Local Plan Committee

Monday, 06 November 2017

Attendees:	Councillor Lewis Barber, Councillor Nick Barlow, Councillor Nigel Chapman, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Martin Goss, Councillor Dominic Graham, Councillor Martyn Warnes
Substitutes:	Councillor Patricia Moore (for Councillor John Jowers)
Also Present:	

121 Have Your Say!

Councillor Smith, in his capacity as Leader of the Council, attended and, with the consent of the Chairman, addressed the Committee. He stated that the Committee could continue with the draft Local plan and build 920 houses per year or it could delay its submission and risk being penalised by being required to build a higher target of 1,095 houses per year. It was in all Colchester residents' interest to build an effective planned development and, as such, it was a necessity that careful consideration was given to all proposals, particularly those concerning the Garden Communities. He referred to other Essex Local Authorities who had expressed interest in the Garden Community principle, already started in North Essex. He was of the view that the Council needed to retain control of development, rather than landowners and developers, so that the benefit to local communities could be maximised. development needed option for development which should ensure that Colchester would receive the maximum benefit from the proposals. He urged the Committee to continue, to look carefully at the Garden Community proposals particularly given the support given to them by the Government. Colchester had received 28% of the total national funding in the latest round of allocations which reflected the importance given to the proposals by the Government. It was a very significant opportunity for Colchester with a way to ensure that infrastructure was provided first, a feature which no other options provided.

John Akker addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He was interested to know what response had been made by the Planning Inspector in relation to the Government's consultation on housing needs and whether it had any implications for the current examination. He also asked why no motion had been put to the recent Council meeting on the consultation. The dire consequences of the White Paper had been referred to at the previous meeting of the Local Plan Committee and he considered there had been a missed opportunity for all Council members to voice their collective opposition to the consultation at the Council meeting. He also referred to the views of the local Members of Parliament on the consultation and whether they were aware of the White Paper's implications for the

Council. In terms of the Garden Communities, he expressed his concern regarding the volume of information contained in the Committee's agenda and the ability of the Committee members to devote sufficient time to adequately assimilate the volume of information before them for determination at this meeting. In the light of the huge implications, he was of the view that the Committee members required more time to consider the consultative documents on the two Garden Communities. He further felt the Committee needed more control of the process and, as such, urged the Committee members to defer their consideration.
The Chairman explained that the Council would be responding formally to the Government's White Paper and reassured Mr Akker that Councillors were all familiar with the need to allocate appropriate time prior to a meeting to read the information provided to them and it was for individual councillors to take responsibility to manage this workload.

The Place Strategy Manager confirmed that the Council would be objecting to the Government's consultation paper, the draft Local Plan, prepared on the basis of a requirement of 920 houses per year, had already been submitted for examination and, as such, would not be subject to the revised housing needs assessment method contained in the White Paper. The proposals set out in the consultation paper did not therefore affect the Council's draft Local plan, as now submitted. She also confirmed that details of correspondence from the Inspector and the Council's response had been published on the joint website for Section 1 of the draft Local Plan examination.

Sir Bob Russell addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to the minutes of the previous meeting and the comments in relation to Salary Brook. He considered the proposals in relation to Middlewick should be resisted at all costs and that the Ministry of Defence was being negligent in planning to sell off one of its two firing ranges in a Garrison town. From his reading of the map contained in the Issues and Options document he noted that, so far as Salary Brook Valley was concerned, there would be no development on the Eastern Slopes of Salary Brook, and as such, he thanked the Committee, the ward councillors and the officers for this acknowledgement of the arguments made over a number of months. He was of the view that, in order to prevent any potential misunderstanding between landowners and developers, this acknowledgement also needed to be reflected in the text in the document, to the effect that 'There shall be no development on the eastern side of Salary Brook which is visible from Greenstead and Longridge'.

