

# Local Plan Committee

Monday, 02 October 2023

- Attendees:** Councillor Lewis Barber, Councillor Richard Kirkby-Taylor, Councillor Paul Smith, Councillor Michael Spindler, Councillor William Sunnucks, Councillor Tim Young
- Apologies:** Councillor Michelle Burrows, Councillor Paul Dundas, Councillor Kayleigh Rippingale, Councillor Lee Scordis
- Substitutes:** Councillor Natalie Sommers (for Councillor Michelle Burrows), Councillor Sara Naylor (for Councillor Paul Dundas), Councillor Pam Cox (for Councillor Kayleigh Rippingale), Councillor Fay Smalls (for Councillor Lee Scordis)

## 282 Minutes of Previous Meeting

The Minutes of the meeting held on the 7 August 2023 were confirmed as a correct record.

## 283 Have Your Say! (Hybrid Council meetings)

Nick Chilvers addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that at the previous meeting of the Committee officers had outlined that the masterplan for Middlewick would need to involve people in the area and engage with workers and families in the area and to look at more creative methods of seeking views on transport and infrastructure. The speaker outlined that Members of the public could spot a steered survey from miles away and thanked Cllr Harris for his shopping list for open space and an independent biodiversity statement as the current one that was referred to by Officers was a year out of date.

The Committee were asked to look at travel patterns along Mersea Road which needed to be embraced into any survey and that some junctions were under considerable stress and that the speaker had watched the Planning Inspectorate review the roads and concluded with their view that Essex County Council Highways Department were complacent.

Sandra Scott, Place Strategy Manager responded to the points raised and thanked the speaker for their comments. The Committee heard that valid suggestions were being put forward by the speaker and that the Council was at the stage to carry out consultation work with various agencies and stakeholders but confirmed that the Council was not currently at the stage for creating the Masterplan and detailed that there would be full engagement on the Middlewick Masterplan and that this would take into account further works with transportation and Highways.

Nick Chilvers responded to the points made and detailed that they were always

grateful to have their say and that detailed that there were people making constructive contributions to the project who had good local knowledge which was invaluable to any Masterplan.

The Chair encouraged the speaker to make sure that they contributed to the consultation to ensure that Councillors could make a decision based on local information.

Richard Martin addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that in the past week a document regarding the Fourth Estate had been published which detailed that species trends across the UK were in danger and that there was a significant depletion of species with the prediction that one in 6 species in the UK were threatened with extinction. The Committee heard that this crisis in nature was on their doorstep with some of the species noted being in residence on Middlewick such as the White Spotted Pinion and noted in one research session over 260 species were surveyed on site in areas that were not deemed as diverse and asked how these would be accommodated on site as well as the inspectors conditions of biodiversity net gain if development was to progress. The Committee heard that there were options for improvement that could be included in the next iteration of the Local Plan including on a call for new sites but raised concerns about the biodiversity metric scores being fudged. The speaker concluded by detailing that a local photographer had been shortlisted for their work on Middlewick highlighting the biodiversity on site.

The Place Strategy Manager responded to the points raised and detailed that there was ecological interest on the Middlewick site and that various groups had been undertaking surveys and that further surveys would need to be undertaken for Master planning which would be carried out at the appropriate time and that the Council would include valid data that was sent to officers.

Richard Martin responded to the points made and detailed that they had over 3,500 followers on their social media groups with many residents and outlined that if any Members wished to join the group, then they would be welcome to.

Alan Short addressed the Committee pursuant to provisions of Meetings general Procedure Rule 5 (1). The Committee heard that they had attended the most recent Environment and Sustainability Panel of the Council where they had detailed their concern regarding the conditions for the Middlewick site as being draconian and queried how the Council would enforce these conditions prior to development. The Committee heard that the enforcement of the conditions would be expensive and detailed that it would be best to use the Garden Village approach whereby the replacement biodiversity would be going in ahead of the dwellings being built.

The Place Strategy Manager responded to the points raised and detailed that the infrastructure plan and conditions for development on Middlewick were very descriptive and needed to be completed prior to building on the site. It was noted no developer could be unclear on the conditions that they would have to adhere to and that when plans did come before the Planning Committee then these would be scrutinised with the information set out for the Committee to judge against.

