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Planning Policy and Local Plan Committee

28 May 2024

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**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN  
COMMITTEE,  
HELD ON TUESDAY, 28TH MAY, 2024 AT 6.00 PM  
IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

<b>Present:</b>	Councillors Guglielmi (Chairman), Bush (Vice-Chairman), Bray, Chapman BEM, M Cossens, Fairley, Fowler, Goldman and Scott
<b>Also Present:</b>	Councillor Baker (Portfolio Holder Housing & Planning)
<b>In Attendance:</b>	Gary Guiver (Director (Planning)), Paul Woods (Planning Policy Team Leader), Will Fuller (Senior Planning Policy Officer), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

**40. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

An apology for absence was received from Councillor Newton (with Councillor Goldman substituting).

**41. MINUTES OF THE LAST MEETING**

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.

**42. DECLARATIONS OF INTEREST**

In relation to agenda item 7 (report A.2 – Local Plan Review: Issues and Options Consultation Document), 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.

**43. 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.

**44. 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).

**45. REPORT OF THE DIRECTOR (PLANNING) - A.1 - ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT**

The Committee considered a report of the Director (Planning) (A.1) which:-

- (i) informed it of the outcome of the public consultation exercise carried out in relation to the draft Statement of Community Involvement (SCI) and that Officers had made a number of minor modifications to the SCI in response to those consultation responses; and
- (ii) sought its endorsement of the SCI, as amended, as well as its approval that the SCI be submitted to the Council's Portfolio Holder for Housing and Planning for their formal decision to formally adopt the SCI on behalf of the Council.

The Committee recalled that the SCI was designed to set out how the Council would involve the community and other stakeholders in the planning process, in particular, when it came to public consultation on the Local Plan and other planning policy documents. It also explained how the Council would consult communities and other stakeholders on Planning Applications and advised developers how best to undertake early community engagement prior to submitting their applications.

Members were aware that the Council was currently undertaking the process of reviewing the Local Plan for the District, which would guide new development in Tendring until 2041. The updated SCI would guide public engagement throughout this process, and compliance with the SCI was a legal requirement that would be considered when the Local Plan was examined by a Government appointed Inspector.

A six-week public consultation had been held between 22<sup>nd</sup> January and 4<sup>th</sup> March 2024 to give the community and other stakeholders the opportunity to comment on the consultation methods proposed. A small number of consultation responses had been received by the Council.

It was reported that the East of England Ambulance Service NHS Trust (EEAST) had prepared a detailed representation setting out the services they provided and had also provided general comments on their involvement in the plan-making system. Specific mention had been made to those instances when EEAST should be consulted at each stage. The SCI had been amended (at Appendix 1) to ensure that this stakeholder was specifically mentioned.

The Committee was informed that Section 2 of the SCI set out the process for preparing and updating a Local Plan, and the engagement that would be expected at each stage. The initial scoping stage of preparing the Local Plan had not been included in this table, and it had now been added to this final version – reflecting the engagement techniques that were listed for the comparable stage of DPD preparation at section 4 of the SCI.

Members were made aware that Officers within the Development Management team had provided further advice on a number of aspects of public consultation undertaken for Planning Applications and pre-application enquires. The resulting changes to the SCI included detailing how planning applications were advertised; clarifying demolition in

conservation areas; and pre-application advice. Those comments had been reflected in the amended SCI.

A full list of representations and what changes were proposed to be made to the SCI were included in Appendix B to the Officer 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 responses received to the public consultation exercise;
- (b) endorses the contents of the final version of the Statement of Community Involvement (SCI); and
- (c) recommends to the Portfolio Holder for Housing and Planning that he makes an executive decision under his delegated powers to formally adopt the SCI on behalf of the Council.

**46. REPORT OF THE DIRECTOR (PLANNING) - A.2 - LOCAL PLAN REVIEW: ISSUES AND OPTIONS CONSULTATION DOCUMENT**

Earlier on in the meeting, as recorded under Minute 42 above, Councillor Fairley had declared a Disclosable Pecuniary Interest in this matter. She thereupon withdrew from the meeting.

