

SUPPLEMENTARY DOCUMENTS

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

20 March 2018

Dear Councillor

COUNCIL – 22 MARCH 2018

Please find enclosed the Minutes of the Planning and Licensing Committee (8 March 2018) relating to the following Agenda Item due for consideration at the above meeting. These Minutes were unavailable when the agenda was printed.

7. **Minute Book** (Pages 3 - 12)

Yours faithfully

A handwritten signature in blue ink, appearing to read 'F. R. Marshall', enclosed within a large, hand-drawn oval.

Chief Executive

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**MINUTES of
PLANNING AND LICENSING COMMITTEE
8 MARCH 2018**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor A K M St. Joseph
Councillors	H M Bass, B S Beale MBE, M F L Durham, CC, A S Fluker, S J Savage, Mrs M E Thompson and R Pratt, CC

874. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

875. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce MBE and M R Pearlman. In accordance with notice duly given Councillor R Pratt was attending as a substitute for Councillor Boyce.

876. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 25 January 2018 be received.

Minute No. 761 Minutes of the Last Meeting – Planning Policy Update

A member queried the first bullet point under “Duty to Cooperate” and Officers confirmed that this should read “1k new homes” rather than “7k new homes”.

Minute No 763 Minutes of the Last Meeting – Update on Appeal Decisions (April-September 2017)

The fourth paragraph should refer to the period to September 2017 and not September 2018 as stated in the Minutes.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 25 January 2018 be confirmed.

877. DISCLOSURE OF INTEREST

Councillor M F L Durham CC declared that he was a Member of Essex County Council (ECC) and that he had a non-pecuniary interest should any agenda item arise that involved that authority.

Councillor R Pratt CC declared that he was also Member of ECC and had a non-pecuniary interest in any matter that concerned that authority. He also declared that he was a Trustee of the Henry Gilder Drake Almshouse Charity.

Councillor Mrs P A Channer CC declared:

- a non-pecuniary interest as she was also a Member of ECC and several reports on the Agenda referred to ECC;
- in relation to Agenda Item 11 – S106 Agreements – she was a Member of the Overview and Scrutiny Committee but that she had left the meeting prior to that item being discussed by the Overview and Scrutiny Committee at their recent meeting; and
- in the interests of openness and transparency that, in relation to Agenda Item 10 – Affordable Housing Supplementary Planning Document, she had a non-pecuniary interest as she was a Trustee of the Henry Gilder Drake Almshouse Charity.

878. PUBLIC PARTICIPATION

No requests had been received.

The Chairman drew attention to Agenda Item 10 – Draft Maldon District Affordable Housing and Viability Supplementary Planning Document: Stakeholder and Public Consultation - and sought the Committee's approval to withdraw this item. The Government's review of the National Planning Policy Framework had been published on Monday 5 March 2018 and, therefore, Officers had not had sufficient time to consider this document and prepare a report on it prior to the meeting of this Committee.

The Committee agreed to withdraw this item.

879. ECONOMIC DEVELOPMENT UPDATE

The Chairman advised that, following a request, Officers had submitted this report in a different format.

Councillor H M Bass declared that he had a non-pecuniary interest in this Agenda Item as he was a Trustee of Abberton Rural Training.

The Director of Planning and Regulatory Services advised that the, in accordance with the request from Members, the structure of the report had changed with the table at Appendix 1 to the report showing outcomes. However, he acknowledged that more work needed to be done to give more detail to the outcomes contained therein.

Members' attention was drawn to the Enterprise Centre Feasibility Study. The Director of Planning and Regulatory Services advised that contract for this had been awarded to Nautilus Consultants who had extensive experience of the energy sector.

The new format of the report was well-received by Members. However, they requested that the Economic Development Manager incorporate risks or opportunities in respect of business rates. This was considered to be both quantifiable and as having a financial impact on the authority.

Tribute was paid to Heritage Marine for their Historic Vessels Apprenticeship.

A request was made for information on the work that the Economic Development Manager was doing to attract new business to the District and also in finding new locations for and retaining businesses.

A question was asked as to whether a name had been decided on for the Maldon District Enterprise Centre. The Director of Planning and Regulatory Services advised that the feasibility study has just commenced and that a name for the centre could be included as part of the feasibility study.

The Economic Development Manager was currently building up knowledge on vacant properties, properties with leases due for renewal and business that wanted to expand and that he was giving advice to those businesses.

RESOLVED: that Members' comments be noted and future reports would include more detail as requested.

880. PLANNING POLICY UPDATE

The Chairman drew attention to recommendations (i) and (ii) in the report and advised the Committee that a response was to be prepared.

The Planning Policy Manager drew attention to the Basildon Borough Council Duty to Co-operate meeting and advised that Basildon was seeking to identify land for approximately 19,500 new homes. There had been an extensive review of Green Belt and despite that there was a shortfall of homes and that Basildon Council would be working with other South Essex authorities to accommodate the shortfall. There would be a report back to this committee following the conclusion of the consultation in May/June.