John Crookenden addressed the Committee pursuant to provisions of Meetings General Procedure Rul 5 (1). The Committee heard that they were speaking as a Member of the Great Tey Neighbourhood Plan Group and detailed that if there was to be a review of Section 1 and 2 of the Adopted Local Plan then this should only be on the basis of whether the policies complied with legislation. The Committee heard that there was no need for a new call for sites or an increase in housing numbers and outlined that they had been advised by officers that these were required due to changes to the National Planning Policy Framework (NPPF) and that these needed to be explained. Further to this it was outlined that there was the anticipated publication of changes to the NPPF and planning system which had been expected in June 2023 and asked that the Council wait until these were published before reviewing the Local Plan. The Committee heard that people were tired of endless consultations which were then subsequently ignored and detailed that North Hertfordshire District Council had convinced the Planning Inspectorate to lower housing numbers and detailed that Colchester City Council should do more to resist interference from government to build more houses especially when the Council had built its share when no corresponding infrastructure had been provided. The Committee heard that the Chair had been a strong supporter of this approach in the past and outlined that Councillors should be given access to all documents and reports as this was not the case some years ago. It was detailed that infrastructure costs needed to be calculated correctly and have a contingency as well as in advance and that the Neighbourhood Plan Group needed to be supported and that this was not the case for Great Tey for the development of their plan as they were criticised for the consultation on the new Barn Road development as the plan was insufficiently advanced.

Karen Syrett, Joint Head of Planning, responded to the points raised and detailed that the extent of the review of the Local Plan had been decided at the previous meeting of the Local Plan Committee in August 2023 and detailed that the 2019 NPPF required a different approach to defining housing numbers and housing targets so it could be argued the Colchester Local Plan was already out of date. However, it was noted that the Adopted Local Plan was based off the 2012 which was based off a different approach to calculate housing numbers which had since been superseded by the Standard Methodology. The Committee heard that any review had to be completed within 5 years and had to take into account changes of national policy and legislation and noted that any change in the plan would have implications for the remainder of the document which required a call for sites and the review of infrastructure. Members were advised that documents were published well in advance of meetings so that Councillors could review all the necessary information and outlined that there was an expectation that Councillors would put themselves forward for appropriate meetings so that they can review the information in the allowed timescales. The Committee heard that they disagreed with point raised about the amount of support for the Great Tey Neighbourhood Plan Group and detailed that it was a number of years since the area for the Great Tey Neighbourhood Plan had been designated and that it was unfortunate that the Neighbourhood Plan had not been progressed like others that were now carrying full weight in the decision-making process. The Joint Head of Planning concluded by outlining that it was for local communities to create their own Neighbourhood Plans and that Colchester City Council would provide support through officer attendance which was noted on multiple occasions by the Joint Head of Planning and said local communities would be supported but that Officers were not there to write them for communities.

John Crookenden responded to the points as detailed by the Joint head of Planning and said that the City Council had not supported the Great Tey Neighbourhood Plan group for two years and that was why progress had not been made as the Group had been told that the Consultation that they had undertaken was not valid as the plan was not significantly advanced and that if everyone had written to the Council separately they would have been considered individually but it was wrong that the Neighbourhood Plan Group was consulted and then were ignored because the plan was not significantly advanced.

The Joint Head of Planning responded by detailing that what was being described was a blurring of the lines between a consultation for the Neighbourhood Plan and a Planning Application consultation and that this could be addressed before the planning application came before the Committee.

## **284 Approach to the Colchester Local Plan Review**

The Place Strategy Manager presented the report to the Committee and detailed that there was a requirement for the Local Plan to be reviewed every five years and that officers had taken an iterative approach to the options which set out the scope of the reviews range, extent and timing of evidence, approach to engagement as well as a high level programme for the review. The Committee heard that the review would bring forward the updated evidence needs and the report before the Committee takes this forward expanding on the themes that would be subject to iterative engagement for the issues and options which included:

- Creating a better environment
- Developing a vision
- Climate Change
- Design and Place Making
- Health and wellbeing

The Place Strategy Manager detailed infrastructure need would be embedded in the plan making to ensure that it would be provided through the infrastructure audit and infrastructure delivery plan which would inform sustainable delivery options. The Committee heard that the initial engagement would be on the green network and waterways which was proposed to take place in late October 2023 and would be looking to engage stakeholders to create a better environment based on the green network and waterways as evidence. It was detailed that this was based on the best understanding of the constraints and opportunities for creating a better environment and how to plan for growth including key infrastructure which linked directly into place making. It was considered that this approach provided benefits to the local communities' health and wellbeing, wildlife, and took into account climate change. The Place Strategy Manager concluded by asking that the Committee approve the officer recommendation as detailed in the Committee report.

