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Planning Policy and Local Plan Committee

23 July 2024

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN
COMMITTEE,
HELD ON TUESDAY, 23RD JULY, 2024 AT 6.00 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present:	Councillors Guglielmi (Chairman), Bush (Vice-Chairman), Bray, Chapman BEM, M Cossens, Fairley, Fowler, 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), Paul Woods (Planning Policy Team Leader), Will Fuller (Senior Planning Policy Officer), Eleanor Storey (Planning Policy Officer) and Keith Durran (Committee Services Officer)

47. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions submitted on this occasion.

48. MINUTES OF THE LAST MEETING

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

RESOLVED that the Minutes of the last meeting of the Committee, held on Tuesday 28 May 2024, be approved as a correct record and be signed by the Chairman.

49. DECLARATIONS OF INTEREST

In respect of Item 6 on the Agenda (Report of the Director (Planning), report A.1 – TDC Response to National Grid Statutory Consultation on Norwich to Tilbury Electricity Powerline Connection Project (Third Non-Statutory Consultation), Councillor Fairley declared a Disclosable Pecuniary Interest and a Non-Registerable Interest as follows:-

“The land area to be impacted by the proposed cable routes, pylons and substations within the District of Tendring is vast, but my family do own and farm land along these routes and this is the same for wider family members and friends. I've been granted a dispensation under section 33(2)(c) of the Localism Act 2011, allowing me to participate and to vote.

“The reason for the Monitoring Officer's granting of the dispensation was on the grounds that it is in the interests of persons living in the authority's area for the dispensation to be granted. I am the sole ward Councillor for the area and the Council is not the decision maker regarding the proposals, although it has an opportunity to voice its residents' and businesses' concerns, and act in the best interests of the District.”

50. 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.

51. 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.

Parish Councillor Carolyn Mason made statements, on behalf of Ardleigh Parish Council, regarding the matters contained in the reports of the Director (Planning), namely A.1 and A.3.

In respect of report A.1, Parish Councillor Mason stated that Ardleigh Parish Council welcomed Tendring District Council's response and endorses its content and objections to the National Grid. The Parish Council would be submitting its own response and she hoped that councillors and officers would find the time to read it. A draft copy had been published on the Parish Council's website for local residents to refer to. Considerable time had been spent on the submission not only by the clerk to the Parish Council but also the councillors, members of the community and businesses and local groups and the Parish Council had also engaged its own barrister to advise on the content, particularly mitigation and the Parish Council especially welcomed the recognition that Tendring District Council had given to the considerable harm that would be caused. Not only would the parish have the EACN, but also underground cabling from Lamb Corner to the EACN and the returning 2150 meter high pylons that would circle around the village and out to the A12. The Parish Council requested Tendring District Council to amend its proposed consultation response to make clear that the substation is in fact in Ardleigh and not Lawford. The Parish Council highlighted the local impacts for communities and the extensive, cumulative impacts from the Norwich to Tilbury and the two offshore wind farms projects which could overwhelm communities like Ardleigh. There would be harm to the environment, farming and health. The Parish Council had concluded, through consultation with local businesses likely to be affected, that there would be significant loss of business and therefore loss of employment and that should National Grid proceed, every consideration should be given to compensating the local economy. The District of Tendring would experience a disproportionate level of intensive negative impacts and thus the Council should expect a stronger focus on mitigation measures by National Grid. Therefore, the Parish Council would like Tendring District Council to recognize the mitigations that it had listed in its documents and take that into account when negotiating with National Grid sometime in the future.

In respect of report A.3, Parish Councillor Mason stated that Ardleigh Parish Council greatly thanked Tendring District Council for all the support that it had given the Parish Council in producing its neighbourhood plan and were happy to confirm that it had got a date of 12th September 2024 for the local referendum on the Neighbourhood Plan.

The Planning Policy Officer (Eleanor Storey) responded by complimenting Ardleigh Parish Council on its excellent consultation response and undertook to alter Tendring District Council's response to make it clear that the EACN was in the parish of Ardleigh. She also undertook to look at the Parish Council's proposed mitigations in any conversations with National Grid going forward.

