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Planning Policy and Local Plan Committee

2 April 2024

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON TUESDAY, 2ND APRIL, 2024 AT 6.00 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present:	Councillors Guglielmi (Chairman), Bray, Chapman BEM, M Cossens, Fairley (except item 38), Newton and Scott
Also Present:	Councillor Baker (Portfolio Holder for Housing & Planning)
In Attendance:	Gary Guiver (Director (Planning)), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Ian Ford (Committee Services Manager), Will Fuller (Senior Planning Policy Officer) and Bethany Jones (Committee Services Officer)

33. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bush and Fowler (with no substitutions).

34. MINUTES OF THE LAST MEETING

In relation to Minute 32 (Local Plan Review: Vision and Objectives Revisited), the Chairman thanked the Officers for producing and circulating to the Committee the additional proposed additions/alterations to the Vision and Objectives.

It was **RESOLVED** that the Minutes of the last meeting of the Committee, held on Tuesday 27 February 2024, be approved as a correct record and be signed by the Chairman.

35. DECLARATIONS OF INTEREST

In relation to agenda item 6 (report A.1 – Local Plan Review: High Level Spatial Options for Long Term Housing and Employment Growth), Councillor Fairley declared a Disclosable Pecuniary Interest as her family owned and farmed land in and around Horsley Cross and land had been put forward for consideration within the call for sites process, both at Horsley Cross roundabout and along the B1035 towards Horsley Cross Street. Horsley Cross was detailed within the options in the report. She also informed Members that she would withdraw from the meeting at the appropriate juncture and therefore take no part in the Committee’s deliberations on this matter.

In relation to agenda item 7 (report A.2 – The Essex Minerals Local Plan 2025 – 2040: Public Consultation at Regulation 18 Stage), Councillor Fairley declared for the public record that she was the Ward Member for Ardleigh.

Later on in the meeting, as detailed under Minute 39 below and in relation to report A.2:-

Councillor Guglielmi declared for the public record that, in his role as a County Councillor, he was Chairman of Essex County Council’s (ECC) Development and Regulation Committee and also Chairman of ECC’s Liaison with Parish Councils

Committee. He also declared that the majority of the 13 'candidate' sites located within the District of Tendring lay within his Division.

Councillors Guglielmi and Fairley declared that they had attended a public meeting on this matter at Ardleigh.

Councillor Scott declared that he had attended public meetings on this matter at Alresford, Brightlingsea, Great Bentley and Thorrington.

Councillor Chapman declared that she had attended a public meeting on this matter at Brightlingsea.

36. 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.

37. 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).

38. REPORT OF THE DIRECTOR (PLANNING) - A.1 - LOCAL PLAN REVIEW: HIGH-LEVEL SPATIAL OPTIONS FOR LONG-TERM HOUSING AND EMPLOYMENT GROWTH

Earlier on in the meeting, as recorded under Minute 35 above, Councillor Fairley had declared a Disclosable Pecuniary Interest in this matter. She thereupon withdrew from the meeting whilst the Committee deliberated and reached its decision on this item.

The Committee considered a comprehensive report of the Director (Planning) which sought its comments on, and agreement to, a series of initial high-level 'spatial options' for delivering any additional housing, business and industrial development across the District that might (subject to further assessment) be required, as a result of extending the timeframe of the Local Plan to 2041. Those options would form part of the 'Issues and Options' public consultation exercise and would be tested as part of the 'Sustainability Appraisal' that must be produced alongside the review of the Local Plan. The testing and consideration of options would assist the Council in coming to a decision on a preferred option in due course – and once the likely level of future growth had been properly established.

Members were cognisant that, through the review of the Local Plan, the Council would be revisiting its policies and proposals to guide growth in the Tendring District over an extended period to 2041. It was the Council's intention to update and improve the current Local Plan rather than re-write a new Plan completely from scratch, in line with the overarching principles previously agreed by the Planning Policy and Local Plan Committee in December 2023. However, there could still be a need to top up the supply of housing and employment land to meet longer-term needs over the extended plan period. This would require the Council to consider reasonable options and to carry out a 'Sustainability Appraisal' in line with legal requirements of the planning system.