At the request of the Chair the Democratic Services Officer read out a statement as follows from Cllr Luxford-Vaughan, Portfolio Holder for Planning, Environment, and Sustainability:

“The best plans start from a review of what existing infrastructure provides, including transport networks and employment sites, and then builds on these to determine where the gaps are and where homes would be best situated. Any subsequent call for sites is tailored to facilitate this framework. The preservation and enhancement of existing green and blue infrastructure, and the creation of new ones, is also essential for a sustainable local plan. My frustration with the previous local plan was that it appears to have been approached the opposite way round. Where Landowners put forward sites and the subsequent strategy was then manipulated to suit these locations.

We are in a far more critical situation now. Our current local plan relies on investment in existing infrastructure that is yet to be secured. A significant example is the upgrades to the A120 which we assumed would go ahead and hasn't. Or a RTS, that is yet to demonstrate that it is more rapid than using a car and a link road that was supposedly of strategic importance and could release land for housing but now doesn't link anything.

A strong focus on green networks and waterways in the plan is of course completely welcomed and it may even be the right place to start regarding public consultation. However, I think it is an illogical place to start a planning exercise. Where transport and jobs are far more dominant factors in our daily lives and relate directly to where we live.

The infrastructure audit that was commissioned by the previous portfolio holder I believe was one of the most important pieces of work to prepare us for this local plan review. And should form the basis for any future strategy.

We are all aware that there is an infrastructure deficit in Colchester and the wider area and this needs to be resolved.

Health and wellbeing reviews are also welcomed. However, as health facilities are commissioned once demand is present (i.e. the houses have been built) they can end up being vague and non-committal. Either concentrating on healthy living, or identifying where existing services have capacity. This review needs to predict and commit to where new services will go.

My recommendation therefore would be not to sign off this approach but to say it should be led by the infrastructure audit, whilst ensuring that the core value of the plan, is that it creates a better environment that respects the climate emergency.”

The Chair detailed their concern that the statement had not been sent round to the Committee from the Portfolio holder ahead of the meeting so that Members could digest the information.

The Joint Head of Planning, Karen Syrett, detailed that at the last meeting of the Committee it had been agreed unanimously that the report on the issues and options and engagement of the Local Plan be agreed as well as the proposed engagement and consultation. It was noted in paragraph 5.11 of the report that the first stage of the consultation would be around a green network and waterways which would be published online and would be followed by a call for sites. It was confirmed that the

Local Plan Committee supported this approach at their previous meeting. The Committee heard that prior to the Local Plan Committee meeting in August the Cabinet were briefed on the approach and had signalled their support. It was confirmed that the Portfolio Holder had been briefed in the week prior to the Committee and that none of the issues in the statement were raised and detailed that they would be addressed after the meeting. The Committee heard that there were some issues that were mutually agreed upon which was the need for infrastructure and for it to support new development, but it required evidence and that if the Cabinet signed off for the infrastructure audit then it would be commissioned and would run alongside any other consultation starting with the blue and green infrastructure as well as the call for sites which underpins all the themes in the Local Plan Review approach agreed at the last meeting.

At the request of the Chair, the Democratic Services Officer advised Cllrs Smith and Sommers that they could continue to take part in the discussions and vote despite being Cabinet Members as they had not taken a formal decision on the reports previously in their Cabinet responsibilities. Further to this the Joint Head of Planning confirmed that the approach to the Local Plan was a decision that could be taken by the Local Plan Committee.

Members debated the proposal before the Committee with some Members agreeing with the points that had been raised by the Portfolio Holder for Planning, Environment and Sustainability but detailed that it did cause Members difficulty having a Portfolio Holder that had a view that contrasted with that of the recommendation and that it would be helpful to have a meeting with the Chair and Group spokespersons on the issues with the Portfolio Holder for Planning, Environment and Sustainability to run through some of the points raised in the statement. It was confirmed that the delay on Biodiversity Net Gain would not affect the review of the Local Plan process with debate continuing on the possible cycle routes and their role in the highway network as well as private estates with some Members showing support for the proposal. Members also debated the inclusion of tourism hotspots such as Mersea and Dedham especially since Covid as their popularity had exploded since the pandemic and needed to be looked at in infrastructure terms.