In terms of Middlewick Ranges, the Chairman acknowledged the concerns about the loss of one of the Garrison's assets but reiterated the importance of including the proposed development in the draft Local Plan as to do otherwise may lead to the imposition of development on a larger scale than that specified in the draft plan.

The Committee members were of the view that a textual amendment to the document to acknowledge the protection of the eastern side of Salary Brook would be appropriate.

Tony Ellis, on behalf of Langham Parish Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He explained that Langham Parish Council welcomed the move away from a developer led approach, together with a greater focus on infrastructure, services, health and education., although it was regretted that this was happening late in the process. Langham had already delivered an example of a developer led approach to site allocations in the Local Plan. He explained that the current sewage provision was totally inadequate with the current recycling plant already over capacity. Whilst planning permission had been granted for 36 additional dwellings in Boxted and a further site allocation in the Local Plan for Langham of another 80 dwellings. Additional permissions meant that there was likely to be a shortfall in capacity of up to 250 dwellings. The Parish Council had informed the Planning Inspectorate of its concerns about the sewage provision and the soundness of the plan. In addition the road infrastructure and sub-standard access junctions would not be able to cope with the extra load imposed from additional development to the extent envisaged in the plan. He also referred to poor medical facilities and requested the Committee to review the current proposals in order to address the lack of infrastructure in Langham.

RESOLVED that details of the suggested wording be circulated to the members of the Local Plan Committee and an appropriate amendment be made to the Tendring and Colchester Borders Garden Community Issues and Options document to reflect views expressed regarding the protection of the eastern side of Salary Brook.

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RESOLVED that, subject to the rewording of that part of Councillor Graham's comment at Minute No 120 to 'He acknowledged residents' concerns about the provision of NHS and health services but the Council had very little influence over these service providers and, as such, it was wrong to seek assurances from this committee in relation to solutions.' the minutes of the meeting held on 2 October 2017 be confirmed as a correct record.

123 Local Development Scheme

The Committee considered a report by the Assistant Director Policy and Corporate giving details of the proposed changes to the Local Development Scheme (LDS).

Karen Syrett, Place Strategy Manager, presented the report and responded to members questions. It was explained that the LDS was an essential tool used to keep the Local Plan up to date and provide details of consultation periods, public examinations and expected dates of adoption and publication for each document. The Committee had previously reviewed the LDS in August 2016 and February 2017 and it now required updating to reflect the latest developments in Colchester's plan-making as follows:

- For the full Local Plan, the new timetable retained the same adoption date of September 2018 as the previous LDS, but minor one month adjustments had been made for the submission and examination dates to reflect the actual position. Additionally, the adoption date for Section 1 had been moved to align with Section 2 to reflect that all parts of the plan would need to be found sound before the plan as a whole was adopted. The dates programmed for plan examination reflected the Planning Inspectorate's current rate of delivery on plan examinations;
- For the Joint Strategic Growth Development Plan Documents (DPDs) being prepared jointly with Braintree and Tendring, the authorities had agreed that consultation on these DPDs would include two consultation periods prior to the pre-publication consultation instead of just one;
- Great Tey Neighbourhood Plan had been added to the list of Neighbourhood Plans under preparation, reflecting the fact that the Plan Area was approved in June 2017.

The LDS also set out which documents would form part of the Colchester Local Plan along with the timetable for the preparation and review of each document. The key dates for planning documents were:

- Local Plan

Submission – October 2017
Examination of Section 1 - January 2018
Examination Section 2 – April 2018
Adoption of full plan – September 2018

- Community Infrastructure Levy Charging Schedule and Planning Obligations DPD, to be prepared in tandem with the Local Plan (Part 2)
- Joint Development Plan Documents for Garden Communities

Issues and Options consultation – Nov 2017- Jan 2018
Preferred Options consultation- June/July 2018
Submission version consultation – Jan/Feb 2019
Submission – April 2019
Examination –June 2019
Adoption - November 2019

- Neighbourhood Planning

Boxted – NP Adopted December 2016
Myland – NP Adopted December 2016
West Bergholt – Plan Area adopted in July 2013
Wivenhoe – Plan Area adopted in July 2013
Stanway – Plan Area adopted in June 2014
Tiptree – Plan Area adopted in February 2015
Eight Ash Green – Plan Area adopted in June 2015
Marks Tey – Plan Area adopted in September 2015
West Mersea – Plan Area adopted in November 2016
Great Tey – Plan Area adopted June 2017

- Evidence base documents and updates which will be necessary to support the

Local Plan Review

- Changes to the text of the LDS to reflect the range of documents outlined above.

