

## LOCAL PLAN COMMITTEE 20 AUGUST 2012

*Present :-* Councillor Bill Frame (Chairman)  
Councillor Colin Sykes (Deputy Mayor)  
Councillors Elizabeth Blundell, Andrew Ellis,  
Martin Goss, John Jowers and Kim Naish

### 8. Minutes

The minutes of the meeting held on 11 June 2012 were confirmed as a correct record.

### 9. Air Quality // Planning Guidance Note

**Councillors Jowers (in respect of his membership of Essex County Council with a Cabinet responsibility for Communities and Planning) and C.Sykes (in respect of a resident in Lucy Lane North being a close personal friend) each declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report on a proposed Planning Guidance Note for Air Quality together with a draft of the Planning Guidance Note and the Air Quality Management Order which included indicative plans of the designated Air Quality Management Areas. The Committee was invited to adopt the Planning Guidance Note.

Karen Syrett, Spatial Policy Manager, and Louise Parkin, Environmental Protection Officer, attended to assist the Committee in its deliberations.

The Environmental Protection Officer explained that air quality monitoring was not carried out solely within the areas indicated on the map because weather conditions have an impact on air borne pollutants. There was a process in place to alert the Environmental Protection Team to the receipt of a planning application which might need to adopt measures to ensure that air quality was not damaged as required within the regulations. Local authorities now had a more important role in ensuring that the limit value of the site was reached. It was acknowledged that the country as a whole would not achieve the limit value for Nitrous Oxide.

In responding to queries from members of the committee, she explained that all relevant data would be used to predict various scenarios depending on modes of transport. There would be a cost implication in terms of developers being asked to address the impact and mitigate against them, but there would be no standard charges. Work was ongoing with consultants on air quality issues for the North Colchester development area.

*RESOLVED* that the Planning Guidance Note on Air Quality be agreed and adopted.

## 10. Boxted Neighbourhood Plan // Planning Guidance Note

**Councillors Chapman (in respect of his home being in Boxted and his role as Chairman of the Joint Advisory Committee of the Dedham Vale AONB and Stour Valley Project), Jowers (in respect of his membership Essex County Council with a Cabinet responsibility for Communities and Planning and his role as Rural Commissioner) and Naish (in respect of the Boxted fishing lake and his membership of The Angling Trust and his role as Essex Consultative on The Angling Trust Eastern Region Freshwater Forum) each declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report on a proposed neighbourhood plan for Boxted together with details of an open day held in July 2012 and a map illustrating the extent of Boxted parish and the proposed area for the neighbourhood plan. The Committee was invited to note that a neighbourhood plan was being prepared for Boxted and to agree that the application for the Boxted Neighbourhood Plan Area as appended to the report be formally published. Following which there would be a six week consultation period on the plan area for the neighbourhood plan and comments would be reported back to this committee in October. Both Boxted Parish Council and Myland Community Council had been awarded Frontrunner status.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations. The report explained that neighbourhood plans differed from village design statements and parish plans because they were community led by either the parish council or a constituted neighbourhood forum; they were subjected to a formal examination and referendum; and if adopted they formed part of the statutory Local Plan, and because of that they carried more weight within the planning system than either village design statements or parish plans. The legislation required the borough council to advertise the area included in the neighbourhood plan on its website for a period of six weeks for comment. During this six weeks a questionnaire would be sent to every household within the proposed area.

Councillor Chapman attended and, with the consent of the Chairman, addressed the Committee. He gave apologies from Ros Cryer, Chairman of the Boxted Neighbourhood Development Plan Committee, who was unable to attend this meeting, and he thanked Karen Syrett and her team for their support. He referred to the three communities within the parish boundaries – Old Boxted around the church; Workhouse Hill; and Straight Road; the process of developing a neighbourhood plan; and the location of Boxted between the Community Stadium on one side of the village and the Area of Outstanding Natural Beauty on the other side, and a general wish to retain the green wedge between Colchester and the village. He acknowledged that there were a number of contentious issues and he asked that the committee support this initial step to start the process for this neighbourhood plan.

In answer to queries from members of the Committee the Spatial Policy Manager confirmed that a neighbourhood plan would form part of the local plan, but could not

diverge from the strategic policies in the plan, including the Site Allocations Development Plan Document (DPD). As such neighbourhood plans would have significant weight and would take precedence where there was any conflict with the local strategic plan on non-strategic issues. A neighbourhood plan could determine style and mix and where future growth was located. Boxted Parish Council and Myland Community Council had both been agreed as frontrunners and funds amounting to £20,000 had been allocated to the borough council for each parish council for the development of a neighbourhood plan. She was not aware of any plans having been adopted elsewhere, but she was aware of the existence of further funding in the pot. Boxted Parish Council was at the start of the process with this early engagement, and at this stage nothing was excluded or discounted.

Members were aware that embarking on a neighbourhood plan brought with it an inherent acceptance of an increase in development within the area which might not be appropriate for all parishes. The process of a neighbourhood plan could frustrate any development before the review of the local plan documents. Members also noted that areas, such as Tiptree, Stanway and Myland with significant allocations of housing, could not disregard the Site Allocations DPD.

The Spatial Policy Manager reported that a neighbouring district council was asking for 6% increase in housing stock in every settlement, and she questioned the sustainability and evidence base for such a blanket increase. A parish might have a site which they consider could come forward for development. Alternatively they could use the Core Strategy review route. During the development of the current Core Strategy, the Spatial Policy Team had offered meetings to every parish council. Great Horkeley had previously accepted some additional development which brought with it a new community centre and some new open space which was now in use for the benefit of the local population.

*RESOLVED* that –

- (a) It be noted that a Neighbourhood Plan was being prepared for the parish of Boxted.
- (b) The application for the Boxted Neighbourhood Plan Area be formally published for consultation.

## 11. Rural Workers Dwellings // Planning Guidance Note

**Councillor Jowers (in respect of his membership of Essex County Council with a Cabinet responsibility for Communities and Planning and his role as Rural Commissioner) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Head of Strategic Policy and Regeneration submitted a report on a proposed Planning Guidance Note to support planning applications for rural workers' dwellings. Appended to the report was a draft Planning Guidance Note. The Committee was invited to adopt the document.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations.

Councillor Chillingworth attended and, with the consent of the Chairman, addressed the Committee. He supported the adoption of the proposed Planning Guidance Note. His occupation as a planning consultant required him to give advice to his clients on this area. Since the National Planning Policy Framework had been published problems had been identified due to the cancellation of PPS7 which removed valuable technical advice. He referred to some of the problems arising in a recent difficult case because of the vacuum in this policy area. He was of the opinion that the main difficulty revolved around the words "essential need" which were now undefined since the loss of PPS7 which had set out consistent guidance and was well regarded. This proposed Planning Guidance Note repeated nearly everything that had been in PPS7 and provided clarification which would enable consultants to draft planning applications.

The Spatial Policy Manager explained that the proposed Guidance Note did not set out new policy. Planning policy was in the Local Development Framework documents and the National Planning Policy Framework. The latter document supported the avoidance of new homes in the countryside except in special circumstances, one of which was for essential need for a rural worker to live at or near their work. The proposed Planning Guidance Note would provide guidance on how applicants could demonstrate that need. She also noted that paragraph 55 of the NPPF referred to a rural worker whereas PPS7 referred to agricultural workers.

*RESOLVED* that the Planning Guidance Note for Rural Workers' Dwellings be agreed and adopted.