At the request of the Chair the Joint Head of Planning, Karen Syrett, responded that with regards to the cycle network Essex County Council had just consulted on this as well as walking routes and detailed that Officers did feel that this could go further and that for tourism hotspots there had been policies in the past in places like Dedham for a car park to relieve some of the pressure there as well as Mersea.

Members debated the proposal noting that some Members had been unable to attend the previous meeting and that the iterative approach did not mean that the Plan would be decided at a single meeting with some Members adding their agreement to the points raised by the Portfolio Holder putting the focus on housing numbers and infrastructure. It was queried that if this had been put through in the holiday period then this should be raised again. Members debated the Objectively Assessed Need (OAN) which was currently at 920 dwellings per annum which some Members felt was a very high number and as such Colchester had received a high number of housing and population growth and that under the standard methodology this would be increased to 1061 dwellings per annum compared to Tendring District Council who

had detailed that they would be retaining their OAN of 550 dwellings per annum and questioned whether the Council would be resisting these proposed numbers. Members debated the role of infrastructure and the proposed infrastructure audit and the status of the budget as it was fundamental to the plan and detailed that if Essex County Council could not provide an adequate developers guide then the Council should look into creating one as well as the possibility of creating a Community Infrastructure Levy (CIL) or new infrastructure levy that was being proposed. Some Members questioned why the Council was rushing to review the Local Plan when it was being proposed that it could be completed in 30 months and thereby focus attention on infrastructure matters and that the review of the current Local Plan should be in name only and not start again with a new OAN and call for sites.

The Chair advised the Committee that the Local Plan Committee was a decision-making body of the Council and that if a Member missed a meeting there is nothing stopping Members submitting a statement to the Committee to be read out by the Democratic Services Officer.

The Joint Head of Planning, Karen Syrett, responded to the points raised and confirmed that the review was an iterative approach but it was not appropriate to revisit every decision the Committee had previously made and that moving away from the housing numbers as a starting point was exactly what was being proposed and that the idea of starting from the green and blue infrastructure. It was noted all parties wanted an appropriate housing number for Colchester but that this could not contend with Government commitments to deliver 300,000 new homes a year and that it was not indicated that the way housing targets were calculated would change from the standard methodology and as such the Council needed to create an evidence base in line with to move away from the standard methodology. The Committee heard that the infrastructure audit may be promised but detailed that it would be completed when required in the Local Plan review process to inform the evidence base. It was noted that the difficult financial position meant that all carry forwards were being heavily scrutinised and despite an internal effort this work could not be achieved in house. The Joint Head of Planning elaborated that they had been speaking to Essex County Council regarding CIL and that this would be investigated to see what sort of levy could be imposed and what this would mean for section 106 agreements and infrastructure levies. The Committee heard that with regards to delaying the review of the plan there was no reason to do so with the current uncertainty in the plan making system.

At the request of the Chair the Place Strategy Manager advised the Committee that waiting to review would be a risk and that no formal decision on housing numbers had been made at Tendring District Council, but they had had one verbal report that was minuted recently that they needed to do a Local Plan review and that they relied on the same process that Colchester had to follow with regards to OAN but nothing formally had been decided.

Debate continued with Members discussing the timeline of the plan and getting work on the plan done as soon as possible with some Members expressing sympathy with regards to the call for sites and infrastructure, and that there were real world effects as there were currently 315 families were in temporary accommodation so there was clearly a need for social housing. It was note in section 5.7 a workshop would be held

with health and wellbeing professionals. The Committee asked that this is widened to include the users of the service as well.

At the request of the Chair, the Place Strategy Manager outlined that it took over 7 years to create the previous Local Plan and that section 1 had been adopted in February 2021 with Section 2 being adopted in July 2022 but confirmed that Section 1 was the trigger point as it contained the strategic policies which framed the review. It was detailed that the high-level approach would take the Council to submission prior to June 2025 and outlined that there was not a lot of space in the project for time slippage. Further to this it was confirmed that the call for sites gave no status to any site that was put forward and that any and all sites could be discarded at this stage.