There was no longer a requirement to include Supplementary Planning Documents (SPDs) and the only SPD programmed for the next three year period was on Planning Obligations. Future additional SPDs as well as further guidance notes and development brief documents may therefore be produced by without formal modification of the LDS due to their non-statutory status in the decision making process.

In response to a question from Councillor Ellis regarding the timing of the adoption of Community Infrastructure Levy (CIL) charging levy and Development Plan Document, the Place Strategy Manager explained that in the absence of information regarding the Government's intentions in relation to the Government's intentions, it had not been considered appropriate to proceed in relation to CIL. The issue was being kept under review and when further information was published the CIL programming could be amended accordingly and the LDS brought back to the Committee for approval.

RESOLVED that the changes to the Local Development Scheme be agreed.

124 Colchester Braintree Borders Garden Community and Tendring Colchester Borders Garden Community // Issues and Options Consultations

Councillor Graham (in respect of his employment by Holmes and Hills Solicitors) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered reports by the Assistant Director Policy and Corporate seeking agreement to the publication of the Colchester Braintree Borders Garden Community and the Tendring Colchester Borders Garden Community Issues and Options consultation documents and the Sustainability Appraisals and Strategic Environmental Assessments for an eight week period of consultation.

Christopher Downes, Planning Policy Officer, presented the report and, together with Karen Syrett, Place Strategy Manager, responded to members questions. It was explained that the principle of development of the Colchester Braintree Borders Garden Community (CBBGC) and Tendring Colchester Borders Garden Community (TCBGC) was identified in the joint strategic Section One of Tendring District, Colchester Borough and Braintree District Councils' Submission Local Plans. In addition, Local Plan Policy SP9 specifically referred to development of Garden Communities at Colchester Braintree and Tendring Colchester Borders and required Strategic Growth Development Plan Documents (DPDs) be prepared to guide their delivery. The emerging CBBGC and TCBGC Plans, which were subject to the Issues and Options consultation, would be the Strategic Growth DPDs referred to in the Local Plan.

It was considered that the carrying out of an Issues and Options consultation on the planning of the Garden Communities prior to the Local Plan examination would serve to demonstrate progress on the Section One proposals whilst at the same time providing the Councils with an opportunity to carry out an additional, early stage of consultation with local communities and stakeholders. Two further stages of consultation would accompany the Preferred Options stage and Publication stages and, additionally, local communities affected by the proposals would be proactively engaged to ensure their views were fed back into proposals as well as ensuring they were kept informed of progress which would be facilitated by independent Community Enablers. The consultation documents gave details of the vision for the new communities, the strategy for delivery and provided a summary of the evidence base. It was also explained that the Garden Communities were being overseen both by the strategic planning partnership agreed between Colchester, Braintree, Tendring and Essex Councils, as well as North Essex Garden Communities Ltd (NEGC Ltd). NEGC Ltd was jointly owned by the four Councils to drive the delivery of the three Garden Communities and secure investment in enabling infrastructure across the wider area. Through NEGC Ltd, the Councils would act as the 'lead developer', having more control over type of development, design and rate of delivery as well as the ability to commit to an 'infrastructure first' approach. This would ensure that transport improvements (including new roads), schools, health and leisure facilities were developed ahead of or alongside new housing, to adequately serve the needs of the new community and to minimise any adverse impacts on existing communities. This innovative delivery approach would also give the Councils a key role in attracting investment and businesses to assist in the creation of vibrant, thriving and sustainable communities.