The Committee was advised that Stansted Airport had recently submitted a planning application to Uttlesford District Council to increase passenger numbers to 43 million

passengers per annum. A briefing note for Members would be sent out following review of the documentation on this matter.

The Committee was advised that the next meeting of the Essex Planning Portfolio Holder and Chairman Meeting would take place in July.

In relation to Supplementary Planning Documents:

- Low carbon energy SPD consultation closed on 9/3/18
- SPDs would be considered by P&L in April

The Community Infrastructure Levy (CIL) procurement process for the update to the evidence base closed on Monday 12 March 2018 and tenders would be evaluated during that week. Progress of CIL would be shared with the Planning and Licensing Committee through Planning Policy Updates. These updates would include the status compared with timetable set out in the LDS.

The draft National Planning Policy Framework (NPPF) had been published with a focus on speeding up housing delivery. The following 5 documents had been published by the Government:

- NPPF
- Summary of consultation proposals
- Review on supporting housing delivery through developer contributions
- Draft guidance on viability assessments
- Consultation on housing delivery test – there was a need to achieve 75% of the target for new homes and there was a possibility of losing the new homes bonus if not.

A report on the NPPF will be made to the 17 April 2018 meeting.

The timescale for the process of agreeing planning conditions and issuing decision notices was to be improved. The Government has suggested that a notice be served on the applicant and they then have 10 days to respond – if applicants objected then they would be required to set out substantive reasons for doing so.

RESOLVED:

That the response to the Improving the Use of Planning Conditions Consultation be prepared to include the views provided by Committee and approved by Officers in consultation with the Chairman of the Planning and Licensing Committee and submitted as the Council's formal response to the Consultation.

881. THE LONDON PLAN

The Chairman advised that although a response had been submitted, supplementary comments from Members would be forwarded, as the meeting of the Planning and Licensing Committee had been postponed due to the poor weather.

The Director of Planning and Regulatory Services advised that a holding response had been submitted, but that this did not preclude further comments.

The London Plan housing target was 160% higher than it was currently and there were questions as to whether this was achievable and deliverable.

There was a risk that non-achievement would place pressure on the wider region, to potentially include Maldon.

There were also concerns about the costs of infrastructure and the wider strategic infrastructure. The A120 corridor was excluded from the report and this had been raised in the Council's initial response.

Members were concerned about the impact on authorities that bordered London.

Members were advised that there was a copy of the London Plan in the Leader's office that was available to view.

There was concern about the requirement for Gypsy and Traveller Accommodation as there was an estimate of 30,000 Gypsies and Travellers in London – this could create a potential impact on the District if the policy was not deliverable and such families moved out of London.

The table referred to on page 41 under Chapter 3 – Housing was in error and should be removed.

Councillor A S Fluker declared that he was Harbour Commissioner.

There was some concern that houseboats had been forced out of London into the wider Thames area and there was growing concern that more could be forced out to Essex and North Kent.

In terms of waste, Members were concerned about how realistic the targets were and also the impact on Essex, in the event that London's targets to accommodate its own waste and safeguard sites was not achievable.

RESOLVED:

- (i) That the draft response be revised to take into account views of the Committee and be approved by Officers, in Consultation with the Chairman of the Planning and Licensing Committee and submitted as the Council's formal response to the Consultations.

882. ESSEX COASTAL RECREATIONAL AVOIDANCE AND MITIGATION STRATEGY (RAMS) UPDATE

The Chairman advised that Councillor St. Joseph would be attending the working group meetings on behalf of the Council.

The report was comprehensive and provided a background and update on progress. Attached to the report were the governance arrangements for the project (Appendix 3 to the report).

Recreational Avoidance and Mitigations Strategy (RAMS) has been incorporated into the LDS setting out the Council's plans for the forthcoming 12 months.

Natural England had listened to concerns raised by the Council regarding undertaking spring/summer surveys in addition to winter surveys. This would occur, but may incur an additional cost of around £300. However, it was considered that additional surveys would provide a better spread of evidence going forward.

Some stakeholder workshops had taken place, although one was cancelled due to the bad weather. This workshop would be rescheduled.

Engagement with caravan park owners has been agreed as the charge on new properties would include caravans.

Officers had recently met with Parish Clerks and requested volunteers to assist with undertaking surveys. The Parishes had been briefed on this project. In response to a question, the Planning Policy Manager advised that there were safeguarding concerns around schoolchildren assisting with the surveys. Furthermore, it was understood that there would not be a shortage of volunteers.

Concern was raised on the following issues:

- The money raised being used on Suitable Alternative Natural Greenspaces (SANGs) rather than for Maldon
- Whether existing issues would be addressed and would Maldon benefit rather than other local authorities
- No successful measure as to the effect on protected wildlife
- The impact of any extra disturbance would be minimal

Members requested that regular reports were provided to this Committee.

There were concerns regarding accessibility at Dengie and RAMSAR sites and also the maintenance of footpaths there.

