

MINUTES

of the

DEVELOPMENT POLICY COMMITTEE

held on 28 September 2017 at 7pm

Present:

Councillor R.J. Shepherd (Chairman)

Councillors J Chandler, P J Cousins, J Galley, S K Hindi,
P J L Hutchinson, A M John, G B R Knight, R Massey, A J McQuiggan,
S J Robinson, M Sismey, G I Smith, S R Sullivan, M D Watson and R T Whitehead

1. **Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors S A Cook, N Gulliver, J Murray and S J Scott.

Councillors Cook, Gulliver, Murray and Scott had appointed Councillors Smith, John, Knight and Watson respectively to act as their substitutes.

2. **Minutes**

The minutes of the meeting held on 13 July 2017 were confirmed as a correct record and signed by the Chairman.

3. **Public Question Time**

The following questions were asked or statements made by members of the public:

Mr Matthew Lynwood, who expressed doubts about the delivery of some of the sites in the Preferred Options Consultation Document. In particular, some city centre sites were unlikely to be delivered in the short term and the further 4,000 homes identified for north-east Chelmsford were dependent on the provision of substantial infrastructure. He believed that the number of dwellings identified in the document could not be achieved during the Local Plan period without the inclusion of certain development sites that had been discounted in the Preferred Options Document.

Mr Kevin Green, who found it difficult to believe that the objections to the Preferred Options Consultation Document could be addressed by 30 November when the Committee was due to agree the Pre-Submission Consultation Document.

Mr Mark Schofield, who asked whether, in the light of the government's consultation document "Planning the Right Homes in the Right Places" and the uplift in the number of dwellings this and other local planning authorities were expected to plan for, the Council could still demonstrate a five-year supply of land for new dwellings.

4. **Declaration of Interests**

All Members were reminded to disclose any interests in items of business on the meeting's agenda and that they should do so at this point on the agenda or as soon as they became aware of the interest. They were also obliged to notify the Monitoring Officer of the interest within 28 days of the meeting, if they had not previously notified her about it.

5. **Announcements**

No announcements were made.

6. **Local Plan Update**

The Committee received a report on progress with the preparation of the Local Plan. It included the steps taken to fulfil the Council's Duty to Co-operate obligations and the position on the various evidence base studies and assessments being prepared to support current policies and the new Local Plan. The need to complete those elements of the Local Plan, and to assess fully the responses to the Preferred Options consultation stage, meant that the timetable for the preparation of the Local Plan had been put back by approximately two months; public consultation on the Pre-Submission Local Plan was now planned to begin in January 2018.

During discussion on the report it was pointed out that certain Essex councils intended to ask other local authorities to help them meet unmet demand in their areas by providing for it in their Local Plans. It was hoped that this Council would be robust in its response to any such requests and would insist that those councils make every effort to accommodate the demand in their own areas. Officers replied that they would continue to engage with those authorities and would require evidence from them to support any presentation they made on their inability to meet demand in their areas.

A related question on the Duty to Co-operate referred to the lack of comment from the NHS on a number of significant recent planning applications and whether the Council had a sufficiently good dialogue with it to ensure that its views were invited and obtained. The Committee was assured that officers were engaging with NHS England and the local CCG, which had made a joint response to the Preferred Options Consultation Document. A regular forum was held involving those bodies and local planning authorities in Essex and the health authorities' views on the impact of new development on existing and future health service provision were being and would continue to be received.

In response to a question about the slippage in the timetable for the adoption of the Local Plan, the Committee was informed that officers were confident that sufficient time could be recovered to enable the Plan to be adopted by the end of 2018.

RESOLVED that progress on the production of the Local Plan, the Duty to Co-operate activities and the preparation of the evidence base work to support both current decision-making on planning applications and future Local Plan preparations be noted.

(7.10pm to 7.21pm)

7. **Local Development Scheme**

A Local Development Scheme (LDS), which set out the programme of work for the preparation of statutory and non-statutory development plan documents for the period 2017-2020, was submitted for approval. The revised LDS set out the new Local Plan timetable, the planned review of the Community Infrastructure Levy Charging Schedule and the need to produce new Supplementary Planning Documents to support the Local Plan

With regard to the review of the Community Infrastructure Levy (CIL) Charging Schedule, it was pointed out in the ensuing discussion this was due to be finalised a year after the adoption of the Local Plan. It was asked at what stage in the timetable for its production it would become material, bearing in mind that developers needed some certainty as to what their CIL commitments would be when assessing the viability of schemes. The Committee was informed that the existing CIL Charging Schedule would remain until the revised one was adopted. It was also important to remember that the level of CIL that could be charged was directly related to the overall viability of development rather than the cost of infrastructure it may fund. The development of sites in the existing Local Plan would continue for some time and be subject to the existing CIL Charging Schedule, whilst those coming on stream through the new Local Plan were unlikely to proceed before the adoption of the revised Schedule. It was not anticipated that there would be major changes to the CIL Charging Schedule, although this would be subject to the Government's pending review of CIL.