It was intended that the North Essex Garden Communities Charter would be embedded into the planning and delivery of the Garden Communities, providing a set of Principles against which strategies, policies and proposals could be monitored. Furthermore, the development potential of the Garden Communities had been explored in Concept Framework studies which had been published as part of the evidence base. These studies looked at the area of search identified in the Local Plan for the Garden Communities, suggesting the distribution and location of land uses and associated infrastructure that could be accommodated to meet the aspirations of the North Essex Garden Communities Charter as well as emerging Local Plan policies.

The Concept Frameworks identified an overall capacity for up to 24,000 homes within the CBBGC and up to 7,500 homes within the TCBGC with the following common key attributes:

- Distinct development parcels each with its own characteristics and each with a particular role to play in the new community as a whole. Each of these 'neighbourhoods' serviced by essential community infrastructure, all within walking distance, including educational establishments, local shops, public transport services, employment opportunities and recreational facilities.
- Green buffers that provide visual and physical separation between new

development and existing communities; establishing an attractive landscape setting for the new development; providing space for functions such as storm water management; and creating opportunities for formal and informal recreation, including enhanced cycle and footway links to surrounding settlements.

- Generous amounts of accessible green spaces and landscaping, providing opportunities for recreation as well as creating a distinctive, verdant townscape.

With the following additional key attributes within the CBBGC:

- Rerouting of the A120 to a new alignment between Braintree and Marks Tey, removing strategic through-traffic from passing through the centre of Marks Tey and thereby improving the living environment and cohesiveness of the existing community.
- Rerouting of the A12 between Feering and east of Junction 25 to a new alignment to the south of the Garden Community.
- An opportunity to relocate the railway station to increase capacity and frequency of services.
- New employment areas between the railway and the old A12 alignment, and separately close to the new junctions on the A12 and A120.
- Five large new residential neighbourhoods around a new Town Centre, separated by broad green corridors connecting to open countryside.
- Sites for up to nine new primary schools and three new secondary schools.
- Sites for future health provision to service the needs of the future settlement.
- A rapid transit public transport spine through the centre of the Garden Community connecting a new Park and Ride site near the A12, new employment areas, the new Town Centre and the settlements local centres with Colchester, Sudbury, Braintree and the wider north Essex area.

With the following additional key attributes within the TCBGC:

- A new Country Park at Salary Brook incorporating substantial amounts of additional land to that currently designated as a Local Nature Reserve.
- A new link road from the A133 to a new junction on the A120.
- An employment area close to the A120 to the east of the new link road.
- Land for the expansion of the University's Knowledge Gateway to the north of the A133.
- Land for the expansion of the University Campus to the east of Brightlingsea Road south of the A133.
- Two residential neighbourhoods north of the A133 separated by a broad green corridor connecting Salary Brook to open countryside.
- Smaller-scale, lower density areas of housing development close to Crockleford Heath.
- Mixed use centres close to the A133, the proposed expansion of the University and to each proposed new neighbourhood.
- Sites for up to four new primary schools and a new secondary school.
- A rapid transit public transport spine through the centre of the Garden Community connecting a new park and ride with the A120 and A133, employment areas, the mixed

use centres and the University with Colchester Town Centre and the wider north Essex area.

Within the document consultees would be asked their opinion on what is perceived to work well in the Concept Framework and also what does not work as well whilst the inclusion of the spatial approach was intended to provoke discussion and would be refined as the Plans progressed. The consultation responses would play a key role in shaping the 'Preferred Options' stage which would set out the Councils' preferred strategies and approaches to addressing the planning issues in the form of a draft Plan. The Preferred Options would be subject to formal public consultation which was anticipated to take place in summer 2018.