Members were reminded that, at this point in time, the number of additional homes and/or sites for employment-related development over the extended period of the Local Plan to 2041 was still a matter for further consideration and analysis. However, to progress the review of the Local Plan in a timely manner and ensure the Council completed all the necessary stages of the plan-making process ready to submit an updated Local Plan to the Secretary of State before June 2025, it would have to proceed, initially, on the basis of some high-level assumptions and options.

The Committee was informed that for housing development, the working assumption at this point in time was that the Council might need to plan for somewhere between 1,000 and 4,000 additional homes up to 2041 – over and above the 10,000 already planned for through the current Local Plan and sites already under construction or with planning permission.

The Committee was made aware that for employment land, the working assumption was that, whilst it was possible the current supply of land in the Local Plan (some 32 hectares) might be sufficient in quantitative terms to meet projected needs, there could be a case for widening the range of strategically located employment sites for business and industrial uses – particularly along the A120 and A133 corridors to maximise the opportunity to create new jobs, both off the back of growing interest for investment in the District following the designation of Freeport East and the commencement of development at Bathside Bay and Horsley Cross; but also increasing pressure for existing businesses to expand and become more energy efficient.

The report stated that, in a District as geographically diverse and complex as Tendring, the solution for meeting housing and employment needs was neither straightforward nor obvious and it was therefore necessary to consider different options as part of the Local Plan review process. Sustainability Appraisal was a valuable tool in assessing the environmental and social impacts of different options – but it was not necessary, nor practical to assess every conceivable option, scenario or permutation to arrive at a final outcome. It was however prudent to start with a sensible number of logical, distinguishable and high-level conceptual options that could be tested, refined and clarified as the plan review progressed through its different stages.

The six high-level spatial options suggested by Officers were detailed within Appendix 1 to report A.1 and could be summarised as follows:-

Option 1: 'Urban Expansion' – an approach that directed all additional housing development to the District's 'urban areas', most notably Harwich & Dovercourt (reflecting the economic opportunities around Freeport status and development at Bathside Bay), with further growth also in, and around, Frinton, Walton and Kirby Cross; Manningtree, Lawford & Mistley; and (to a lesser extent) Brightlingsea (noting that Clacton and the proposed Tendring Colchester Borders Garden Community were already identified as locations for considerable levels of housing development in the current Local Plan that would continue to 2041 and beyond).

Option 2: 'Hierarchy-Based Distribution' – a proportionate spread of development across all towns and most villages across the District with larger urban areas accommodating proportionately larger increases in housing than villages, and even the smaller villages with more limited services and facilities accommodating a share of new development.

Option 3: 'Metro Plan' – a radically different approach that directed all the additional development to land within 800m of railway stations on the branch line between Colchester and Walton – resulting in significant expansion of Alresford, Great Bentley, Thorpe-le-Soken and Kirby Cross, albeit of a scale that would be accompanied by new schools, health and community services and facilities.

Option 4: 'Freeport/Garden Village(s)' – an approach that involved the establishment of one or more entirely new 'Garden Villages' that could expand to up to 5,000 homes in the long-term beyond 2041 in strategically important locations on the District's transport network; alongside major expansion of Harwich & Dovercourt. The potential locations for a new village could include Fox Street (Ardleigh), Frating, Horsley Cross, Weeley and Thorpe-le-Soken but would need to achieve a scale of development that would facilitate and deliver a full range of services and facilities as well as strategic infrastructure improvements that would benefit the wider District.

Option 5: 'Hybrid Strategy Approach' – which drew on elements of Options 1 to 4 by seeking to focus additional housing development through a combination of urban expansion, development in, and around, larger villages with railway stations and the establishment of a Garden Village in the Frating/Great Bromley area.