Members continued to debate the proposals on issues including: the timing and status of the statement from the Portfolio Holder and whether this represented a collective statement on behalf of the Cabinet, whether the review would connect with the Councils Climate Change Supplementary Planning Document (SPD) and the Essex Climate Actions Commissions work specifically with regards to the Essex Design Guide and ensuring that it was binding for developers. Debate continued with regards to Heritage Concerns and how these would be protected in the review as there were issues within the City of possible damage being caused to the Roman Circus through the ABRO development.

At the request of the Chair, the Place Strategy Manager responded that the Climate Change Team at Essex County Council were looking at how planning could keep up to date with the evidence and legislative changes and this review allows an opportunity to do more than the current plan has allowed and that the context and view on climate change had changed significantly but any new evidence from the climate commission and any other sources would be welcomed to inform the Local Plan as well as Heritage. The Joint Head of Planning, Simon Cairns, confirmed that the Essex Design Guide could not be enforced and was guidance only and that as it was a living document it was difficult to formalise and adopt. The Committee heard that there were mechanisms of protection for Heritage Assets through weighting as clearly laid out in statute and the NPPF. The Committee heard that for non-designated Assets the Council had a system in place of assessing these and adding them to a local list which had received support at Planning Appeals. It was noted that the adopted Local Plan did embrace the concept of non-designated heritage assets and a local list and that with regards to the specific site the SPD did have full weight and can ensure that appropriate weight is given and that if it did receive statutory designation then the full weight of the statute would be applicable.

Discussion continued with Members discussing that statutory requirements were a minimum floor and not best practice and will only get stronger controls and that developers did dodge targets and misuse data and that the Council needed to be robust in the plan that was being put forward. Debate continued with Members noting that the plan would come into main effect in 2030 and that the Council needed to be bold to get to Carbon Net Zero and that the Climate Change SPD should not be contradicted. Members asked whether this could be made a requirement as opposed to guidance and discussed the design code, the community and social infrastructure and questioned whether contact had been made to the Architect Climate Action Network (ACAM) regarding support for officers for advice and information.



At the request of the Chair, the Place Strategy Manager responded by thanking Members for their comments which were appreciated, and that further information would be coming before the Committee on specific areas such as Health and Wellbeing and what was involved. The Committee heard that the review would be evidence based and would respond to what is appropriate and up to date with regards to climate change with the anticipation of going a step further than the Climate Change SPD.

Members discussed the role of Neighbourhood Plans and the work undertaken by communities with concern being raised regarding the overriding of the Myland Neighbourhood Plan by the Local Plan and the weight associated with Neighbourhood Plans. Members discussed the current position of the OAN and the examples of Tendring District Council and North Hertfordshire District Council and whether any learning could be found from them so that issues such as applications in Braiswick could be reviewed.

At the request of the Chair the Joint Head of Planning, Karen Syrett outlined that Myland Neighbourhood Plan had just been reviewed so if there were any issues around this then there was the opportunity to raise this and clarified that with regards to Tendring District Council it had done any work on its housing target and had not successfully challenged it. It was noted that Tendring District Council's last housing target was affected by Unattributable Population Change which may have affected their numbers as it was a rare occurrence. It was noted that since then the 2021 Census data had been published meaning that Tendring District Council had a more robust evidence base to inform their housing targets going forward. With regards to consultation the Committee heard that this had been agreed at the previous meeting as an ongoing basis.

Members discussed the role of the consultations and how some residents felt exhausted by the amount of consultation and the idea that they might dip in and out of consultation was unrealistic as it was all important to them rather than picking a specific area to comment on.

Further questions were raised by the Committee regarding the blue and green infrastructure approach and whether there were examples of other Councils undertaking this method. The Place Strategy Manager responded that there were not any other Councils undertaking this approach that they were aware of but confirmed conversations had taken place with the Planning Advisory Service on how to approach this and how the plan making process could be accelerated.

Following a question from the Committee regarding the priority of the Local Plan and housing need the Place Strategy Manager confirmed that the green and blue infrastructure was a starting point for the plan and that everything was a priority in the Local Plan as it needed to achieve all the required objectives. It was clarified that in the past the Council had looked at housing need first, but the approach proposed was to look at what was currently in place and what opportunities there were to create a better environment.