52. REPORT OF THE DIRECTOR (PLANNING) - A.1 - TDC RESPONSE TO NATIONAL GRID STATUTORY CONSULTATION ON NORWICH TO TILBURY ELECTRICITY POWERLINE CONNECTION PROJECT

Earlier on in the meeting, as recorded under Minute 49 above, Councillor Fairley had declared a DPI and a Non-Registerable Interest in this matter but that also she had been granted a dispensation by the Monitoring Officer.

The Committee considered a report of the Director (Planning) (A.1), which invited discussion and sought its agreement to Tendring District Council's formal response to the statutory consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity powerline connection project.

Members recalled that the project was designed to reinforce the high voltage power network in East Anglia between existing substations. It was classed as a 'Nationally Significant Infrastructure Project (NSIP) for which planning approval would be sought from the Government through a 'Development Consent Order' (DCO) - with Tendring District Council being one of many consultees in the process and not the decision maker. The proposals however had very specific implications for the District of Tendring, and it was recommended that this Council, working closely with Essex County Council, continued to maintain strong objections.

The Committee was reminded that, as part of the global response to tackling climate change, the UK Government had a legislative commitment to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Switching from high polluting fossil fuels to renewable energies had a significant role to play in mitigation of and adaption to the climate emergency.

It was reported that, in response to this, National Grid was seeking to upgrade the existing electricity transmission infrastructure between Norwich and Tilbury. This involved installing new overhead pylons and a new substation within the District of Tendring – located between Ardleigh and Little Bromley. This location was intended to provide the main connection point for major off-shore windfarm developments proposed in the North Sea, with their associated on-shore infrastructure expected to make landfall in and pass through the District of Tendring. The proposed substation East Anglian Connection Node (EACN) would receive underground cabling from the north (having travelled under the Dedham Vale National Landscape, previously known as an Area of Outstanding Natural Beauty), the cables would exit via overhead pylons westbound through Ardleigh.

Members were informed that this was National Grid's third and (expected to be) last stage of public and stakeholder consultation for the Norwich to Tilbury proposals before it finalised its plans for submission to the Secretary of State. Due to the nature and size of the proposal, this project, qualified as a 'Nationally Significant Infrastructure Project' (NSIP) for which there was a dedicated planning process, the 'Development Consent Order' (DCO) which was administered at national Government level by the Planning Inspectorate (PINS). Tendring District Council was not the determining body for proposals of this nature; the Council's role, like all other Local Planning Authorities affected by the proposals, was that of a consultee with a right to make representations for or against the proposals.

The Committee was aware that, to date, all Councils affected by this project, across Norfolk, Suffolk and Essex, had objected to what was proposed, firmly advocating that the upgrading of this infrastructure would be better achieved with an offshore rather than an onshore solution. This would prevent the considerable negative impacts on the physical environment (both ecologically and visually) and on the communities who were

directly affected by those onshore proposals. At all previous opportunities to engage in non-statutory consultation on the Norwich to Tilbury proposals, this Council had submitted strong objections. Most of the local concerns still remained, and it was therefore recommended by the Director (Planning) that the Council continued to maintain and reinforce its objections.

Members were reminded that, whilst this was a standalone proposal, it was linked with the two other NSIPs being brought forward by the Five Estuaries and North Falls offshore wind farms. The proposed EACN in Tendring was the connection point for both wind farms to transfer their offshore energy into the National Grid. There was a study currently taking place by the Offshore Coordination Support Scheme looking at the feasibility of both wind farms taking an offshore approach and making landfall at Tilbury. Additionally, the Tarchon interconnector, which would provide a direct power link between Germany and the UK, could also connect with the EACN - although no formal proposals or plans had come forward at this stage.

It was reported that work had been carried out with Essex County Council in preparing TDC's consultation response, which outlined extensive concerns held by both councils. In this Council's position as a consultee, the decision to grant or refuse consent for this proposal was not made by the Council. Therefore, in addition to setting out its objections, the response also considered what measures the Council would expect to see to mitigate the impact on the communities of Tendring. This District could experience a disproportionate level of the negative impacts, and the Council therefore expected a stronger focus on mitigation in the District of Tendring including significant and tangible benefits. The transition to renewable energy should be fair, inclusive, and create positive opportunities for all.

