

LOCAL DEVELOPMENT FRAMEWORK COMMITTEE

12 DECEMBER 2011

Present :- Councillor Henry Spyvee (Chairman)
Councillors Mark Cory, Beverly Davies, Andrew Ellis,
John Jowers and Kim Naish

Substitute Members :- Councillor Terry Sutton for Councillor Elizabeth Blundell
Councillor Bill Frame for Councillor Martin Goss
Councillor Nick Cope for Councillor Colin Sykes

18. Election of Chairman

RESOLVED that Councillor Spyvee be appointed Chairman for the meeting.

19. Minutes

The minutes of the meeting held on 2 November 2011 were confirmed as a correct record, subject to Councillor Turrell being recorded as having attended the meeting.

Councillor John Jowers (in respect of being a member of Essex County Council with a Cabinet responsibility for Communities and Planning and for funding the Rural Community Council of Essex) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

20. Dedham Parish Plan // Planning Guidance Note

The Head of Strategic Policy and Regeneration submitted a report on a Parish Plan for Dedham, appended to which was the final Parish Plan document which included a schedule of Action Plans.

Beverley McClean, Coast and Countryside Planner, attended to assist the Committee in its deliberations.

Councillor Garnett attended and, with the consent of the Chairman, addressed the Committee in support of the Dedham Parish Plan. He thanked the Rural Community Council of Essex and the Dedham Vale and Stour Valley Project for their contributions towards the Parish Plan. He referred to the good response from the village community and requested that their contribution and that of the unofficial working party were acknowledged in the minutes. He was appreciative of the guidance given by officers and he commended the Dedham Parish Plan to the Committee. In response to a query regarding the lack of any mention of the allotments in Dedham within the section on village amenities, Councillor Garnett responded that the allotments were fully occupied and there was a scheme for more allotments to be provided on new land.

RESOLVED (UNANIMOUSLY) that the Dedham Parish Plan be agreed and adopted

as a Planning Guidance Note.

Councillor John Jowers (in respect of being a member of Essex County Council with a Cabinet responsibility for Communities and Planning and for funding the Rural Community Council of Essex) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

21. West Bergholt Village Design Statement // Planning Guidance Note

The Head of Strategic Policy and Regeneration submitted a report on a Village Design Statement for West Bergholt, appended to which was the final Village Design Statement.

Beverley McClean, Coast and Countryside Planner, and Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations.

Councillor Harrington attended and, with the consent of the Chairman, addressed the Committee. He gave credit to West Bergholt Parish Council as authors of the Village Design Statement. The Village Design Statement indicated what it was like to live in West Bergholt and the document would be helpful to any potential developers because it set out what would be acceptable within the locality. He commended the Village Design Statement which and gave credit to the authors and their responses to various issues.

The Coast and Countryside Planner drew attention to an error in recommendation DG31 which should read "Highly reflective solar panels should not be installed if they have a visual impact on neighbouring properties or the roof scape of the village." Members of the Committee raised issues regarding any legal restrictions in respect of solar panels (DG31) and satellite dishes/wind turbines (DG32), and affordable housing required by young people and for those who were downsizing. Whatever building project was proposed, it had to conform with the local development framework but this additional document described the form of development which would be acceptable. This document had been developed by local people who have explained what their locality is like and what form the future built environment will take.

RESOLVED (UNANIMOUSLY) that the West Bergholt Village Design Statement be agreed and adopted as a Planning Guidance Note.

Councillor Terry Sutton (in respect of being acquainted with one of the former directors of Wilkins and Sons) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Bill Frame (in respect of being acquainted with the Chairman of Wilkins and Sons) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

22. Tiptree Jam Factory Plan // Update

The Head of Strategic Policy and Regeneration submitted a report on progress made with the preparation of the Tiptree Jam Factory Plan and invited the Committee to endorse further consultation under Regulation 25.

Laura Chase, Planning Policy Manager, and Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations. In the Planning Policy Manager's introduction she referred to the background to the Plan, the reason for the additional consultation, and the evidence base being prepared by consultants. There was nothing to report on the Council's application for Frontrunner status.

Roy Williams addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). Following on from the Committee's previous meeting he had believed that the process would start from the beginning and that there would be a full consultation. He referred to a Melville Dunbar background document which had been on the Council's website but had been replaced by an identical document with the borough council logo replacing the company logo. The document identified the preferred option and he did not know if this option had been decided by the Council. He asked for an explanation.

Steve Read addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He did not understand the necessity for this process because the current LDF document for Tiptree had been found sound only one year ago. He was disappointed that the consultation relied on work done by Wilkins and Sons and the document being biased towards the company's preferred option. He was grateful to officers for assisting his understanding of the process but it appeared to have moved away from an independent robust process. He understood that supporting reports and studies would be provided by Melville Dunbar and it appeared to him that the applicants were writing their own planning policy which he considered to be nonsense.

