

LOCAL PLAN COMMITTEE

3 FEBRUARY 2014

Present :- Councillor Bill Frame (Chairman)
Councillors Lyn Barton, Elizabeth Blundell, Andrew Ellis,
Martin Goss, John Jowers and Kim Naish

23. Minutes

The Minutes of the meeting held on the 16 December 2013 were confirmed as a correct record.

24. Have Your Say!

Mrs Whittaker addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) in respect of the Government Inspection of the Local Plan Review. Mrs Whittaker explained that she had attended the Inspector's review and had previously requested information on where paper copies of the Committee Papers were available to the public. She was directed to Angel Court and then to the library without success. In response to a request regarding whether the Inspector's review had been advertised in the press, Mrs Whittaker explained that she was informed that such advertisement could not be afforded. Mrs Whittaker requested that the Committee advise her on any legal requirement to publish details of Committee documents in print and whether the date of subsequent meetings could be announced at the end of each meeting.

Ms Karen Syrett, Place Strategy Manager, responded and explained that although the Inspector's review was not advertised using a formal notice, a press release was published as these were believed to generate greater interest. Hard copies of Committee papers were available in the Library and Community Hub, although she accepted that not all the library staff may be aware of their presence. The Place Strategy Manager advised that her team would alert library staff when they placed documents there. Regarding the scheduling of Committee meetings, all the Committee dates were published on the Council website and kept up to date. She believed that, although a great deal of discussion was had at the review, all questions were responded to. She offered to provide a formal, written response to Mrs Whittaker if required.

25. Messing-cum-Inworth Neighbourhood Plan Area

Councillors Jowers (in respect of his membership of Essex County Council Cabinet with Strategic Plan responsibility) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Commercial Services submitted a report asking the Committee to formally

approve the Messing-cum-Inworth Neighbourhood Plan Area. The Committee had before it a report in which all information was set out. A map of the proposed Neighbourhood Plan Area and the application letter were attached as appendices to the report.

The report identified that, if adopted, the Neighbourhood Plan would become part of the statutory Local Plan and carry weight within the Planning System. The Neighbourhood Plan Area directly corresponded with the administrative ward area for Messing-cum-Inworth, which was considered appropriate. The Plan had been published for consultation, which ran for six weeks until 2 October 2013 during which no substantive comments were received.

Mr Christopher Downes, Planning Policy Officer, attended to assist the Committee with its deliberations.

The Committee was pleased to see that a small community recognised the value of a neighbourhood plan. The Planning Policy Officer clarified that funding from the DCLP to the Borough Council was allocated per area, not in relation to population, and would be delivered in stages as the plan progressed.

RESOLVED that the Messing-cum-Inworth Neighbourhood Plan Area be formally approved.

26. Magdalen Street Development Brief

Councillors Jowers (in respect of his membership of Essex County Council Cabinet with Strategic Plan responsibility) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Commercial Services submitted a report asking the Committee to adopt the Magdalen Street Development Brief. The Committee had before it a report and amendment sheet in which all information was set out. The draft Magdalen Development Brief was attached as an appendix to the report.

The report identified that the Development Brief included a mix of predominately Residential land and White Land (with no allocation) within an indicative layout that, it was believed, would deliver comprehensive redevelopment. The report detailed a number of constraints which would have to be considered alongside any future development on the site including the historic environment, air quality, ground contamination, density and building height. Commercial floor space and the number of residential units were not prescribed in the brief and would be subject to individual site design. The level of affordable housing was expected to reflect policies found in the Local Plan.

Mr Michael Siggs, Clerk to the Winnocks and Kendalls Almshouse Charity and the St Mary Magdalen Hospital Almshouse Charity, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He explained that the charities he represented were examples of community concern for the welfare of older people and

supported the housing needs of people with learning difficulties. Mr Siggs discussed the housing need for people over 65, which was to grow by 2.2 million in the next 20 years. He suggested that accommodation for older people needed to be appropriately designed with strong links to the community and local health and social care providers. Mr Siggs then referred the Committee to the Homes and Communities Agency's prospectus, which emphasised the need for local authorities to work with community led organisations to make sites available to providers of accommodation at nil cost.

Ms Sarah Pullin, Planning Policy Officer, attended to assist the Committee with its deliberations and advised of an addition to paragraph 4.9 of the report, which examined in greater detail the matter of open space and the public realm. The Planning Policy Officer highlighted the transport links to the site and the 21st century gateway vision expected from the development. It was further explained that the Council owned land south of the street and had an option for a 125 year lease, at a peppercorn rate, at the rear of the railway site.

The Committee welcomed the project and were pleased to read that tree planting had been proposed within the brief. Concerns regarding car parking facilities and the amount of traffic were expressed by several Members.