Rosie Pearson, on behalf of Campaign Against Urban Sprawl in Essex (CAUSE), addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). She considered that money was being wasted on the consultation, given the previous consultation had only recently been concluded, CAUSE's representations had not been taken into account and the Planning Inspector had not yet issued a determination. She considered there was no need for the consultation at this time, particularly given the programming of the Garden Community proposals towards the end of the plan period. She continued to be concerned about the lack of infrastructure at Marks Tey and the outcome of the consultations on the routes for the A12 and A120 were still awaited. She was of the view that a new railway station was unlikely to be built while the estimated costs were increasing. She was also sceptical about the plans for a rapid transport system. She was of the view that the consultation should be postponed until after the Inspector had agreed the principle at which point there would be more certainty about the proposals. If the consultation proceeded she considered it likely that CAUSE would advise its supporters to be cautious in responding to the consultation questions. She asked the Committee to work with local people not against them.

The Planning Policy Officer explained that the consultations did not involve any commitments on the part of the Councils whilst delaying the consultation may lead to risks in relation to the delivery of the draft Local Plan within the proposed timescales. He was also of the view that there were benefits to be gained in engaging with community members early in the process. In addition the consultations did not involve any detailed proposals whilst the infrastructure first approach would involve longer lead in times which may be jeopardised if the consultations were delayed. He also considered there were merits in the Councils adopting a proactive approach which would be of benefit in planning terms and would avoid poor infrastructure provision which had been made in the past. He added that both Essex County Council and Highways England were fully aware of the consultation proposals.

Alan Walker, on behalf of Marks Tey Parish Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to views expressed by residents of Marks Tey who were against any expansion of the community

but considered that the role of the Parish Council was to be in a position to influence any development which did come forward. The intention of Marks Tey Parish Council was to ensure that they worked in partnership to ensure the proposals were innovative and were of benefit to the community. However, there was concern about the delivery of the proposals as envisaged. He confirmed that the Parish Council would respond to the consultation and confirmed that the Neighbourhood Plan would be adjusted to reflect the proposals. He asked whether the proposals for the Garden Community would influence Highways England in relation to the options for the routing of the A12, he questioned whether improvements to the A120 would start prior to the commencement of the Garden Communities and speculated whether the proposals would give a light touch to existing communities. He believed that residents wanted to interact with the proposals and to influence the outcomes. He commented that Colchester was the only council involved in the proposals which did not have political consensus and he was of the view that for Colchester's largest political party to be at odds with the proposals was a significant risk factor in the successful delivery of the proposals. He advocated an all-party consensus to work for the good of the whole community.

Andrea Luxford-Vaughan addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). She considered the proposals were being considered too early in the process and should be delayed until the outcome of the Planning Inspector's examination was known. She considered there were no options for consideration and that residents were of the view that their views were being ignored. She speculated that the Council was attempting to rush through the consultation in order to circumvent the regime set out in the Government's proposals on measuring housing need. She considered that the views of Wivenhoe Town Council had not been taken into account, contrary to what she had been led to believe. The proposals contained in the documents had already been rejected by the Town Council and were therefore unlikely to be successful. She considered that Tendring District Council had been successful in not complying with the Local Plan regime set out by the Government and she advocated the adoption of this approach by Colchester. She was of the view that the University of Essex would be unwilling to agree with proposals for a link road or bypass through the campus. She objected to illustrations depicting trams on the basis that this means of transport had been acknowledged as unviable. She sought postponement of the proposals and for them to be considered at a meeting of the full Council with the decision being the subject of a named vote. She considered that councillors needed to give more scrutiny to the issues presented to them by officers and consultants and for the Council to challenge the approach adopted by Tendring District Council whereby it was not delivering its required housing target and opting to jointly develop on its border with Colchester. She questioned the deliverability of up to 40,000 new homes in the Borough and explained that Wivenhoe Town Council had found numerous grounds to question the soundness of the draft Local Plan.