Option 6: A120 Freeport/Tendring Central Growth and Windfall Development – an approach that prioritised growth along the A120 corridor with expansion of Harwich & Dovercourt supported through the establishment of a new garden village in the Frating/Great Bromley area and limited small-scale development opportunities elsewhere.

It was reported that under each of the options 1 to 6, possible broad locations for new strategic employment sites along the A120 and A133 were identified in six locations: north of the proposed Tendring Colchester Borders Garden Community, Frating, Little Bentley, Horsley Cross, Weeley and Dovercourt/Parkeston – with the intention that each location was assessed in further detail, as part of an Employment Land study, to determine whether one, some or all could sensibly be included in an updated version of the Local Plan.

Members were advised that each of the six high-level spatial options also gave an indication of the maximum number of additional homes that each location within the District might be able to accommodate over and above existing planned development. However, at this stage of the process the figures were purely indicative – based on an initial consideration of different scales and categories of residential and/or mixed-use development that might be reasonable. Detailed consideration of land availability, consultation feedback and technical analysis would most likely determine that some locations would not accommodate or deliver the levels of development suggested; and, as a consequence, it was more than likely that the final strategy chosen by the Council would represent a refined variation on one or more of the high-level options set out in the report.

The Committee was reminded that the process for reviewing the Local Plan would follow key stages that involved public consultation – the first of which would be the 'Issues and Options' stage whereby the Council would invite public comments on the potential broad direction of the Local Plan and the pertinent issues to be addressed through the review. It would be Officers' intention to include the six high-level spatial options as part of the Issues and Options consultation exercise in order to invite comments from residents,

Town and Parish Councils, businesses, landowners, developers and other interested parties; along with any suggestions for alternative approaches. To assist the consultation exercise, each option would be accompanied by Officers' initial thoughts on some of the advantages and disadvantages of that approach – which could be expanded to take into account people's comments and suggestions following the public consultation.

The Committee received a MS Powerpoint presentation from the Director (Planning) (Gary Guiver) which highlighted the salient points on each of the six Options detailed above. Mr Guiver then responded to Members' questions thereon. Those questions concerned matters such as:-

- 1) the ability to use 'overbuilding' in future calculations for housing need;
- 2) the ability to challenge the likely calculated local housing need figure of 770 dwellings per annum from 2026;
- 3) the likelihood that pursuing the 'Metro Plan' would produce key infrastructure upgrades to the District's railway stations and its three major roads (i.e. A120, A133 and B1027);
- 4) the Council's public consultation strategy;
- 5) infrastructure provision such as water, sewerage treatment and disposal, schools, dentists, GP Surgeries et cetera;
- 6) the proposed zero new housing allocation for Elmstead and Ardleigh;
- 7) sustainability especially transport links;
- 8) specificity of the proposed employment land allocations.

The Assistant Director (Governance) (Lisa Hastings) suggested that a link to the livestream recording of Mr. Guiver's Powerpoint presentation be included as part of the online public consultation in due course. Mrs Hastings also suggested that that link be sent to all Members as well and that it be the subject of discussion at a future All Member Briefing.

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 content of this report (A.1);
- b) authorises the Director (Planning) to circulate to the members of the Committee for their further comments the proposed additions/alterations to the six alternative high-level spatial strategy options for long-term housing and employment land provision as contained within Appendix 1 to the report (A.1);
- c) authorises the Director (Planning), in consultation with the Chairman of the Committee, to approve those proposed additions/alterations having considered any comments submitted in accordance with resolution b) above;

- d) agrees that the high-level spatial strategy options, as amended in accordance with resolution c) above, be included for public consultation in due course as part of the 'Issues and Options' stage of the Local Plan review process and for them to be tested as, necessary, as part of the Sustainability Appraisal and other technical analysis;
- e) notes that any future decision on which option or combination of options will be included in the updated Local Plan will be informed by the findings of the Sustainability Appraisal, updates to other technical evidence and the feedback received both through public consultation and call-for-sites exercises; and
- f) notes and acknowledges that the number of additional homes, and the amount of additional employment land that might need to be planned for, through the review of the Local Plan are, at this time, yet to be confirmed; and that the options set out in this report are based on high-level working assumptions that will be refined and clarified through further work carried out by specialist consultants.