This Council's objections throughout the consultation had included but were not limited to:

- *an appropriate offshore solution needed to be fully considered – this had not yet been achieved;*
- *the project was premature in terms of need, working to the required timeframe (2035) not the identified timeframe (2030) would enable alternative routes (offshore and undergrounding) to be considered;*
- *the current environmental analysis by National Grid was insufficient, with ecological, heritage and landscape impacts not being fully scoped and information lacking; and*
- *the unacceptable negative impacts on the environment, highways and the communities closest to the proposals.*

At the invitation of the Chairman, the Portfolio Holder for Housing and Planning (Councillor Baker) commented on the subject matter of this item.

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

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

RESOLVED that the Planning Policy and Local Plan Committee –

- a) notes the content of this report;

- b) supports the contents of the draft response to the Norwich to Tilbury Statutory Consultation, as attached at Appendix 1 to the Director (Planning)'s report (A.1), subject to references to the location of the proposed EACN being amended to Ardleigh instead of Lawford and the inclusion of a sentence that guides National Grid to the extensive mitigation measures that have been put forward by Ardleigh Parish Council in its consultation response;
- c) agrees that, with the approval of the Portfolio Holder for Housing and Planning, the response with the above agreed changes be submitted to National Grid before the close of the Statutory Consultation on 26th July 2024; and
- d) agrees that the approved response, as submitted to National Grid, be reported to Full Council to allow further discussion, if necessary and for the outcome of that discussion to be fed back to National Grid.

53. REPORT OF THE DIRECTOR (PLANNING) - A.2 - UPDATED HOUSING SUPPLY POSITION AND LOCAL PLAN REVIEW BASELINE

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

- (a) 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 2023/24 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).
- (b) the baseline housing position for the Local Plan Review.

Housing Supply Position

Housing Requirement

The Committee recalled that Section 1 of the adopted Local Plan set out the 'objectively assessed housing need' (OAN) for Tendring of 550 homes a year, and the housing requirement for the period of the Local Plan 2013-2033 was therefore 11,000 homes. With approximately 6,700 homes already built between 2013 and 2024, the remaining requirement between now and 2033 stood at approximately 4,300 and the historic shortfall in housing delivery had now been addressed. It would be necessary to revisit the housing requirement for the District as part of the Local Plan review to assess the longer-term needs for the rolled-forward plan-period, with any new requirement taking effect from the anticipated adoption of the updated Local Plan (2026).

Housing Completions and Future Trajectory

It was reported that, in the period 1 April 2023 to 31 March 2024, a total of 838 (net) new homes had been completed in the District of Tendring. This meant that the

housebuilding target of 550 homes a year had now been achieved for an eighth year in succession.

Officers had updated the Council's 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 reminded that when the National Planning Policy Framework had been updated in December 2023, the requirement for Local Planning Authorities to demonstrate an ongoing 'five-year supply' of deliverable housing sites had been removed in certain circumstances – specifically for those authorities whose Local Plan had been adopted less than five years ago and who could identify at least a five year supply of specific, deliverable sites at the time its examination had concluded. Nevertheless, the SHLAA included a calculation of the Council's five-year housing land supply, which demonstrated that the District of Tendring is well placed to meet future housing needs.

The Committee was informed that, taking into account the future trajectory set out in the SHLAA, the Council could demonstrate a 6.26 years' supply of deliverable housing sites. Around 3,600 homes were expected to be built within the five years 2024/25 – 2028/29, against a five-year requirement of approximately 2,900 homes. This meant that, so long as the Local Plan was kept up to date, the Council remained in a strong position to resist speculative and unwanted housing developments that fell outside of the settlement development boundaries of the Local Plan, unless there were material benefits that might exceptionally justify a departure from Local Plan policy, or the proposals satisfied other policies within the Local Plan (e.g. rural exception sites for affordable housing).

