

Local Plan Committee

Monday, 30 June 2014

Attendees: Councillor Elizabeth Blundell (Member), Councillor Andrew Ellis (Member), Councillor Kim Naish (Group Spokesperson), Councillor Bill Frame (Chairman), Councillor Martin Goss (Deputy Chairman), Councillor Gerard Oxford (Member)

Apologies: Councillor John Jowers (Member), Councillor Lyn Barton (Member)

Substitutes: **Councillor Lesley Scott-Boutell (for Councillor Lyn Barton), Councillor Nigel Chapman (for Councillor John Jowers)**

3 Minutes 28 April 2014

The minutes of the meetings held on 28 April 2014 were confirmed as correct record.

4 Stanway Neighbourhood Plan Area

The Head of Commercial Services submitted a report inviting the Committee to formally designate the Stanway Neighbourhood Plan Area.

RESOLVED that the Stanway Neighbourhood Plan, as set out in the report by the Head of Commercial Services, be formally designated, in accordance with Section 61G of the Town and County Planning Act 1990 (inserted by the Localism Act 2011).

5 Consultation on Draft Northern Gateway Framework

The Head of Commercial Services submitted a report on the proposed consultation on the framework for development in the Northern Gateway area. Vincent Pearce, Major Development Manager, and Laura Chase, Planning Policy Manager, attended to assist the Panel.

Laura Chase explained that the Council had an interest in the Northern Gateway area both as a landowner and in view of its responsibilities for the development of planning policy. She outlined the process by which the Framework document had been drafted. The detailed arrangements for the consultation process were still being finalised but would be wider than the proposals set out in the report. It was now intended to hold between 7-8 sessions and the consultation would be extended into August. Officers would ensure that the consultation was widely publicised.

Vincent Pearce presented the proposals in the draft Framework document. He noted the concerns expressed about the quality of the reproductions of the plans contained in the agenda. In broad terms the northern part of the area would be designated for

leisure uses, whilst the southern part would be a commercial hub. They would be connected by sustainable green links. In development terms, the only entirely new proposal was the housing development on part of the existing Colchester Rugby Club site. This would be enabling development, which would fund the relocation of the club to new pitches north of the A12. The Framework also proposed a number of other sports facilities including a velodrome and a mountain bike course. He stressed that the proposals were not fixed at this stage: the aim was to create a strategic vision for the development of the area. He also emphasised the importance of local consultation and highlighted that the Council would be looking for synergies with Myland Community Council's Neighbourhood Plan.

Councillor Arnold attended and, with the consent of the Chairman, addressed the Committee. Given that the northern part of the proposed development area was in Boxted, Fordham and Stour ward councillors and Boxted Parish Council should have been consulted earlier. He expressed concern that the road in the northern part of the development would be extended to join either Severalls Lane or Straight Road. Residents of Boxted were concerned about the potential impact on traffic levels on Straight Road, given that it could potentially be used for access to the A12. When the proposals went out to consultation it should be reiterated that it was Council policy that there should be no direct links from the A12 northwards to Boxted and Langham. Whilst he noted the claims that the proposals would open access to countryside north of Colchester, there was no access from the development area to this countryside. The proposals also provided an opportunity to divert National Cycle Route One to a more pleasant environment. The highways implications of the proposals needed to be included when the proposals went out to public consultation. He asked whether the access to White House Farm could be used as an access to the development. There was also an opportunity stop strategic traffic using Severalls Lane, which would make it more pleasant. The position on the proposals for wind turbines which had been included on previous proposals for this area needed to be clarified. Concern was also expressed about how the proposal would affect the balance between employment land and housing land and whether they would lead to a deficit of employment land. He concluded by stressing that it was for the Local Plan Committee to determine land use issues.

Councillor Hewitt, Myland Community Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He thanked officers for consulting with Myland Community Council on the Northern Gateway Vision proposals and looked forward to that consultation continuing. There was scope for the Myland and Braiswick Neighbourhood Plan to encompass the Northern Gateway proposals and vice versa. He expressed a hope that a significant amount of the rugby club land would be retained as green space and that the hedge boundary to the site would be retained. This was important locally and was a key feature of the street scene. This was likely to be a key factor in the consultation.