RESOLVED that the Local Development Scheme attached as Appendix 1 to the report to the meeting be approved.

(7.21pm to 7.29pm)

8. **Strategic Land Availability Assessment**

The City Council was required to carry out a Strategic Land Availability Assessment (SLAA) to help identify land that may be suitable for development in the new Local Plan up to 2036. The methodology for preparing the SLAA had been agreed by the Committee on 5 March 2015 and the SLAA presented to the Committee represented the annual assessment. The SLAA would continue to be monitored and updated as the Local Plan progressed. The latest SLAA and supporting information attached as appendices to the report was submitted for the Committee's information and would be published on the Council's website.

In response to a question from a parish council representative at the meeting, the Committee was informed that there may be some overlap of physical extent of sites in the SLAA. Where that was the case, the output numbers had been discounted where appropriate. The best way to identify the precise boundaries of sites was by reference to the associated maps online.

As clarification of two points made in the covering report to the meeting, the Committee was informed that:

the "Housing Capacity in Chelmsford Urban Area" evidence base report had been published as part of the evidence base that supported the Preferred Options Consultation Document, and only where a site fell wholly within an "absolute constraint", as set out in Appendix 3, was it discounted from the assessment.

The Committee was also informed that low-scoring sites such as those in Category 0 could still be carried forward as policy-on sites, whereas those with absolute constraints would not.

RESOLVED that the report to the meeting be noted and that the Site Assessments and supporting information attached as Appendices 1 to 6 of the report be published in accordance with SLAA procedures.

(7.29pm to 7.45pm)

9. **Annual Monitoring Report**

The Annual Monitoring Report (AMR) of Chelmsford City Council for the period April 2016 to March 2017, which monitored the implementation of the Local Development Scheme and the extent to which policies associated with the Local Plan were being achieved, was submitted and approval sought for its publication.

The following points were made during discussion of the report:

- Whilst it was accepted that the number of dwellings being provided each year had increased substantially in 2016/17, the target had been met only five times in the past 16 years and the cumulative total during that time had been 2,009 dwellings short of the target.

In response, officers said that whilst the Council could have some control of housing delivery through the planning system, it could not influence the national economic climate, which was a prime driver of housing provision. In the period 2008-2013 there had been a sharp economic downturn leading to a decrease in the number of new dwellings provided, a situation reflected in Chelmsford's housing completion figures.

- The target to achieve a minimum of 30 dwellings per hectare in all new residential developments had not been achieved in 2016/17. The associated action in the AMR for meeting that target, which referred to the intention "to continue to seek to grant planning permission" was not sufficiently robust.

The Committee was informed that a high density was typical of and more appropriate to development on brownfield sites in the urban area and in particular in the City centre, whilst a lower density was more likely on greenfield sites. The overall density varied over time depending on the location and nature of developments that came forward and in the last monitoring year there had been a high proportion of development on greenfield sites.

- The figures in the AMR for Core Indicator 4 – Affordable Housing showed that the Council had a poor record in ensuring the provision of affordable housing.

- There was a lack of clarity regarding the reference in Part 6 of the AMR relating to Business Development, with mention of “sustainable levels of prosperity” and “sufficient employment space” without quantifying what those statements meant. Sustainable jobs could be construed as those that were held by people who lived close to their place of work, but this was not made clear in the report.

Officers said that whilst they took the point that the business objectives could be more objective, the wording was that agreed by the Inspector for the current adopted Local Plan. Attempts would be made to make outputs and indicators for business development more specific and measurable.

RESOLVED that the Annual Monitoring Report of Chelmsford City Council for the period April 2016 to March 2017 be approved for publication and that the Director of Sustainable Communities be authorised to finalise it for publication.

(7.45pm to 7.57pm)

10. **Community Infrastructure Levy – Discretionary Relief for Exceptional Circumstances**

The Committee was requested to amend the arrangements for the application of the Community Infrastructure Levy (CIL) in Chelmsford by removing the ability to claim discretionary relief for exceptional circumstances. The small number of applications for relief, and the fact that none had been granted, indicated that the levy had not had an adverse effect on the viability of developments in Chelmsford and that the relief for exceptional circumstances was therefore not required.

RESOLVED that:

1. the ability for claims to be made for relief from the Community Infrastructure Levy for exceptional circumstances be withdrawn;
2. the Director of Sustainable Communities be authorised to make the necessary arrangements to implement the withdrawal of discretionary relief for exceptional circumstances in accordance with the process set out in Regulation 56 of the Community Infrastructure Regulations 2010; and
3. should economic conditions change in the future, the Committee will consider the reintroduction of CIL discretionary relief for exceptional circumstances.

(7.57pm to 8.03pm)

11. **Urgent Business**

There were no matters of urgent business.

12. **Reports to Council**

There were no reports to Council.

The meeting closed at 8.03pm

Chairman