken in accordance with the most recent NPPF. References to NPPF paragraph numbers in the report appendices could now be out-of-date and would be reviewed by Officers in due course.

The Director (Planning) (Gary Guiver) gave a comprehensive oral presentation of the report and its appendices with a particular focus on the newly published NPPF and the guiding principles for the review of the Local Plan, as set out in Appendix 1 to report A.1. Mr Guiver then responded to Members' questions thereon.

At the invitation of the Chairman, the Housing & Planning Portfolio Holder (Councillor Baker) commented on the contents of the report A.1.

Having duly taken all of the above information into account and having discussed the matter:-

It was moved by Councillor M Cossens, seconded by Councillor Scott and unanimously:-

RESOLVED that the Planning Policy and Local Plan Committee –

- a) notes the requirement for the Councils to review their Local Plan every five years, the changes that Government may introduce to the plan-making system and the potential implications for the District of Tendring, as explained in report A.1;
- b) authorises Officers to commence the mandatory five-year review of the Tendring District Local Plan under the current plan-making system with the aim of submission to the Secretary of State by June 2025 and adoption by January 2026;

- c) having considered the overarching 'guiding principles' set out in report A.1, agrees that these should underpin the focus and approach for the Local Plan review, but that these principles shall themselves be kept under review as work progresses;
- d) notes that an updated Local Development Scheme, setting out more detail of the proposed timetable for the Local Plan review and the associated evidence base, will be brought to the Committee for approval in early 2024; and
- e) authorises the Director (Planning) to run an initial 'call for sites' consultation exercise in early 2024, inviting landowners, developers, planning agents and others to put forward sites, ideas and proposals for the Council's consideration as options as part of the Local Plan review process.

23. REPORT OF THE DIRECTOR (PLANNING) - A.2 - MONITORING REPORT AND UPDATED HOUSING SUPPLY POSITION

The Committee considered a detailed report of the Director (Planning) (A.2) which reported to it:-

- (1) the findings of the most recently updated Strategic Housing Land Availability Assessment (SHLAA) including:
 - (i) the number of new homes built in Tendring during the 2022/23 financial year and the up-dated year-by-year 'trajectory' for future housebuilding; and
 - (ii) the current housing land supply position (the 'five-year' supply).
- (2) the findings of the Authority's Monitoring Report (AMR), which monitored the key indicators set out in the adopted Local Plan.

Housing Supply Position

Housing Requirement

The Committee was aware that Section 1 of the Local Plan set out the 'objectively assessed housing need' (OAN) for Tendring of 550 homes a year, and that the housing requirement for the period of the Local Plan 2013-2033 was therefore 11,000 homes. With approximately 5,850 homes already built between 2013 and 2023, the remaining requirement between now and 2033 stood at approximately 5,150 and the historic shortfall in housing delivery had now been addressed. Officers felt that there was sufficient land allocated for housing development in the adopted Local Plan, along with sites that already had planning permission, to comfortably achieve the District's housing requirement up to 2033 without the need to consider the release of additional sites. The Council would however, as part of the mandatory five-year Local Plan review, revisit the housing requirement in order to comply with the latest national planning policies and to meet longer-term needs over the rolled-forward plan period.

Housing Completions and Future Trajectory

It was reported that in the period 1 April 2022 to 31 March 2023, a total of 810 (net) new homes had been completed within the District. This meant that the housebuilding target of 550 homes a year had now been achieved for a seventh year in succession.

Officers had updated the Council's 'Strategic Housing Land Availability Assessment' (SHLAA) which contained a trajectory for future housing building up to 2033. Information from developers as well as Officers' own monitoring of building sites had informed the forecast for the coming years.

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.

Taking into account the future trajectory set out in the SHLAA, it was the opinion of Officers that the Council could demonstrate a 6.44 year supply of deliverable housing sites. Around 3,700 homes were expected to be built within the five years 2023/24 – 2027/28, against a five-year requirement of approximately 2,900 homes. This meant that the Council remained in a strong position to resist speculative and unwanted housing developments that fell outside of the settlement development boundaries set out within the Local Plan unless there were material benefits that might exceptionally justify a departure from Local Plan policy.

