

# MINUTES

of the

## CHELMSFORD POLICY BOARD

held on 6 June 2019 at 7pm

Present:

Councillor G H J Pooley (Chair)

Councillors W Daden, C Finnecey, I Fuller, J Galley, M Goldman, S Goldman, N Gulliver, G B R Knight, R Moore, R J Poulter, I C Roberts, A Sosin, M Steel, M Springett, R T Whitehead and T N Willis

1. **Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor N Chambers, who had appointed Councillor M Steel as her substitute.

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.

3. **Public Question Time**

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

4. **Appointment of Vice Chair**

Councillor M Springett was appointed Vice Chair of the Policy Board for 2019/20.

5. **Terms of Reference of the Board**

The Board received and noted its terms of reference, which had been agreed on the establishment of the Board at the Annual Meeting of the Council on 22 May 2019.

*(7.05pm to 7.06pm)*

## 6. **Chelmsford Draft Local Plan Update**

The Board received a report and presentation on the background to the preparation of the draft Local Plan, the current position with it and the next steps to be taken to publish and consult on the main modifications to the submitted Local Plan and subsequent changes to the Policy Map identified by the Inspector following the Independent Examination.

The Chairman informed the Board that the Council's new Administration was supportive of the current draft Local Plan but wished to be reassured that it provided sufficient flexibility to enable certain key concerns and objectives about the details of future development in the City to be addressed without threatening the soundness of the Plan. Members of the Board went on to outline the following as the matters they would wish the Council to be able to influence within the Plan's policies and principles:

The Officers set out the context and timeline of the production of the Local Plan. The Local Plan was submitted for Independent Examination in June 2018. It was the Inspector's role to assess whether the Local Plan was 'sound' and recommend any Main Modifications needed to in make it 'sound'. The issues requiring any Main Modifications to the submitted Plan should have already been discussed at the Examination Hearing Sessions and new issues could not be the subject of Main Modifications.

1. The mix of dwelling types and sizes. The Board was informed that Policy HO1 dealt with the appropriate mix of types and sizes of dwellings which provided an indicative mix of different sized dwellings evidenced within the Council's Strategic Housing Market Assessment (SHMA). This allowed a level of flexibility to account for the specific nature of particular sites. Policy HO1 provided more detail on the mix of dwelling types and sizes than the existing Local Development Framework. Policy HO1 also required 5% of new dwellings on the larger sites to be self-build and specialist housing to meet local need. The Planning Obligations Supplementary Planning Document provided more detail on the implementation of Policy HO1 to ensure that developers fully considered the type of housing needed in Chelmsford.
2. The ability of the Council to challenge developers' viability assessments, particularly with regard to the provision of social and affordable housing and Community Infrastructure Levy and Section 106 contributions. The officers said that the viability of the sites in the draft Local Plan had been tested on the basis of a 35% allocation for affordable housing and the approved CIL and Section 106 contributions for specific sites. These requirements had been fully considered at the Examination of the Local Plan and their inclusion in the Local Plan strengthened the Council's position when dealing with subsequent developers' claims about viability.
3. With some commercial units on the ground floor of mixed use residential and commercial development being difficult to let and empty for long periods, whether the Plan would enable the commercial units to be changed to residential use. The officers confirmed that the policies in the new Plan provided sufficient flexibility to do this outside the defined frontages and provided the appropriate mix of residential and commercial uses.

4. The scope for influencing the optimum phasing of infrastructure. The Board was told that the National Planning Policy Framework put the provision of infrastructure at the heart of the planning process and the Local Plan included two strategic policies which addressed infrastructure requirements and specific infrastructure identified in site policies. Section 106 agreements were also crucial to the timing of infrastructure provision. The Council sought to front load as much infrastructure as possible as early as possible through the application of its planning policies and using the Infrastructure Delivery Plan (IDP) which was a 'living document'.
5. The extent to which public interest could be taken into account in considering new development and how people could be involved in drawing up masterplans for the development of individual sites. The officers informed the Board that the public interest was a valid consideration in determining applications for development, but like any material planning consideration needed to be considered in the overall balance when decisions were made. Officers also made clear that public consultation was central to the masterplan process of allocated Strategic Growth sites in the Local Plan.
6. The wish to improve Chelmsford's waterways as one means by which the wellbeing and health of residents could be enhanced and whether there was anything in the Local Plan that would make pursuit of that objective difficult. The Board was told that the draft Local Plan supported the use and development of the waterways and their environs and improvements to associated infrastructure. On the wider question of health and wellbeing, the Council was looking at a pilot 'Livewell' scheme with developers to address this issue as part of the design of schemes.
7. The ability of the Local Plan to address optimal energy consumption, the use of renewables and building heights. Officers said that when it came to energy efficiency of dwellings, the Council could not go beyond the requirements set by Building Regulations and introduce other matters not covered at the Examination Hearing Sessions. However, Officers would assess the potential for increased use of on-site renewables. With regard to building heights, planning and design policies and the impact of new development gave the Council some control over the height of development, but it also needed to take into account the recent relaxation by the government of controls over extensions to existing buildings.
8. The ability of the Council to remove potential development sites from the Local Plan without affecting its soundness and whether the removal of Site SGS 1c (the John Shennan playing field) could be accommodated within the buffer for housing provision contained in the Plan. The Officers confirmed that there was sufficient buffer to accommodate the loss of 200 houses if the John Shennan site did not proceed. Should the Council express a wish to withdraw the site from the Plan as landowner, it was likely that the Inspector would no longer regard the site's allocation as sound but, in the officers' view, this was unlikely to call into question the soundness of the overall Plan.