RESOLVED that the Magdalen Street Development Brief be adopted.

27. Tendring District Council Draft Local Plan

Councillors Jowers (in respect of his membership of Essex County Council Cabinet with Strategic Plan responsibility) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Commercial Services submitted a report asking the Committee to consider the content of the Draft Tendring Local Plan, the implications for Colchester and to provide comments to inform the response to be sent by the Portfolio Holder for Planning, Community Safety and Culture. The Committee had before it a report in which information about the Draft Local Plan was set out. A key diagram for Spatial Strategy was attached as an appendix to the report.

The report identified that only the changes made to the Local Plan were included in the consultation. The report also outlined the requirement of the Local Plan to have been prepared in accordance with the Duty to Co-operate as well as legal and procedural requirements. The tests by which the soundness of the Local Plan would be assessed required the Plan to be positively prepared, justified and effective.

Councillor Ray Gamble attended and, with the consent of the Chairman, addressed the Committee. He considered the Duty to Co-operate and what the significant shortfall in Tendring's housing supply would mean for Colchester. He was displeased that Tendring's inability to meet their housing demands would result in Colchester having to provide additional housing. Councillor Gamble suggested that the site allocations of Tendring would put pressure on Colchester's infrastructure and he urged the

Committee to feedback to Tendring their unhappiness.

Councillor Paul Smith attended and, with the consent of the Chairman, addressed the Committee. He explained that the inter-relationship between Colchester and Tendring was significant, with nearly 50% of those living in Tendring working in Colchester. He emphasised that Colchester would benefit from a successful Tendring, which would require Tendring to provide more housing and more employment. Councillor Smith suggested that pressure was being put on Colchester and that what Tendring needed was a critical friend.

Ms Karen Syrett, Place Strategy Manager, attended to assist the Committee with its deliberations. She explained that when Tendring's Local Plan was published for consultation in 2012 the timescales and evidence base of the Plan caused concern. These problems had been somewhat addressed, with updated evidence and an extension of the Plan to cover 15 years. The Place Strategy Manager went on to explain that the Local Plan was broadly split in to two parts for housing purposes, with specifically identified sites within years 1 – 10 and broad areas identified in years 11 – 15. Over the entire period, just over half of the housing target would be achieved. Under the National Planning Policy Framework there was an expectation that neighbouring authorities would meet any shortfall. It was noted that Colchester Borough Council were starting to prepare their own new Local Plan and discussions with neighbouring districts would arise.

The Committee were pleased to see the Portfolio Holder for Planning, Community Safety and Culture was in attendance and hoped the Committee's discussion would be of help. The Committee expressed concern at the lack of infrastructure development included in the Tendring Local Plan and identified that although smaller individual groups of development would not require additional infrastructure in isolation, when considered cumulatively it would be needed. The Committee believed that under the current proposals, Colchester's own infrastructure would be put under strain from Tendring's developments, as many of the sites were on the Tendring / Colchester boundary.

When considering the housing numbers included in the Local Plan, the Committee suggested that catering for just over half of the housing requirement was insufficient and was concerned that the Duty to Co-operate would require Colchester to provide additional housing on top of existing demands.

The Committee examined the changes to Tendring's Local Plan against the tests for soundness and found them lacking. It was asked, if an inspector came to a similar conclusion, what implications this would have for Colchester. The Place Strategy Manager advised that the Council would be under significant pressure to approve any applications received for additional sites, if the housing demand for Tendring was also to be considered. She suggested that, as infrastructure was a cross boundary issue, it would be best for neighbouring boroughs to discuss plans with each other.

The Committee discussed the viability of proposed developments and established that sites in Clacton and Harwich were considered to be unviable and unlikely to be delivered. To improve viability it was suggested that Tendring may wish to revise its

affordable housing policy.

It was considered that the Local Plan was still, in practice, a 10 year plan stretched over 15 years. A member of the Committee advised that Haven Gateway were keen to pursue economic regeneration in the Tendring area and that additional employment and additional housing were interdependent.

The Committee emphasised the need to have an open discussion with Tendring in order to improve the Local Plan outlook for both parties. It was noted that this applied at officer and Councillor level. The Committee hoped to help Tendring with the development of its Local Plan, however also wished to maintain the Council's own timescale.

The Place Strategy Manager summarised that the Committee's areas of concern included the housing numbers identified in the Plan, the Plan timescale, infrastructure and the altered site allocations. It was also suggested that Tendring District Council engage with neighbouring authorities and other stakeholders.

RESOLVED that the Portfolio Holder for Planning, Community Safety and Culture finalise a formal Council consultation response based on the Committee discussion.