Members debated the strength of legislation and noted that there was no guarantee

that there would be a stronger protection for the environment and that the Council should be doing whatever it can locally as it could not rely on central Government. Debate concluded with Members requesting that there was a definite need for the infrastructure audit, that a CIL was welcomed, that the infrastructure constraints would be used to inform the OAN and standard methodology, that the ratio for social housing should be higher and that some problems should be resolved with the existing housing stock.

It was noted that Cllr Luxford-Vaughan had joined the meeting and the Chair asked for clarification on whether the statement was on behalf of the Cabinet or as a personal statement. At the request of the Chair Councillor Luxford-Vaughan addressed the meeting and detailed that the statement was in their role as Portfolio Holder and confirmed that they did not disagree with there being a review of the Local Plan but that the focus was off kilter with regards to prioritising the blue and green infrastructure.

*RESOLVED (EIGHT votes FOR with TWO ABSTENTIONS)* That the Local Plan Committee agree to the approach to the Local Plan Review of using the green network and waterways and the “creating a better environment” agenda as the starting point and key purpose of the Local Plan Review.

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### **Colchester Local Plan Review - Call for sites and Strategic Land Availability Assessment**

Bethany Jones, Principal Planning Policy Officer presented the Report to the Committee and assisted them in their deliberations. The Committee heard that the review of sites for the Local Plan would be assessed through the Strategic Land Availability Assessment which would look at sites that could be delivered. It was noted that this was a technical assessment whereby sites would be considered through the site assessment process. The Principal Planning Officer concluded by asking that the report be approved as detailed in the officer recommendation.

Councillor Andrea Luxford-Vaughan addressed the Committee as a visiting Councillor. The Committee heard that the approach proposed was a broad-brush approach which may be a bit advanced in the consultation feedback and that there was a question as to whether it was premature and that some 13% of the sites proposed would not come forward which would mean re-looking at the viability of existing sites and could possibly mean that these would have an increased number of dwellings. The Committee heard that one of the specific details suggested was the distance to a bus route or railway station would be a useful guideline and that it would be better to connect them. The speaker added that the brownfield site register was contradictory when it came to rural and green spaces when there was an emphasis on the rural location. The Committee heard that if a site was in a flood zone then it should not be considered and that if they had a percentage of the area within an Area of Outstanding Natural Beauty (AONB) or Site of Special Scientific Interest (SSSI) then they should not be considered or should at least have a buffer zone. The Committee heard that mineral safeguarding was an important consideration as well as querying whether the 2,500 homes in the Tendring Colchester Borders Garden Community

would be in the reviewed Local Plan. The speaker concluded by detailing that there needed to be consideration regarding Anglian Water as to whether there was a shortfall in the provision that they could administer, because if this was an issue it would feed into a compelling case that Colchester's housing numbers should not go up.

At the request of the Chair, the Principal Planning Policy Officer responded that the need for sites was an overall picture of the development potential across the city with the Committee report outlining that there will be another report after the Strategic Housing Land Assessment methodology which would be in 2024 that will bring the assessed sites forward. The Committee heard that there was the inclusion of infrastructure in the criteria and that the Brownfield Register is updated annually, and that guidance was taken from the Planning Practice Guidance with regards to Flood Zones and the AONB with sites falling away from the process if they were not appropriate. It was added that any site would be considered holistically and that any red rating would not automatically discount a site.

Members debated the proposal with the Committee discussing the call for sites and how the timing of sites being entered into the process was not limited to the timeframe of the consultation and the use of a single criteria and whether this was the right approach. At the request of the Chair, the Principal Planning Officer responded that officers had learnt from the previous Local Plan on issues including how distances were measured and have proposed something different this time and included the settlement boundary review to look at settlement scale and not on an individual basis. It was noted that where there were not any settlement boundaries in the city area they had previously been categorised into North, South, East and West.

Members continued to debate the proposals on issues including the reflections from the work undertaken on the previous Local Plan which included the unintended consequences from the last iteration. Officers responded that some of these points were the reason why a workshop was being organised with officers at both the City and County Council to explore the possible consequences. Members continued to debate the report querying how much flexibility there was in the methodology when it came to Biodiversity Net Gain (BNG) as well as the infrastructure needs for schools and other facilities.

The Joint Head of Planning responded that anyone could put forward sites for consideration but that there was a need to ensure that they were deliverable and viable and whilst considering the different uses for the land and that this could be difficult on smaller sites.