Ben Locker addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He sought clarification on the results of any work that may have been done to determine the amount and type of housing that was necessary for the Rugby Club site in order to fund the relocation of the Rugby Club. He noted the reference to other uses and asked whether any uses had been ruled in or out at this

stage.

In response to the comments by the speakers, Vincent Pearce stressed that in terms of the traffic issues, it was not the intention to create “rat runs” through to the A12. The suggestion to divert National Cycle Route 1 seemed sensible. The Council did not own the access to the White House Farm. There was nothing in the proposals to suggest there would be a reduction in the allocation of employment land. There were no details on the types or numbers of homes or other uses on the Rugby Club site. There no proposals for wind turbines in the area as the development would be too dense to accommodate the safety zones surrounding such turbines. The importance of the hedgerows as part of the landscape was understood and it was hoped these could be retained. It was hoped that some of the ideas from Myland Community Council could be integrated.

In discussion members of the Committee raised the following issues:-

- The need for the public to be properly consulted on the proposals and for their views to be taken seriously. Consultation should be borough wide and not limited to communities in north Colchester. Some concern was expressed that residents and ward councillors in Highwoods had not been consulted to date and this needed to be rectified in future consultations. Residents of the Travellers Site needed to be included in the consultation.
- Many in the local community would like to see the Rugby Club remain on the present site. A number of other sports uses were also undertaken on the site. However, should it relocate, the Rugby Club site should remain as open land, possibly as a continuation of the County Park.
- One estimate was that it could cost £4.5 million to relocate the Rugby Club. Local people would want to know how much of the rugby club site would need to be developed in order to raise that sum. The remaining land should be put in a trust to protect it from future development.
- Should the Rugby Club relocate, the enabling development should include community facilities, including land set aside for church use and a full size football pitch. Additional school places and infrastructure requirements would be generated by the development. The footpath off Mill Road at the corner of the Rugby Club should be maintained.
- Any access to housing on the Rugby Club site should be via Axial Way rather than Mill Road.
- Progress on NAR3 and Park and Ride;
- Development was creeping northwards and eating into the green wedge between Colchester and Boxted. Was there a point beyond which north Colchester would not be allowed to develop?
- Residents of Boxted were unlikely to view the proposals favourably but the publicity surrounding the proposals needed to stress that they would provide greater access to the countryside from the north.
- Light and noise pollution issues arising from the development needed to be addressed.
- The need for the proposals to tie in with those of Myland Community Council.
- Whether Cuckoo Farm Studios would be integrated into the plan.
- Provision needed to be made for informal sports uses.
- The timescale for the development.

- The need to ensure that the facilities and sites provided in the development were fully accessible.
- The Highways Authority should be brought into discussions at an early stage to address the highways issues.
- Concern that elements of the proposals had been considered by Cabinet before the Local Plan Committee.

In response to the concerns and points made by made by members, officers made the following points.

- The Council did not own any further land north of the boundary of the proposed site so therefore it was unlikely that further proposals for development north of the site would be forthcoming.
- There would be full and proper consultation on the proposals.
- There would no reduction in the provision of employment land.
- Some of the sports facilities provided would be free access. There would be space for a full size football pitch to be provided.
- Light and pollution concerns would be addressed with Environmental Control.
- Cuckoo Farm Studios would not be formally included in the proposals.
- The concerns about access onto Mill Road from housing development on the Rugby Club site were acknowledged.
- The full infrastructure requirements would be discussed as the proposals developed.
- The funding for the development would be generated partly by the enabling development on the Rugby Club site, together with some external funding.
- The proposals could be brought forward before the adoption of a new Local Plan. The proposals would represent a departure from the Development Plan and it would be necessary to show that any variations from current adopted policies had been thoroughly considered.
- The issues that Cabinet had considered arose from the Council's position as landowner. All land use and planning policy issues would be referred to Local Plan Committee to determine.