A Green Sheet of additions and alterations was distributed at the meeting which included an additional recommendation on how those eight matters should be addressed when the Main Modifications were put to the Cabinet for approval.

During the discussion on the draft Local Plan in general, members put forward a number of comments and questions on the draft Local Plan:

- The Council should not risk the soundness of the draft Plan by going beyond the Main Modifications required by the Inspector and adding its own changes. The Chair said that he would not wish the matters outlined as 1 to 8 above to call into question the soundness of the Plan and prevent its adoption. In that regard he believed that they did not constitute modifications and he was reassured that officers believed the Plan, once adopted, to be sufficiently flexible for those matters to be addressed.
- The consultation on Main Modifications should avoid the peak of the summer holiday season to enable as many people as possible to participate in it. The officers said that the consultation would be timed for the last two weeks in August to the end of September to allow for that.
- The draft Local Plan was required to comply with the 2012 version of the NPPF but that had been superseded and it was questioned whether any planning decisions now had to have regard to later versions. Officers confirmed that decisions on planning applications would be based on the 2019 version, which in some respects was beneficial as it would strengthen the Council's position on matters such as infrastructure and viability.
- With regard to the definition of "affordable housing" in the NPPF, officers informed the Board that this included homes for rent, starter homes, discounted housing and shared ownership.
- On the improvement of Chelmsford's waterways, account would need to be taken of the effects on all the rivers within the Chelmsford administration area, including the Crouch, not just the waterways in the City Centre.

**RESOLVED** that

1. the report on the draft Local Plan be noted and the process for confirming the Main Modifications to the Pre-Submission Chelmsford Draft Local Plan (Publication Draft) and subsequent changes to the Policies Map set out in section 4 of the report be approved; and
2. the report to the Cabinet on 1 July 2019 set out the key issues in the Chelmsford Draft Local Plan and numbered as 1 to 8 above, alongside an officer response.

*(7.07pm to 8.45pm)*

**7. Priorities of the Chelmsford Policy Board**

The Board was invited to decide its priorities for policy review and development.

Members were of the view that in most cases policies should be developed by working groups that comprised members of the Board, but which could also include other councillors, representatives of external bodies with an interest in the policy being considered and experts in the particular field. They agreed that the following three priority areas would benefit from that approach:

1. Affordable and social housing – how best to improve the supply of social housing and appropriate private sector housing that was affordable.
2. Chelmsford's waterways – how to improve and encourage the varied use of the city's waterways and their adjacent paths and spaces.
3. Connectivity and local democracy – how this could be developed and promoted to enable citizens to feel better represented, to improve their opportunities for participation in the community and decision-making, and to create better connections between the community, voluntary bodies and local government.

It was agreed that the environment would not be a specific topic for policy development as it was recognised that it was likely to be relevant to and have an impact on most policies in one way or another and would be taken into account and part of the development of those policies.

Draft strategies had already been drawn up for two other policy areas – Homelessness and Rough Sleeping and Health and Wellbeing – and the Board felt that working groups should be established to look at those strategies before their submission to the Cabinet.

**RESOLVED** that

1. the Board's priorities for policy development be Social and Affordable Housing, Chelmsford's Waterways and Connectivity and Local Democracy and that members of the Board notify the Chair and Democratic Services if they wished to participate in the working groups to develop those policies; and
2. working groups be established to review and report directly to the Cabinet on the draft strategies for Homelessness and Rough Sleeping and Health and Wellbeing and that members who wished to participate in them notify the Chair and Democratic Services within the next three days.

*(8.45pm to 9.21pm)*

8. **Urgent Business**

There were no matters of urgent business.

9. **Reports to Council**

None of the reports to the meeting required reference to the Council for a decision.

The meeting closed at 9.21pm

Chairman