Authority's Monitoring Report

The Committee was informed that, following the first full financial year since the adoption of the Local Plan, Officers had prepared the Authority's Monitoring Report (AMR) which presented high level information in relation to the key indicators set out in the monitoring chapter of the Local Plan.

The AMR included chapters relating to the Local Development Scheme, Housing Delivery, and Employment, Commercial and Retail development. There was also information about the provision of infrastructure and community facilities, protection of the natural and historic environments, and the Tourism Strategy.

The structure of the report would enable an annual update that would be beneficial to the process of reviewing and updating the Local Plan.

The Planning Policy Team Leader (Paul Woods) gave a detailed oral presentation that highlighted the salient points of the information contained within report A.2 on the SHLAA and the AMR. He drew the Committee's attention to typing errors in three places within that report that referred to the financial year 2021/22. However, the data being reported was in fact for the period 1st April 2022 – 31st March 2023 (i.e. the financial year 2022/23).

Mr. Woods also referred to the fact that, under the newly released NPPF, Local Planning Authorities (such as Tendring District Council) with an up-to-date Local Plan (i.e. less than five years from adoption) were no longer required to demonstrate annually that they could identify a five year housing land supply for decision-making purposes, if their adopted Local Plan had identified at least a five year supply of specific, deliverable sites at the time that its examination had been concluded. However, he felt that the SHLAA was a useful document to have so Officers intended to continue to make that annual calculation.

Mr. Woods then responded to Members' questions in relation to the above.

At the invitation of the Chairman, the Housing & Planning Portfolio Holder (Councillor Baker) commented on the contents of report A.2.

Having duly discussed this matter:-

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

RESOLVED that the Planning Policy and Local Plan Committee -

- (a) endorses the contents of report A.2;
- (b) notes that the new Strategic Housing Land Availability Assessment demonstrates an up-to-date housing land supply position for the purposes of determining planning applications and contesting planning appeals; and
- (c) notes that the Authority Monitoring Report forms a baseline assessment of the key monitoring indicators set out in the Local Plan which will help inform the upcoming review of the Local Plan.

24. REPORT OF THE DIRECTOR (PLANNING) - A.3 - UPDATED STATEMENT OF COMMUNITY INVOLVEMENT

The Committee considered a detailed report of the Director (Planning) (A.3) which sought its approval of the updated Statement of Community Involvement (SCI). The SCI detailed the way in which the public would be consulted on all planning matters. Therefore, there was an expectation that SCIs would be reviewed regularly, in order to ensure that they remained up-to-date and contained appropriate measures for engaging with the community.

Members recalled that the SCI had been updated in 2017 in order to allow for the preparation of the Garden Community Development Plan Document (DPD) and again in 2020 in order to incorporate the amended consultation requirements which the Government had introduced as part of their broader legislative package in response to the Coronavirus pandemic.

It was reported that Officers had now reviewed the Council's adopted SCI in advance of the Local Plan review commencing and they had proposed only minor changes to ensure that it was consistent with the most recent guidance and good practice. The updated SCI itself was required to be the subject of public consultation, and it was proposed that this would take place early in 2024 in order to enable the updated document to be adopted before the statutory consultation began on the Local Plan review.

The Senior Planning Policy Officer (Will Fuller) introduced this item and responded to Members' questions thereon.

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

RESOLVED that the Planning Policy and Local Plan Committee –

- (a) agrees the recommended revisions to the Council's Statement of Community Involvement (SCI) (as shown in Appendix 1 to report A.3) to reflect the specific requirements arising from national guidance, and
- (b) authorises the Director (Planning) to publish the updated SCI on the Council's website for public consultation for a period of six weeks.

The meeting was declared closed at 7.58 pm

Chairman

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