Local Plan Review Housing Requirement

Members were aware that when the adopted Local Plan had been prepared, the Council had been required to calculate an objectively assessed housing need (OAN). This OAN had been the subject of significant scrutiny as part of the Local Plan examination, and a number of objectors had argued for a higher figure than the Council had proposed. However, because of uncertainties around the Census demographic data and un-attributable population change, the Council, with the support of demographic consultants, had been able to demonstrate to the Inspector that 550 dwellings per annum was a sound housing requirement for the District of Tendring.

It was reported that, since the submission and examination of the current Local Plan, the way in which Local Planning Authorities were required to calculate their housing need had changed. At the time of writing, national policy stated that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in the national

planning guidance. The outcome of the standard method was an advisory starting-point for establishing a housing requirement for the area. Based on consideration of this topic to date, it was possible that the Council would not be able to justify a departure from the Standard Method when reviewing the longer-term housing need as part of the Local Plan review.

The Committee was advised that, based on a Standard Method calculation, the annual housing requirement for the updated Local Plan (from 2026 – 2041) would be expected to increase to around 770 dwellings per annum. Officers were keeping this matter under review, and were taking advice from demographic consultants to ensure the Local Plan review was based on the correct housing requirement for the District.

After analysing the number of new homes currently planned for (through adopted Local Plan allocations, large sites with Planning Permission, and a projection of small site and windfall development), it was believed that the Local Plan review might need to allocate sites for between 3,000 - 4,000 additional homes.

The Director (Planning) pointed out that it was unclear to what extent national planning policy might change over the coming months under the new Government, and what impact this would have on the District's housing requirement. The Council would need to proceed with the review of the Local Plan in accordance with current policy and Officers would keep the situation and any implications for Tendring's Local Plan under review.

Small Sites

Members were reminded that the NPPF required Local Plans to identify enough small sites (of less than 1ha) to deliver at least 10% of their Local Housing Need. If the Council was required to meet a Local Housing Need calculated using the Standard Method as part of the Local Plan review, an initial analysis suggested that 9.5% of the total amount of housing needed up to 2041 could already be met on small sites in the District that were either allocated in the adopted Local Plan, benefited from planning permission, or formed part of the windfall projection set out in the SHLAA. This position would need to be monitored, but it might become necessary to allocate land for around 100 dwellings to be delivered on small sites, as part of whichever spatial strategy the Council decided upon following the Issues and Options consultation later this year.

At the invitation of the Chairman, the Portfolio Holder for Housing and Planning (Councillor Baker) commented on the subject matter of this item.

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

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

RESOLVED that the Planning Policy and Local Plan Committee –

- (a) endorses the content of this report, and
- (b) notes that the new Strategic Housing Land Availability Assessment demonstrates an up-to-date housing land supply position and an April 2024 baseline housing position for the purposes of reviewing the Local Plan.

54. REPORT OF THE DIRECTOR (PLANNING) - A.3 - UPDATED LOCAL DEVELOPMENT SCHEME 2024-2027

The Committee considered a report of the Director (Planning) (A.3) which sought its agreement to publish an updated 'Local Development Scheme' (LDS), updating the proposed timetable for reviewing the Local Plan in light of a delay caused by the Parliamentary General Election.

Members recalled that the purpose of the LDS was to set out an indicative timetable for preparing key Planning documents. It was particularly useful for members of the public, partner organisations and third parties to understand the broad programme of work and how the Council proposed to resource and manage it.

The Committee was reminded that the LDS covered the review of the Local Plan, the preparation and adoption of Tendring Colchester Borders Garden Community (TCBGC) Development Plan Document (DPD), and the production of other key planning documents. It included the anticipated timetable of consultation periods, examinations and expected dates of adoption.

It was reported that an update to the LDS had been brought before this Committee in February of this year. This updated LDS was presented to Members in order to ensure it reflected the delay in updating the Local Plan caused by the Parliamentary General Election.

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

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

RESOLVED that the Planning Policy and Local Plan Committee approves the updated Local Development Scheme (LDS) 2024-2027 (attached as Appendix 1 to the Report of the Director (Planning) (A.3) for publication on the Council's website.

The meeting was declared closed at 6.59 pm

Chairman