RESOLVED that the content of the Northern Gateway Draft Framework Document as the basis for

- (i) Consultation with the community;
- (ii) Development of the document for adoption as a material planning consideration in the determination of any future development proposals and to inform the development of a new Local Plan for the Borough.

6 Horkesley Park Appeal Decision

The Committee considered a report explaining the policy implications of the Planning Inspector's report and the decision letter of the Secretary of State for Communities and Local Government in respect of the planning application for the Stour Valley Visitor Centre at Horkesley Park.

Karen Syrett, Place Strategy Manager, introduced the report and explained a legal opinion had been received on the Inspector's view that although the site could not be classed as a brownfield site, neither should it be treated as a greenfield site. Under the National Planning Policy Framework, land was defined as either previously developed or not. Therefore if land was not previously developed it would be treated as greenfield and the Council would continue to take this approach in determining planning applications.

Members of the Committee noted the implications of the decision. Members queried whether, in the light of the Inspector's conclusions, a proposal to put the site forward as housing land would likely to be successful. Karen explained that it could be, in view of the existing buildings on site, but it would need to be of an appropriate design. Members noted that the Council had been awarded partial costs, but there was little prospect of recovery given that the applicants were in administration.

RESOLVED that the key policy issues arising out of the Planning Inspector's report and the Secretary of State's decision letter in respect of the proposed Stour Valley Visitor Centre at Horkesley Park be noted.

7 Adoption of Local Plan Focused Review

The Committee considered a report inviting it to recommend that the Focused Review of the Local Plan, incorporating the Planning Inspector's Main Modifications, be adopted by Full Council. Sarah Pullin, Planning Policy Officer, attended to assist the Committee and presented the report to the Committee.

The Focused Review had been submitted to the Planning Inspectorate for examination in October 2013 and the examination hearings had taken place on 8 January 2014. This had been followed by a further round of consultation. The responses to the consultation were forwarded to the Planning Inspector. The Planning Inspector's report had been received on 8 May 2014. He found the Local Plan Focused Review to be sound, subject to a Schedule of Main Modifications. The main changes that the Focused Review would make to the Council's Local Development Plan were outlined to the Committee. Particular attention was drawn to the changes made to the policy on affordable housing, which had been made to ensure compliance with the National Planning Policy Framework.

RECOMMENDED to COUNCIL that the Focused Review of the Local Plan, incorporating the Planning Inspector's Main Modifications, be adopted to become part of the Council's Local Development Plan.

RESOLVED that authority be delegated to the Place Strategy Manager to make minor revisions to the Focused Review of the Local Plan document prior to publication.

8 Process for Full Review of the Local Plan

The Committee considered a report setting out the process for development of a new Local Plan and proposing that the initial stages for the generation of options and a call

for sites be agreed. Laura Chase, Planning Policy Manager, presented the report. She explained that the process was well underway and that Colchester was preparing an Objectively Assessed Need figure for housing and employment land. As part of developing this figure, the Council had published a Strategic Housing Market Assessment (SHMA) in conjunction with Braintree, Chelmsford, Brentwood and Maldon Councils. Laura provided further clarification on the numbers in paragraph 4.7 of the report, as the numbers were better represented as a range rather than a very specific amount for a 5 and 20 year period. She explained that the SHMA report stated that their findings suggest 'a range of 1065 to 1225 dwellings per annum over a 5 year and 20 year period.' These numbers actually reflected different approaches to how quickly the existing need for affordable housing was met over the plan period. If the Council looked to deliver the backlog of 1070 over 5 years this gave a figure of 1225 but if the backlog was spread over 20 years this gave a lower annual figure of 1065. She explained that the aim was to submit an Issues and Options Paper to the Committee in December.

Andy Stevens addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) on behalf of Gateway 120 to stress that the importance of cross authority cooperation. This would lead to opportunities that might not otherwise exist.

