

MINUTES

of the

DEVELOPMENT POLICY COMMITTEE

held on 18 January 2018 at 7pm

Present:

Councillor R.J. Shepherd (Chairman)

Councillors J Chandler, N Gulliver, S K Hindi,
P J L Hutchinson, R Massey, A J McQuiggan, R J Poulter, R A Ride,
S J Robinson, S J Scott, M Sismey, S R Sullivan, M D Watson,
R T Whitehead and I Wright

1. **Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors S A Cook, P J Cousins and J Galley.

Councillors Cook, Cousins and Galley had appointed Councillors Wright, Ride and Poulter respectively to act as their substitutes.

2. **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.

Councillor Massey informed the Committee that he had publicly taken a specific position on the proposals in the Local Plan Pre-Submission document for South Woodham Ferrers and was predetermined on the matter. He therefore excused himself from the meeting during the consideration of Item 6.

3. **Minutes**

The minutes of the meeting held on 28 September 2017 were confirmed as a correct record and signed by the Chairman.

4. **Public Question Time**

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

Trudy Huston, who was concerned that the proposed development in South Woodham Ferrers would be unsustainable without first providing the necessary infrastructure to support it. With no apparent justification to build a new road, the intended junction improvements would not be sufficient to cope with the resulting increase in vehicles. The northern boundary of the site appeared to have been extended and the numbering of the site changed from earlier consultation documents.

Alan Brunning, who was also of the view that the proposed infrastructure associated with the South Woodham Ferrers Growth Area would be insufficient to support the level of proposed development, which would adversely affect the rest of the town. Pedestrian crossings for Burnham Road would not be sufficient to ensure safe access to the new development; it would result in overcrowding on the roads, public transport and trains; the traffic modelling was inadequate; and the development would increase the risk of flooding.

Sarah Clark, who believed that the creation of a garden community, along the lines proposed for parts of north Essex, would be more appropriate and sustainable than the mixed sizes of development planned for Chelmsford. She added that this Plan would not deliver renewable energy schemes as part of the proposed developments; that the Council should investigate why the renewable energy project originally planned for the Beaulieu development had been withdrawn; and that, at 6%, the proportion of trees in land in Chelmsford was below the national average of 8%.

Wendy Daden, who said that the existing Local Plan had not provided the necessary infrastructure to support housing growth in Broomfield and that there should be no further development there until the A12 had been improved. She asked what pressure the Council was putting on the Highways Agency to increase the capacity of the A12.

Pauline Price, who felt that the Local Plan did not address the problem of crossing Burnham Road to gain access to the proposed development in South Woodham Ferrers. She also believed that child and health care facilities in the town would need to be relocated to the new site, compounding the dangers associated with crossing a road with a 60mph speed limit.

Kevin Green, who regarded the Local Plan as it related to South Woodham Ferrers as a high-level plan that failed to address the detail of residents' concerns about proposed development in the town. He and other residents had strong objections to splitting the town in two and were concerned about the safety of those crossing Burnham Road. In his view the Plan was unsound, not legally compliant and unsustainable.

Helen Sadler on the intention of the Local Plan to promote the use of brownfield sites but its failure to include brownfield sites like her land in Banters Lane, Great Leighs. It was also unclear why this land was shown outside the defined settlement boundary.

Christopher Cheater, who asked how long documentation associated with the new Local Plan would be retained after it had been adopted.

A resident of South Woodham Ferrers who sought reassurances from the City Council that the infrastructure for the South Woodham Ferrers development would be provided in a timely manner.

Councillor G B R Knight also attended the meeting to make representations on behalf of residents in Broomfield. He said that he was against the continued over-development of north and east Chelmsford and that the focus of the Plan should be on the quality rather than the quantity of new housing. He feared that quality of life in the northern part of Chelmsford would be adversely affected by the new Local Plan, with about half of the new housing proposed during the life of the Plan being provided in that area. The rate of increase in the population of the city was placing great strain on its infrastructure and a more equitable distribution of new housing was required, aligning it more closely to the main economic arteries, most of which were to the south of the city centre and the most important of which was the A12.

The above questions and issues were addressed by officers and members during the consideration of Item 6 and a summary of the responses to a number of them are set out below.