Update sheet relating to this item was circulated to the Committee Members and published on the TDC website prior to the start of the meeting. The Chairman of the Committee read the update for the meeting:

*“The UK General Election 2024 is due to take place on Thursday 4 July 2024, and pre-election period began on Saturday 25 May. Restrictions on communications apply to all local authorities during this period.*

*From the start of the pre-election period, the Council must comply with restrictions outlined in Section 2 of the Local Government Act 1986. In addition, a Code of Recommended Practice on Local Authority Publicity published in 2011 makes clear that particular care should be taken in periods of heightened sensitivity, such as in the run-up to an election. The Act defines publicity as ‘any communication, in whatever form, addressed to the public at large or to a section of the public’.*

*It will therefore not be possible to hold the Issues and Options Consultation in June as the report indicates. Instead, it will be necessary to schedule the consultation exercise to avoid the pre-election period and minimise any overlap with the summer holiday period when many people are away and are often unable to engage effectively with consultations.*

*This revised timescale will necessitate a further update to the Local Development Scheme (LDS) (which the committee agreed at its meeting of 27<sup>th</sup> February 2024), setting out the updated timetable for the Local Plan review process. This update will be brought before the committee at a future meeting”.*

The Committee then considered a report of the Director (Planning) (A.2) which sought its agreement to undertake a public consultation on the key Issues and Options underpinning the review of the Local Plan.

Members were aware that the Government required councils to review and update Local Plans every five years in order to ensure they remained up-to-date and effective, complied with latest national policy and were adjusted accordingly to respond to changing circumstances. At its meeting held on 20th December 2023, the Planning Policy and Local Plan Committee had agreed to commence the mandatory review of the Council's Local Plan, and on 27th February 2024 it had agreed the broad timetable for the review – the next step of which was the Issues and Options Consultation.

The Committee was reminded that the Issues and Options Consultation sought the views of local people and other interested parties on the key issues to be addressed through the review of the Local Plan and the options available to address them. In particular, this would include the issue of new housing growth and what options might be appropriate to meet that need.

Importantly, the Issues and Options Document incorporated the updated Vision and Objectives for the Local Plan and the High-Level Spatial Options for Long-Term Housing and Employment Growth that had been discussed and agreed by the Committee at its meetings held on 27th February and 2nd April 2024 respectively.

Members were made aware that the Issues and Options consultation document was not, in itself, a policy document and it did not commit the Council to any particular course of action or policy decision. Instead, it asked a range of questions to stimulate discussion and to invite feedback that would inform decisions the Council would need to take as the updated Local Plan was developed.

The document broadly followed the chapter headings of the adopted Local Plan, in order to retain the sense of continuity and familiarity. Those chapters were summarised in the main body of the Officer report (A.2), and the full document was available as an appendix thereto.

#### Consultation Arrangements

The Committee was informed that Officers proposed to publish the Issues and Options consultation documents on the Planning Policy online consultation portal, which would allow the document to be viewed online and responses submitted electronically. This would be the principal way of accessing the document and submitting representations, enabling greater efficiency for Officers when analysing the responses. The consultation would be promoted through the Council's own online and social-medial channels and Members and town/parish councils would be encouraged to assist in widening the circulation as much as possible through their own channels as well.

For those persons who were unable to access the online portal, hard copies of the document would be made available at the Town Hall and at libraries across the District,

along with a batch of paper response forms. The hard copies would also include details of how to request extra copies of the response forms. Responses submitted on paper would be entered into the online consultation system by Officers, which would enable all representations to be assessed and analysed in the same way.

As part of this consultation, Officers also proposed to hold public exhibitions in the community in order that members of the public or other interested parties could ask questions and discuss the issues directly with Council Officers. Exhibitions would usually take place in the communities most affected by proposals in the Local Plan but at this stage, where high level options were being considered, broad questions were being asked and no firm proposals were confirmed, it was proposed to hold a limited number of events in key locations across the District focussing on the northwest (Manningtree), northeast (Harwich), southeast (Frinton/Walton) and southwest (Brightlingsea) of the District. More focussed consultation events were likely to be necessary and more useful in the subsequent stages of consultation (i.e. Preferred Options and Submission Stage), when the consultations would feature specific development proposals affecting particular areas of the District.

For those who were unable to attend the exhibitions, Officers would also be available by phone and email to answer any questions or provide clarification for those who wished to respond to the consultation – and those contact details would be included in the online and paper versions of the consultation document.

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

Councillor Baker thanked the officers for their tremendous amount of work so far and felt positive about the consultation. He reminded the Committee that while there was a delay to the consultation going live because of the pre-election period overlap, the finalised consultation was available to the public to view, as it was published in the agenda for this meeting, and they could comment through existing TDC communication channels.

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

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

**RESOLVED** that the Planning Policy and Local Plan Committee approves that the *Tendring District Local Plan Review: Issues and Options Consultation Document*, as set out at Appendix A to item A.2 of the Report of the Director (Planning), be published for public consultation, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, and in accordance with the consultation arrangements set out in the Director's report (A.2).

The meeting was declared closed at 7.08 pm

**Chairman**

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