39. REPORT OF THE DIRECTOR (PLANNING) - A.2 - THE ESSEX MINERALS LOCAL PLAN 2025 - 2040: PUBLIC CONSULTATION AT REGULATION 18 STAGE

Earlier on in the meeting, as recorded under Minute 35 above, Councillor Fairley had declared for the public record, in relation to this item, that she was the Ward Member for Ardleigh.

Councillor Guglielmi declared for the public record that, in his role as a County Councillor, he was Chairman of Essex County Council's (ECC) Development and Regulation Committee and also Chairman of ECC's Liaison with Parish Councils Committee. He also declared that the majority of the 13 'candidate' sites located within the District of Tendring lay within his Division.

Councillors Guglielmi and Fairley declared that they had attended a public meeting on this matter at Ardleigh.

Councillor Scott declared that he had attended public meetings on this matter at Alresford, Brightlingsea, Great Bentley and Thorrington.

Councillor Chapman declared that she had attended a public meeting on this matter at Brightlingsea.

Members were aware that ECC was the Authority responsible for producing and updating the Minerals Local Plan for the county and for determining planning applications relating to minerals extraction and waste. Minerals were the source of material for construction. However, minerals were a finite natural resource and could only be extracted from the ground where they were found.

The Committee recalled that the Minerals Local Plan set out how ECC would provide for the future of minerals needs through a series of policies and land allocations. The Minerals Local Plan sat alongside the Local Plans produced by District, City and Borough Councils as part of the overall statutory Development Plan.

Like this Council's Local Plan, the County Council's Minerals Local Plan had to be reviewed and kept up to date and that the review had to follow a series of stages, as set

out in Government regulations. Public consultation was currently underway in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, with a closing date for any comments of 9th April 2024. ECC was consulting on the entire Minerals Local Plan, its evidence base, and a series of 'candidate sites'. Those sites would not all be carried forward for allocation in the Minerals Local Plan, but would be considered in greater detail alongside representations submitted as part of this consultation.

Members were cognisant that the District of Tendring had a rich supply of sand and gravel, and there were 13 candidate sites located within the District – 7 in Ardleigh, 2 in Alresford, 3 near Frating and Great Bentley, and 1 in Thorrington. Detail about each of those sites was set out in the main body of the report (A.2).

It was reported that Officers had prepared a draft response to the consultation that highlighted a number of technical points as well as concerns that had been raised by local residents and District Councillors. With the Planning Policy and Local Plan Committee's agreement, this response would be submitted to Essex County Council for its consideration in progressing to the next stage of the plan-making process.

The Director (Planning) and Senior Planning Policy Officer responded to Members' questions on the following suggested additions to the Council's draft response:-

- 1) the negative impact on rural roads and especially those with weight restrictions;
- 2) greater clarity as to the meaning of 'active sites' especially if they are merely extensions of existing sites or are sites previously approved but only recently opened or are sites with planning permission but are currently 'dormant';
- 3) the availability of sufficient processing plants;
- 4) the need for a much higher quality of consultation with Parish Councils going forward;
- 5) the cumulative impact and its relationship with the 'Duty to Co-operate';
- 6) the potential impact on agricultural land and farm security;
- 7) the methodology used i.e. why do some of the proposed sites appear to be more efficient in terms of the expected yield per hectare;
- 8) best economic use of the land; and
- 9) the future uses of the land once it ceases to be a quarry.

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

Having duly discussed this matter:-

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

RESOLVED that the Planning Policy and Local Plan Committee:

- a) notes the content of this report (A.2); and
- b) authorises the Director (Planning), in consultation with the Chairman of the Committee, to submit the recommended response, as set out in the appendix to the report (A.2), together with any agreed amendments, to Essex County Council before the end of the consultation period at 5.00pm on 9 April 2024.

The meeting was declared closed at 7.56 pm

Chairman