Members continued to debate the proposal noting that there was a five-dwelling cut off point which did have an impact on small builders losing their competitiveness as well as microsites that would not be in the allocations. Some Members noted that there had previously been concern regarding the accuracy of the Brownfield register as well as a query being raised regarding the use of agricultural farmyards and their status as many were run down and with possible asbestos contamination.

At the request of the Chair the Principal Planning Policy Officer responded that the site threshold was a standard designation in Local Plan making and that there was no

evidence to go below this amount so could not be justified. The Committee heard that Brownfield sites and other sites had been included in discussions with Councillors and outlined that if Members were aware of Brownfield sites that they wanted to be considered then these could be reported to Officers for analysis. It was noted by Officers that agricultural buildings did benefit from Permitted Development rights.

The Committee continued discussions with some Members noting their support for small housebuilders and an encouragement for developers to use Brownfield sites. It was noted by members that discussions were currently taking place regarding the definition of Green Belt. Members continued by discussing whether there was a specific allocation for windfall sites and smaller sites.

The Principal Planning Policy Officer outlined that the SLAA had been updated since the previous Local Plan had been created as well as the Planning Practice Guidance and National Guidance based upon research of what had and had not worked in previous plans.

*RESOLVED (UNANIMOUSLY)* that the Local plan Committee (LPC):

1. Agree to launch the Call for Sites
2. Agree to publish the Strategic Land Availability Assessment for public consultation in accordance with Planning Regulations and the Statement of Community Involvement.
3. Agree that minor changes to the Call for Sites proforma and Strategic Land Availability Assessment Methodology can be approved by the Joint Heads of Planning in consultation with the Chair of the Committee prior to the consultation commencing.

## **Consultation on implementation of Plan Making Reforms**

Bethany Jones, Principal Planning Officer, presented the report to the Committee and assisted the Committee in its deliberations. The Committee heard that the Department for Levelling Up, Housing and Communities launched a consultation on the 25 July 2023 implementation of plan making. The Committee were being asked to review the proposed response from the Council which would be sent by Officers on behalf of the Portfolio Holder for Planning, Environment and Sustainability. The Committee heard that the proposal incorporated significant changes which included:

- Plan content
- The new 30-month plan timeframe
- Digital Plans
- The Local Plan timetable
- Evidence and the tests of soundness
- Gateway assessments during plan-making
- Plan examination
- Monitoring of plans
- Supplementary Plans
- Minerals and Waste Plans

- Community Land Actions
- Approach to roll out and transition
- Saving existing plans and planning documents.

The Principal Planning Officer concluded by detailing that the Committee were asked to provide comments which would be given to the Portfolio Holder for Planning, Environment, and Sustainability.

Members discussed the proposals and responses contained within the report and appendix as summarised below:

- That the process for making Local Plans being shorter was welcomed.
- That the introduction of national policies was welcomed to stop duplication of policy at national and local levels.
- Some Members felt that infrastructure contributions should be bolder and should not be a tax on development.

At the request of the Chair the Principal Planning Officer detailed that the 30-month timescale as detailed did have added time scales that were not included in the 30 months which included early engagement which lasted 4 months, and the examination stage is listed for 3 months for modifications. The Principal Planning Officer added that officers were unable to advise on the impact of national policies due to a lack of detail which had been included in the draft response.

At the request of the Chair the Joint Head of Planning, Simon Cairns, detailed that there was a change in approach with regard to Section 106 Agreements but that it was a blunt approach with a spending schedule and added that it would not be appropriate to bring in sites into any review of a local plan that were not viable.

Members continued to discuss the proposals and debate the proposal with the Committee detailing:

- That it was not clear what the golden thread referred to in the document was and that more detail was required.
- That if it sped up the process then it would be welcomed and that it could be worth considering the development of land and whether a tax liability could be considered when developed.
- That if Councils were expected to speed up the process then further resources would be needed both on a Human Resources level but also a financial one.
- A question was raised regarding the requirement for three gateway assessments and whether they were required.

At the request of the Chair the Principal Planning Officer outlined that there was a running theme in the proposed responses that more information was needed to fully answer the questions. This included details required on how processes would work, and general issues surrounding this as well as concerns raised by other Local Authorities regarding the costs associated with an expediated timeline.

