

MINUTES

of the

CHELMSFORD POLICY BOARD

held on 5 March 2020 at 7pm

Present:

Councillor G H J Pooley (Chair)

Councillors K Bentley (substitute), W Daden, I Fuller, M Goldman,
S Goldman, R Moore, R J Poulter, A Sosin, M Steel (substitute),
N Walsh and R T Whitehead

Also present:

Councillors M J Mackrory

1. **Apologies for Absence and Substitutions**

Apologies for absence were received from Councillors N Chambers and I C Roberts, who had appointed Councillors M Steel and K Bentley respectively as their substitutes, and from Councillor G B R Knight.

2. **Minutes**

The minutes of the meeting on 16 January 2020 were signed as a correct record.

3. **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.

4. **Public Question Time**

There were no questions or statements from members of the public.

5. **Making Places Supplementary Planning Document – Consultation Draft**

The Board considered a draft of the Making Places Supplementary Planning Document (SPD) which, if approved by the Cabinet, would be published for public consultation. The purpose of the document, which would sit alongside the Local Plan, was to promote and secure high quality sustainable new development of all types and sizes. It set out detailed guidance on the policy requirements of the Local Plan and the standards the local planning authority would expect to see in future developments, including advice on how developers could go beyond those standards to create the most sustainable and environmentally friendly developments possible.

The SPD was welcomed by the Board, which thanked the officers for their work on it.

RECOMMENDED to the Cabinet that:

1. the draft Making Places Supplementary Planning Document and its supporting Appendices submitted with the report to the meeting be approved for public consultation; and
- 2, the Director of Sustainable Communities, in consultation with the Cabinet Member for Greener Chelmsford, be authorised to make any subsequent changes to the SPD and to finalise the consultation material.

7 03pm to 7.16pm

6. **Planning Obligations Supplementary Planning Document – Consultation Draft**

A draft of the Planning Obligations Supplementary Planning Document was submitted for the Board's consideration. It set out how the City Council would seek planning obligations needed to make development proposals acceptable in planning terms and detailed the obligations or contributions required, depending on the scale of development. If approved by the Cabinet the draft would be the subject of public consultation.

The following answers were given to questions from the Board:

- Legal advice had been obtained on whether it would be appropriate to include in paragraph 5.4 of the document, in the section on affordable housing, reference to specialist residential accommodation that was self-contained, whether or not on-site care was provided. The advice had suggested that the inclusion of such wording would not strengthen or clarify the Council's position on the provision of an affordable housing element in developments of that type as it was not clear whether such accommodation would fall within Class C2 or C3. Such accommodation would still be captured by Policy HO2 and the proposed wording in paragraph 5.4 was the favoured approach and would not enable developers or operators of self-contained residential care facilities to escape the requirement to provide a percentage of affordable housing.
- In lieu of the provision of an element of affordable housing in some of the developments of the type referred to above, a commuted sum may be acceptable. Greenfield developments were already likely to have been assessed for viability but those on brownfield sites were less likely to be viable.

- The difference between Tables 1 and 3 on pages 9 and 21 of the SPD was explained by the fact that the Strategic Housing Market Assessment used different methods for assessing the need for market accommodation to that which assessed the need for affordable housing.
- The Authority Monitoring Report would continue to be produced and submitted to Cabinet each year Any triggers that were invoked in the monitoring framework in the new Local Plan would be referred to Chelmsford Policy Board to consider the appropriate associated actions, which were also set out in the new monitoring framework,
- The reference to sites of between 11 and 15 units in paragraph 5.36 could apply to specialist residential accommodation where on-site care was provided. The wording as it stood would not prevent the Council seeking commuted sums in lieu of on-site affordable provision but it was thought that it was unlikely to do so in the large majority of cases. The Board feared, however, that developers of this type of accommodation may be more inclined to apply for an off-site contribution rather than include an on-site affordable element. The officers said that, subject to legal advice, the wording of paragraph 5.36 could be amended to make it clear that compliance with the National Planning Policy Framework would normally be expected in respect of the provision of affordable accommodation in developments of the size and type discussed but that the Council may be prepared in exceptional cases to accept a financial contribution in place of an on-site affordable element.
- It would be appropriate to add to the end of paragraph 5.26 the words “with 35% of the total number of residential units to be provided and maintained as affordable housing incorporating the mix of affordable housing set out in paragraphs 5.24.and 5.25
- The words “not more than” would be deleted in paragraph 5.69 to reflect the pressing need for more affordable housing for people living in rural areas.
- Whilst the negotiation of a bond to ensure the future maintenance of public open spaces in the event of a developer defaulting or going out of business had not been regarded by Planning Officers as the best option, the practicalities of doing so would be discussed with Legal Services. Another means might be the inclusion of a suitable guarantee in the legal agreement for the provision of the open space.
- There was a typographical error in para 14.19 which could be corrected with the removal of the word ‘have’ from the last sentence.