The Chairman explained that the report on the consultation was not required to be submitted to a meeting of the full Council. However, a report seeking determination of

the final version of the Local Plan would be presented to full Council following the outcome of the examination by the Planning Inspector in 12 to 18 months' time. He further confirmed that the reports before the Committee at this meeting did not set out the proposals in their final form and did not bind the Committee to particular details. He also confirmed that a named vote for such a decision was not a requirement of the Council's consideration.

The Committee members gave full and detailed consideration to the report and the comments made by the speakers.

Some members of the Committee, whilst welcoming the information contained in the reports, were of the view that the consultation proposals were too premature, particularly because the outcome of the route options for the A12 and the improvements to the A120 were still unknown and the principles in relation to the development had yet to be established. The view was expressed that an adequate economic case had not been made for either of the two Garden Communities and questions remained regarding the employment opportunities. It was not considered appropriate and may prove to be a poor use of funds to consult on plans which may not receive approval. The appropriate time for consultation was considered to be after the Inspector's determination of the draft Local Plan when the framework for the development had been confirmed. Concern was also expressed that an immediate consultation exercise was likely to lead to community disengagement and it would be acceptable to wait for a period of four to five months to a later stage in the process. This would also have the benefit of avoiding any question of wasting valuable funds.

Reference was also made to the duration of the proposed consultation , given that it extended through the festive period and generally Committee members were of the view that, should the consultation receive the Committee's approval, consideration needed to be given to extending the consultation dates to accommodate the loss of time over the Christmas and New Year holidays.

The Place Strategy Manager explained that the development and consultation proposals contained in the reports before the Committee had been prepared in the context of previous representations to the Committee seeking further detailed information upon which to base the Committee's decision making. She considered that the reports demonstrated that these comments had been listened to and were being acted upon. She considered that the consultation exercise would provide valuable opportunities for meaningful discussions with residents and communities as had previously been the case in relation to workshop events which had taken place in relation to East Colchester. As a result of these workshops significant changes had been made to the proposals which illustrated the capacity for consultation to influence. She considered that a consultation would also provide opportunity to influence Highways England in relation to the A12 options and that it would accord with the engagement criteria built into the Garden City Charter. She was of the view that the question for the Committee to consider was 'why

not consult?' rather than 'why consult?' so that the Council could take the proposals forward

Councillor T. Young, in his capacity as Portfolio Holder for Business and Culture (and Deputy Leader of the Council), attended and, with the consent of the Chairman, addressed the Committee. He considered that now was the right time to put the proposals out to consultation for the reasons set out by the Place Strategy Manager. He also welcomed the comments made by Parish Councillor Alan Walker advocating a consensus approach to get the best result for the whole of the Borough. He hope all members of the Committee would be on board with a joint approach to the decisions before them as he considered it was vital that the decisions on the important issues, such as design, density, transport, health and education facilities, growth and job opportunities, were the right ones. He also referred to the energy and resources which the Government was also putting into the proposals and was of the view that it was unlikely that they would not be supportive of the developments proceeding. He acknowledged the concerns of residents in relation to housing numbers but referred to the local housing crisis in relation to the numbers of people seeking homes in the area.

Other members of the Committee welcomed the detailed information provided in the reports and were of the view that residents wanted to be involved in the process and to influence the development proposals and it was therefore right to include the community in another consultation exercise at this stage. The commitment already placed in the Garden Community proposal by the Government had been considerable and it was appropriate for community members to be given the opportunity to state their views on roads, rapid transfer options and employment. The view was also taken that the draft Local plan had been approved by the Committee for submission and, as such, the Committee members ought to be confident that its decision had been based on sound advice and was therefore likely to be considered sufficiently robust by the Planning Inspector. Reference was also made to the joint nature of the proposed consultation, the duty to co-operate with neighbouring councils and that the Committee members needed to be mindful of simultaneous decisions to proceed with the public consultation by Braintree and Tendring Councils. The view was also expressed of the opportunity to influence Highways England in relation to the routing options for the A12.