Spatial Policy officers explained that the objective was to make it clear that they were consulting on proposals made by Wilkins and Sons and the Council was not supporting any proposals at this stage and the consultation enabled interested parties the opportunity to comment. Documents contributing towards the evidence base would be prepared and paid for by Wilkins and Sons and would be developed together with any other relevant studies and the resulting body of information would be assessed. In terms of the wider situation, the planning policy process was undergoing a transitional process and detailed regulations on neighbourhood planning were not expected until April 2012. The Government had made it clear that much of the work for the new Neighbourhood Plans would be prepared by others such as parish councils, neighbourhood groups, forums etc. Reference was made to other situations where this process had been undertaken and studies had been shared with others.

It was also explained that that the purpose of this process was to give the Council more scrutiny. In the absence of a plan, decisions on a planning application would be taken by the Government. If a planning application was refused it could be appealed and an

Inspector would take a decision; if a planning application was approved it would have to be referred to the Secretary of State as a departure from the LDF and the Secretary of State would make the decision. In respect of the Tiptree Jam Factory Plan, it was confirmed that no decision had been made and no-one had been forced to take any particular course of action. If or when a plan came back, it would come to this Committee.

Members of the Committee sought confirmation on whether this was a neighbourhood plan which it was understood would need a referendum, and whether there was a genuine appetite for this in Tiptree and if so whether there was an option to call a halt to it before it went to the Inspector. There were concerns that Melville Dunbar was providing the plan instead of the Council's independent consultant, and that the Melville Dunbar document on the website should be attributed correctly. Such a mistake on the website was considered to be an unfortunate communication error and created unease amongst committee members. There was a need to be clear about the differing roles of the Council and the consultants.

It was explained that, in the absence of regulations on Neighbourhood Plans, the Council was using the existing Development Plan Document (DPD) process. The Department for Communities and Local Government supported a flexible approach to neighbourhood planning and was supporting some schemes in the spirit of neighbourhood planning in advance of new regulations coming into force. The Council had applied for Frontrunner status for this scheme and two others. This unique set of circumstances meant that the Council could not look to other places for examples of best practice. In response to a query regarding the Site Allocation DPD process, it was explained that the site had been proposed as an alternative to the Grange Road site but had not been included at that stage, since the debate at the Site Allocations examination focussed on meeting the housing target for Tiptree rather than looking at additional enabling development.

RESOLVED (MAJORITY voted FOR) that progress made with the preparation of the Tiptree Jam Factory Plan be noted and that further consultation under Regulation 25 be endorsed.

Councillor Henry Spyvee (in respect of his membership of a charitable company which owned a property included in the Colchester Local List) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Nick Cope (in respect of his property being included in the Colchester Local List) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

23. Colchester Local List

The Head of Strategic Policy and Regeneration submitted a report on a Local List

which had been prepared for Colchester, and invited the Committee to formally adopt the Local List of locally important assets.

Beverley McClean, Coast and Countryside Planner, and Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations. In the introduction by the Coast and Countryside Planner, she referred to the Local List having been undertaken by a local panel which included Philip Crummy. With only one or two exceptions, generally people supported the inclusion of their building on the list. The Local List was currently stored on an independent website but, subject to its adoption, it would be migrated to the Council's website as a layer on c-maps and the Council's IT planning application known as Civica. There was a need to determine how amendments would be carried out, but in any case it was likely they would be done on an annual basis. Philip Crummy had been asked if he would act as adjudicator in cases where a building was borderline. The Spatial Policy Manager referred to Alistair Day, Principal Planning Officer, being available to assist.

Members of the Committee welcomed the input from the wealth of historians on this project and thanked the historians and the officers who had assisted with the list.

RESOLVED that the report be noted and the Colchester Local List be formally adopted.

Councillor John Jowers (in respect of being a member of Essex County Council with a Cabinet Responsibility for Communities and Planning) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

24. Annual Monitoring Report

The Head of Strategic Policy and Regeneration submitted a report appended to which was the Annual Monitoring Report for 2011 including a section on the monitoring of key indicators and general performance within the themes of: Housing; Economy and Business; Transportation; Environment and Heritage; Accessible Services and Community Facilities; and Climate Change.

Laura Chase, Planning Policy Manager, attended to assist the Committee in its deliberations.

Members of the Committee commented that this was a good report which showed the Council in a very good light. Particular mention was made of the Council's position as a Pathfinder for the Community Infrastructure Levy initiative. The Spatial Policy Team was congratulated on the breadth of work they had undertaken which was illustrated in the report.

RESOLVED that the Annual Monitoring Report be recommended for approval by the Portfolio Holder for Planning and Sustainability.