Sustainability

- The new Local Plan had at its heart sustainable development and the aim of ensuring that new developments would deliver environmental benefits and improved amenities. The Plan had been reviewed against sustainable development requirements and needed to satisfy the NPPF, which in turn took into account national and international sustainability goals, among other factors. The Sustainability Assessment associated with the Plan was one of its core supporting documents.
- The new Plan included proposals and policies on green and renewable energy and carbon capture in new developments. The Beaulieu development had attached to it a condition to enable a 10% reduction in carbon and this had been achieved.
- The proposed Local Plan contained policies to encourage the provision of green infrastructure and to preserve and enhance natural spaces, including the creation of two new country parks.

South Woodham Ferrers

- It was felt that the new Local Plan provided the appropriate level of detail required to explain and guide new development. Further detail would come in the form of masterplans for individual sites and planning applications.
- The evidence provided by the County Council and its agents for traffic assessments and modelling were appropriate and proportionate. The latest traffic modelling reports use actual peak hours for South Woodham Ferrers.
- Residents were assured that their comments at each of the consultation stages had been carefully considered and regard had been taken to national planning policies when putting forward the proposals for South Woodham Ferrers.
- The proposed development site was supported by a Level 1 and Level strategic flood risk assessment which formed part of the Local Plan evidence base.
- The current maps showed that the northern boundary of the site had been enlarged compared to earlier versions and it had been renumbered as a result of the deletion of another site included in an earlier consultation document.

Development in north Chelmsford

- A significant proportion of proposed new development in the Local Plan was in north Chelmsford because much of the necessary infrastructure was already there, was planned or could be extended as part of the proposals for the area.
- The Council continued to lobby hard for improvements to the A12 but so far without success. Until its capacity could be substantially increased development that relied on it would continue to be limited.

Traffic

- A number of roads and junctions close to the proposed development sites were expected to be at or near capacity by the end of the Plan period, 2036. However, the encouragement and provision of more sustainable transport, changes in people's travel behaviour, new technology and an expectation that developers would include in their proposals measures to mitigate vehicle usage would help to ensure that the potential increase in traffic would not be severe.

Local Plan documents

- The documents relating to the new Local Plan would be retained for a number of years after its adoption and increased capacity to store them electronically meant that more could be retained for longer than had previously been the case.

5. **Announcements**

No announcements were made.

6. **Chelmsford Local Plan Pre-Submission Consultation**

The Committee was requested to approve for public consultation the Pre-Submission Local Plan document for Chelmsford together with its supporting Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and Habitats Regulations Assessment (HRA). The Pre-Submission Local Plan had been prepared following comments made during the Preferred Options consultation in Spring 2017, new evidence, and recommendations in the Preferred Options Sustainability Appraisal. Officers were of the view that the Pre-Submission Local Plan had been prepared in line with the legal and statutory requirements and provided a sound, justified and effective approach to development in Chelmsford City Council's Administrative Area for the period to 2036.

A Green Sheet of alterations and additions to the information in the report was circulated.

The Committee received a detailed presentation from officers on the vision behind the new Local Plan and the principles on which it was based; its strategic priorities and how those would be met; the proposed main areas for development and the Growth Areas identified in the Plan; the requirements for infrastructure, including that for transport, education, community facilities, environmental improvements and utilities; and the evidence base on which the Plan was founded.

In contributions to the discussion by the Committee on the item, members referred to the need for a sound Local Plan, not only to guide the future development of Chelmsford and secure its prosperity but to protect it from unwanted and inappropriate development: they pointed to the success of the current Local Plan in this respect. They emphasised that many of the Local Plan's targets, particularly for housing growth, had been and continued to be driven by government and wider national policies. The requirement to maintain a five-year supply of land for housing was a case in point and one which was behind the approach being taken to provide a mix of small, medium and large development sites as opposed to concentrating on large garden community growth areas. The current and proposed Plans also recognised the need to address the requirements of the whole of Chelmsford in a balanced and measured way without unduly burdening particular areas.

Councillor Robinson asked that his decision to vote against putting the Plan out to consultation in its current form be recorded. He was of the view that too much of the housing and infrastructure was in the wrong place; the proposed railway station at Boreham was not guaranteed; the target for affordable housing had been missed for the past 14 years and the new Plan did nothing to ensure that it would be met in future; that deliverability appeared to be a higher priority than environmental protection; and that it lacked definite plans for sustainable transport and development.