The Place Strategy Manager confirmed that it was for Braintree and Tendring to determine for themselves whether to proceed with the joint consultation within their own areas. She conceded this could potentially lead to confusion for residents. She also explained that no specific date had been confirmed for the examination by the Planning Inspector and, in any event, an examination, once started may be subject to suspension or deferral which may impact on anticipated determination dates. She went on to explain that, the proposed period for the consultation (which was not a statutory one) was eight weeks and, as such, was already planned to be longer than the normal six week statutory requirement.

In response to specific questions confirmed that Community Enablers had been commissioned by the three Councils to assist Parish Councils to engage with the planning process and had been sourced from Community 360 (formerly Colchester Community Voluntary Service) and the Rural Community Council for Essex.

During the course of the discussion a number of members of the Committee asked for consideration to be given to ways in which joint committee discussions / interactions could be formulated to assist with the decision making processes.

RESOLVED (FIVE voted FOR and FOUR voted AGAINST) that –
(i) The Colchester Braintree Borders Garden Community Issues and Options document and the Tendring Colchester Borders Garden Community Issues and Options document both be approved for publication and consultation over a ten week period from 13 November 2017 to 22 January 2018 and an appropriate minor amendment be made to the Local Development Scheme to reflect these amended dates;
(ii) The Sustainability Appraisal/Strategic Environmental Assessments be approved for consultation;
(iii) Authority be delegated to the Place Strategy Manager to make minor revisions to the documents prior to publication.

125 Planning for the Right Homes in the Right Places // Consultation Proposals

John Crookenden addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He explained that CAUSE was of the view that over many years the Council had failed to ensure that infrastructure had kept pace with housing developments and therefore was obliged to ensure it provided a very robust response to the Government's consultation. He was concerned that the proposals would be of significant harm to Colchester in the future. He referred to Councillor Smith's comments that Colchester could not be considered a special case but he was of the view that Colchester was a special case as it had consistently delivered over many years more houses than any other town in the East Of England and was now being unfairly penalised as a result of its past success. In addition it was a commuter town and the new formula penalised Colchester again. CAUSE had submitted a technical document to the Council in response to which feedback was awaited. He sought assurances for robust leadership from the Council. He also considered that the document referred to as a draft Concept Plan was actually a Master Plan because its contents included the word 'mandate'.

Councillor T. Young, in his capacity as Portfolio Holder for Business and Culture (and Deputy Leader of the Council), attended and, with the consent of the Chairman, addressed the Committee. He considered the Government consultation an unforeseen publication but that a robust response had been drafted and considered by the Cabinet members. However he welcomed comments from the Committee on its contents and was happy for it to be made more robust. He agreed that Colchester had out performed

on its targets over a number of years and had formulated a realistic target of 920 homes per year for the emerging Local Plan which had been unanimously agreed by the Committee. He was concerned that if the Committee now delayed or prevaricated on the Local Plan process there was a danger that a higher target would be imposed as a consequence of newly formulated changes in legislation. He therefore asked the Committee to support the draft response and welcomed any suggested to strengthen its contents.

The Chairman shared with the Committee information he had recently gathered from the sale of recently released new houses in Severalls. 77% of houses had been sold to people already living in Colchester and 100% were owner occupied.

The Committee considered a report by the Assistant Director Policy and Corporate giving details of the consultation document which set out a number of proposals to reform the planning system to increase the supply of new homes and 'increase local authority capacity to manage growth'.

Karen Syrett, Place Strategy Manager, presented the report and responded to members questions. It was explained that earlier in the year the Government had published the Housing White paper, 'Fixing our Broken Housing Market' which set out proposals to tackle the housing crisis and reforms to planning to help achieve these objectives. The White Paper referred to further consultation on specific issues and in mid-September, proposals to address housing need had been published.