Councillor Hewitt, Myland Community Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He was pleased to hear that there would be full and open consultation as part of the review process. He stressed his belief that the references to growth in the report were references to housing growth and queried where was the wider vision for Colchester in terms of issue such as culture. He believed that process for a full review of the Local Plan should be deferred until this wider vision was agreed.

Laura Chase stressed that the Local Plan process was about setting a vision for Colchester. Whilst the report concentrated on the technical aspects of the consultation, the Council's policy was to take a holistic approach to the plan-making process and look to build a vision. All parish councils would be involved in the process. Colchester 20/20 had been involved in the last plan making process and the Council was looking for a similar type of organisation that could play such a role on this occasion. A clear vision would be included as part of the Issues and Options consultation. The importance of working with other authorities and taking a collective approach was stressed again. This would include working with authorities in Suffolk and with Tendring, as well as with the authorities who commissioned the SHMA. If an Objectively Assessed Need figure was not set, this would lead to development by appeal and if the Local Plan review process did not lead to an agreed and adopted Local Plan, policies and growth figures would be imposed.

In discussion, members of the Committee suggested that it might useful to look at the work that was done in support the bid for City Status which had looked at bringing together different views on the future of Colchester. The importance of working with non-parished urban wards was also stressed. Members expressed concern about the findings of the SHMA report, in particular the projected figures for housing required and the shortfall in affordable housing. Residents would be concerned by the figures. A view was expressed that the Council needed to do better at building a

“Colchester experience” and needed to look wider rather than concentrating on housing growth figures. However, other members emphasised that the figures in the SHMA were a consequence of policies and pressures which Colchester had limited ability to control and reflected a very real demand for housing. It was important to ensure that housing growth was accompanied by employment and infrastructure and that, if possible, infrastructure preceded housing development. The Committee requested that the housing growth targets for Ipswich and Tendring be circulated to the Committee.

RESOLVED that:-

- (a) The process for developing a new Local Plan for the Borough to guide growth to 2032 be noted.
- (b) Options for future growth be generated for inclusion in an initial Issues and Options consultation document.
- (c) Consultation be undertaken inviting individuals and organisations to suggest sites within the Borough that they think would be suitable for future development.
- (d) It be noted that a training session had been arranged with the Planning Advisory Service (PAS) on 9th September. All members of the Committee and Cabinet had been invited to attend.

9 Community Infrastructure Levy

The Committee considered a report inviting it to approve further work on the Community Infrastructure Levy (CIL). Karen Syrett, Place Strategy Manager, attended to assist the Committee. Karen explained that a decision needed to be taken on whether the Council should proceed with CIL. However, it was important to take into consideration the Government’s intention to scale back the use of section 106 agreements, which made progressing with CIL more important. Therefore it was proposed that work resume on a charging schedule for CIL, with a view to ensuring it was adopted by April 2015. It was proposed that Savills be engaged to review the work that the Council had already undertaken. Once CIL was adopted, section 106 agreements could still be used to support affordable housing and on site infrastructure.

Concern was expressed that CIL would deliver less in terms of contributions than section 106 and whether the Council would be in a position to ensure the forward funding of infrastructure. Karen Syrett explained that as a statutory charge, CIL would give more certainty to the funding of infrastructure. The 123 List, which would be published when CIL was adopted and implemented, would set out the Council’s priorities for infrastructure to be funded through CIL.

In response to queries from the Committee it was confirmed that:-

- CIL would be charged and collected by Colchester Borough Council. Some of the funding collected would then be distributed to parish councils.

- The Council could work with neighbouring authorities across boundaries to administer and collect CIL.
- The full governance arrangements surrounding the administration of CIL would be reported to a future meeting of the Committee.

RESOLVED that work on developing a charging schedule for the Community Infrastructure Levy be progressed by:-

- (a) updating the viability work to reflect updated sales costs (and other changes);
- (b) updating the infrastructure evidence base and producing a draft 123 List;
- (c) reviewing the governance and implementation arrangements to ensure they are fit for purpose.