In response to questions from members the Committee was informed that:

- The annual housing target had increased from 805 to 980 to meet the latest government requirements. This did not in turn automatically increase the number of affordable housing units planned as the need for affordable housing is calculated using a different method.
- The housing figures took into account extant planning permissions and houses already under construction as well as those identified in the new Plan but included a buffer to allow for some slippage in delivery. There was also a requirement to review the Plan every five years, or more frequently if necessary, which would enable adjustments to be made.
- The Plan's aim to create an average of 725 jobs each year across the Plan period focused primarily on identifying floorspace for flexible business use and did not concentrate on the retail sector. It aimed to align closely employment and jobs with new housing.
- New garden settlements tended to have long lead-in times of 10-15 years which, as explained earlier, affected the ability to maintain a five-year housing supply and was one of the reasons why they were not being pursued in Chelmsford.
- Far from allowing developers to avoid having to meet their planning obligations, the City Council had a good record in securing Section 106 and Community Infrastructure Levy contributions from them.

All members expressed their appreciation for the work of the Planning officers in the production of the new Plan and the supporting documentation behind it.

RESOLVED that:

1. the publication of the Chelmsford Pre-Submission Local Plan Document and Policies Map, attached at Appendix 1 to the report to the meeting and as amended by the Green Sheet of alterations and additions circulated at the meeting, together with the Sustainability Appraisal/Strategic Environmental Assessment and Habitats Regulations Assessment at Appendices 2 and 3, be approved for public consultation in accordance with the requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012;
2. the Preferred Options Consultation Document 'You Said, We Did' Feedback Report at Appendix 4 be approved;
3. the Director of Sustainable Communities, in consultation with the Chairman and vice Chairman of the Committee, be authorised to finalise the documents attached at Appendices 1-4 of the report and prepare all necessary documentation and evidence base documents to support the planned programme of public consultation; and
4. the proposed approach to the Pre-Submission Local Plan consultation arrangements set out in Appendix 16 be endorsed.

(7.25pm to 9.10pm)

7. Local Plan Viability Study, including Community Infrastructure Levy (CIL) Review

The Council had commissioned a Local Plan Viability Study, which included a CIL Review, to assess the deliverability of potential development sites included in the emerging new Local Plan. The Study built on the Council's existing viability work and contained new work to determine whether the delivery of the emerging new Local Plan overall was threatened by the policy requirements set out in it.

The Viability Report demonstrated that the new policy requirements of the emerging new Local Plan, when taken as a whole and combined with the current rate of CIL, would not make the vast majority of planned new development unviable. This conclusion, together with the government's intention to consult on its findings of a review of CIL, led officers to recommend that the existing CIL Charging Schedule be retained until 2020, when it would be formally reviewed.

The Committee was informed that the CIL rates referred to in the report did not yet reflect the index-linked increase introduced on 1 January 2018. In response to a question, members were told that, in their discussions with developers, officers had received no indication that the commitments and obligations associated with new developments, including CIL, were unachievable to date.

RESOLVED that:

1. the conclusions of the Local Plan Viability Study and CIL Review, attached at Appendix 1 to the report to the meeting, be approved and included in the Council's Local Plan Evidence base; and

2. a formal review of the CIL Charging Schedule be commenced in 2020, unless new Regulations or evidence necessitate an earlier review.

(9.10pm to 9.25pm)

8. **North Essex Garden Communities Issues and Options Consultations**

Officers had prepared a suggested response to Braintree, Colchester and Tendring Councils on an Issues and Options consultation documents prepared by them on three new proposed Garden Communities at Colchester Braintree Borders, Tendring Colchester Borders and West of Braintree.

The Committee endorsed the officers' view that, overall, the City Council continued to support the delivery of the three Garden Communities to aid in the implementation of the required housing numbers for the three North Essex Authorities. It also supported in principle the emerging proposals to guide their development set out within the consultation documents.

RESOLVED that the consultation response set out in Appendix 1 to the report to the meeting to the "North Essex Garden Communities Issues and Options Consultation" be endorsed.

(9.25pm to 9.32pm)

9. **Urgent Business**

There were no matters of urgent business.

10. **Reports to Council**

There were no reports to Council.

The meeting closed at 9.32pm

Chairman