The Board welcomed the Supplementary Planning Document.

RECOMMENDED to the Cabinet that:

1. the draft Planning Obligations Supplementary Planning Document (SPD) and its supporting Appendices submitted with the report to the meeting and as amended by the points above be approved for public consultation; and
2. the Director of Sustainable Communities, in consultation with the Cabinet Member for Greener Chelmsford, be authorised to make any subsequent changes to the SPD and to finalise the consultation material.

7.16pm to 8.15pm

7. **Community Infrastructure Levy – Options for the Review of the Approved Charging Schedule**

The report to the meeting looked at how the approved charging schedule for the Community Infrastructure Levy (CIL) might be reviewed and concluded that it was best aligned to the review of the Local Plan. Given that the schedule had recently been viability tested, it was suggested that it would be logical to review both at the same time as any changes to the Local Plan could have implications for the charging schedule.

The Board was informed that the average property size of 80 square metres would attract a CIL of £15,000. Asked whether there would be a S106 contribution for self-build properties, officers said that these would generate very little such contributions. They would also be exempt from CIL, which was an anomaly the government appeared reluctant to rectify. It was confirmed that RAMS was a S106 contribution which would be in addition to the Planning Obligations and included in a viability assessment. It was also confirmed that in principle CIL could help address the shortage of health care facilities in an area.

RESOLVED that the review of the Community Infrastructure Levy Charging Schedule be aligned to the future review of the Local Plan.

8.15pm to 8.27pm

8. **Connectivity and Local Democracy Working Group**

The Board received an update on the work of the Connectivity and Local Democracy Working Group.

The Working Group had made progress on most of its workstreams, including looking at options for the review of special expenses; agreeing the consultation arrangements for a Community Governance Review; considering how to encourage people to stand for election to parish councils and how to interest more young people in particular in voting in all types of elections; and reviewing the results of an engagement audit.

RESOLVED that the progress on the work of the Connectivity and Local Democracy Working Group be noted.

8.27pm to 8.34pm

9. **Chelmsford Waterways Working Group – Update on Work**

An update was submitted on the activities of the Chelmsford Working Group since the meeting of the Board in October 2019.

The Working Group had looked in particular at ways to improve navigation between the upper and lower Chelmer, the development of a masterplan for the creation of a riverside country park, and the future development of Sandford Mill.

It was confirmed that the City Council would be liaising with other bodies on the automatic flood gates and lock and would be seeking financial contributions from them. The feasibility study for the project would also examine the potential for generating power and providing a fish migration route.

The Board was informed that as the Margaretting flood alleviation scheme had stalled and was unlikely to go ahead, consideration was being given to other schemes that could prevent flooding both in Margaretting and elsewhere.

RESOLVED that:

1. the progress on the work of the Chelmsford Waterways Working Group be noted;
2. the replacement of the automatic flood gates and provision of a lock to enable navigation between upper and lower Chelmer, including costed options for hydro-electric/solar photovoltaic micro generation and a fish migration bypass (allowing migration past the flood gates/lock) be adopted as the City Council's agreed way forward (as recommended by the Waterways Working Group) and that further detailed feasibility is undertaken to proceed to develop the scheme into a costed project for implementation, including exploring alternative funding sources to implement the project; and
3. the Waterways Working Group recommendation that a high-level strategic master plan be produced for the riverside park and that Sandford Mill is developed building on the master planning associated with the nearby development sites be adopted; and that the Waterways Working Group is used as the vehicle to review and evaluate the emerging strategic plan.

8.34pm to 8.53pm

10. **Urgent Business**

Members referred to the stage 1 consultation on the Bradwell B nuclear power station project and asked whether the Board would be agreeing the Council's response in view of the likely implications of the development on the city and its Local Plan.

Members were informed that officers would be submitting a response to the consultation which would emphasise the need for the developers to take into account the Chelmsford Local Plan when preparing strategic infrastructure plans such as new roads.

The meeting closed at 9.12pm

Chairman