The Planning Policy Manager advised Members that there were no firm proposals as yet, as the RAMS project was still at an early stage. Work was required to be undertaken, but there was a need to maintain and feed into the process comments and concerns of Members.

RAMS would cover the majority of Essex and would apply to all new homes within the area. Maldon only had a small proportion of that allocation. However, 4 of the

protected areas were in the Maldon district. Therefore, Maldon should be a recipient of the money.

There were issues raised around tree planting and the fact that Northey Island was privately owned.

In response to various questions, the Planning Policy Manager advised:

- The decision making process on SPD will be down to individual local authorities
- Officers will provide regular reports to this Committee
- Officers would request with other authorities that a more formal set up be arranged to assist this process.

It was proposed that an officer from Natural England and EPOA be requested to attend a meeting of this Committee so that questions could be asked directly.

This proposal was duly seconded.

RESOLVED:

- (i) That Natural England and EPOA be requested to attend a meeting of this Committee;
- (ii) That comments from the Committee on the Recreational Avoidance and Mitigation Strategy (RAMS) update be noted and incorporated into future planning policies and procedures. Any matters for decision would be reported back to this Committee as required.

883. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

RESOLVED:

That this agenda item be withdrawn to ensure that it is aligned with the new National Planning Policy Framework and a report would be brought back to this Committee in April 2018.

884. SECTION 106 AGREEMENTS - SIX MONTHLY UPDATE

Councillor P A Channer CC reiterated her earlier declaration.

The Director of Planning and Regulatory Services advised that this report was based on an earlier report to the Overview and Scrutiny Committee.

In response to a question, the Planning Policy Manager advised that S106 Agreements set out what the monies can be used for.

The new S106 Officer was working on producing a comprehensive database of S106 Agreements (together with previous iterations of that legislation). Record keeping was much improved and detailed data was held.

Future reports should focus on when money is due to come in and how it is being spent and by whom.

The Strategic Housing Manager would be asked to provide a response to Members of this Committee regarding the Cefas site.

RESOLVED:

That Officers take into consideration Members' views and comments on this report and that future reports to this Committee would focus on when Section 106 monies were due to be received, how such monies were being used and by whom.

885. CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION DOCUMENT

The Chairman advised the Committee that she had attended meetings about this Agenda Item along with the Planning Policy Manager.

It was considered that South Woodham Ferrers (SWF) would be the most important area to affect Maldon.

The Committee was advised that Stow Maries Parish Council was not aware that the draft Chelmsford Local Plan had been published, as details were sent to an old email address. Chelmsford City Council had agreed a two week extension of time for this parish to submit their comments on the plan.

Members were informed that an appeal decision at Danbury had recently gone against Gladman Developments and had been dismissed on all grounds. The decision notice would be sent out to all Members in due course.

It was agreed that the impact on all forms of transport must be taken into account by Chelmsford City Council. However, Abellio Greater Anglia had informed the Council that there would soon be new rolling stock on the line which would help to ease overcrowding. Members were concerned that the problem with overcrowding on the outgoing journey from London would not be addressed. Officers confirmed that this issue would be raised in the Council's response to the draft Chelmsford Local Plan.

Appendix 2 to the report would be amended to show the correct date (i.e. 11 May 2018) and also to ensure that all references to Maldon Council be amended to read Maldon District Council. This would ensure that there was no confusion with Maldon Town Council.

In response to a question, the Planning Policy Manager advised that the reference to Beaulieu Park Station would be clarified in the Council's response to the draft Chelmsford Local Plan to ensure that the point was made that access to the station should include easy access onto the road network servicing Maldon District.

RESOLVED:

That the draft response to the draft Chelmsford Local Plan be revised to take into account views of the Committee and approved by Officers, in consultation with the Chairman of the Planning and Licensing Committee and submitted as the Council's formal response to the Consultation. A copy of the amended wording would be circulated to all Members.

886. ROCHFORD DISTRICT LOCAL PLAN ISSUES AND OPTIONS

Councillor Mrs P A Channer CC declared a non-pecuniary interest as she was a Member of the Crouch Harbour Advisory Committee. She was appointed to that organisation by Kent and Essex Inshore Fisheries and Conservation Authority (KEIFCA) and was, in turn, appointed to KEIFCA by ECC.

The Planning Policy Manager advised that this was the earliest stage of a new local plan and that Rochford was currently consulting on new issues and the potential options for dealing with them. There was a proposal to maintain controls currently in place regarding houseboats in order to protect the environment. However, Members were not in agreement that such a focus on houseboats was necessary.

RESOLVED:

That the draft response to the Issues and Options for the Rochford Local Plan be amended to incorporate the views of the Committee and be approved by Officers, in consultation with the Chairman of the Planning and Licensing Committee and submitted as the Council's formal response to the consultations.

887. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

The Chairman advised Members of the Committee that the PA to the Director of Planning and Regulatory Services had attended the meeting and welcomed her.

There being no further items of business the Chairman closed the meeting at 9.14 pm.

MRS P A CHANNER, CC
CHAIRMAN

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