The proposals envisaged a three-stage calculation to simplify the process for assessing housing need which used the official projections of household growth for a local authority as a baseline. This figure would then be adjusted according to local housing affordability. The modelling proposed that each 1 per cent increase in the ratio of house prices to earnings above four would result in a quarter of a per cent increase in need above projected household growth. The Government considered that this would achieve the overall level of delivery that most external commentators believe is needed, while ensuring it is delivered in the places where affordability is worst. For example, for an area with a projected household growth of 100 a year, it would have an annual need of:

- 100 if average house prices were four times local average earnings
- 125 if average houses prices were eight times local average earnings
- 150 if average house prices were twelve times local average earnings.

The third stage was a cap, limiting increases in objectively assessed need (OAN) according to the current status of the local plan in each authority as follows:
(a) for those authorities that had adopted their local plan in the last five years, the new annual local housing need figure should be capped at 40 per cent above the annual requirement figure currently set out in their local plan; or
(b) for those authorities that had adopted their local plan over five years ago the new annual local housing need figure should be capped at 40 per cent above whichever is

higher of the projected household growth for their area over the plan period or the annual housing requirement figure currently set out in their local plan.
Using the proposed methodology resulted in an increase in the annual housing target for Colchester Borough from 920 per year to 1,095 – an increase of 19.02%. In total, nationally,156 authorities would see an increase in their OAN. The formula's impact in London raised assessed need from the 49,000 in the current London Plan to 72,000, whilst capacity numbers were constrained by availability of sites to 42,000, suggesting the implications of such an uplift could spread out from the capital. The consultation proposed that the new formula be applied to all plans submitted after 31 March 2018. Any delay in the submission of Colchester's new Local Plan was therefore likely to result in a higher target being required and additional sites needing to be identified.
In terms of response to the consultation, it was considered that the view should be expressed that any new methodology should take account of previous housebuilding rates and that authorities should not be penalised for maintaining housing delivery over recent years when others had failed to do so.
The White Paper set out a plan for more effective joint working through Statements of Common Ground, setting out how authorities intended to work together to meet housing need across boundaries. This was intended to encourage all local planning authorities, regardless of their stage in plan-making, to co-operate effectively and seek agreement on strategic cross-boundary issues, and help local planning authorities demonstrate evidence of co-operation. It was also proposed that a Statement of Common Ground should be submitted as supplementary evidence of effective co-operation between authorities when applying for strategic infrastructure investment. The White Paper's proposed new approach for assessing local housing need would also require updates to existing planning guidance on how to plan for different types of homes which would be published alongside a revised National Planning Policy Framework.

Other proposals in the White Paper included the provision of neighbourhood planning groups with a housing need figure, where this was needed to allow progress to be made with neighbourhood planning; amendments to planning policy to ensure a robust basis for assessing viability at the plan-making stage and to lessen the need for this to be revisited when planning applications came forward and intentions to set out circumstances when a planning application may be refused on the grounds of prematurity in the National Planning Policy Framework, rather than in guidance.

In response to suggestions for a more robust response, the Place Strategy Manager suggested the draft response to Question 1 of the consultation be amended to read: 'This Council does not agree with the proposed new methodology. However, in principle Colchester Borough Council (CBC) is supportive of a straightforward, standardised methodology for calculating objectively assessed housing need.' She also suggested that the finalised response be shared with the Council's local Members of Parliament.

Committee members were generally concerned about the proposed new methodology considering it to be over simplified and significantly flawed, for example, given the

potential for average housing values to be skewed by significantly inflated values in desirable housing neighbourhoods. Members welcomed the encouragement to make the draft response more robust including a need for the formula to take account of employment growth.

RESOLVED that –

(i) The content of the Consultation Paper be noted;

(ii) Consideration be given by the Portfolio Holder for Business and Culture prior to the submission of the final response to the Department of Communities and Local Government to the following amendments:

- The response to Question 1 to read: 'This Council does not agree with the proposed new methodology. There are arguments in favour of a straightforward, standardised methodology for calculating objectively assessed housing need.';
- A reference to an affordability index;

(iii) The final response be shared with the Council's local Members of Parliament.