



**MINUTES of
PLANNING AND LICENSING COMMITTEE
5 SEPTEMBER 2019**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor Mrs M E Thompson
Councillors	B S Beale MBE, R G Boyce MBE, M F L Durham, CC, M R Edwards, Mrs J L Fleming, A S Fluker, C Mayes and W Stamp

361. CHAIRMAN'S NOTICES

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

362. APOLOGIES FOR ABSENCE

There were none.

363. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 18 July 2019 be approved and confirmed.

364. DISCLOSURE OF INTEREST

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council and any matter pertaining to that organization.

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council in relation to all items on the agenda as the County Council had been involved in or they were related to them.

365. PUBLIC PARTICIPATION

No requests had been received.

366. LOCAL DEVELOPMENT PLAN IMPLEMENTATION - MALDON AND HEYBRIDGE CENTRAL AREA MASTERPLAN

The Committee received the report of the Director of Strategy, Performance and Governance providing a six monthly update on progress taking forward the objectives and identified projects set out in the Maldon and Heybridge Central Area Masterplan Supplementary Planning Document (SPD).

The report advised Members of the project activity on which the Masterplan Delivery Group had been focussing. An update on each of these projects was provided in the report and it was noted that good progress had been made on project priority and activity in accordance with the Masterplan Programme.

In response to a question regarding the Maldon High Street project and concerns highlighted regarding congestion on the High Street, the Strategic Theme Lead – Place advised that the parking strategy within the Central Area Master Plan Supplementary Planning Document linked movement and connection within the masterplan. Although the upper High Street project had not yet commenced some of the concerns highlighted would be addressed through other projects being undertaken in respect of the High Street.

The Chairman highlighted the tremendous work that Officers had put into the Local Development Plan implementation and she particularly thanked the Strategic Theme Lead – Place and the other Officers directly involved.

RESOLVED that the contents of the report be noted.

367. APPROVAL TO ADOPT THE LOCAL LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF HEYBRIDGE AND SOUTHMINSTER

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' approval to adopt the Lists of Local Heritage Assets for the Parishes of Heybridge (attached at Appendix 1A to the report) and Southminster (Appendix 1B).

The report provided background information on listed buildings within the District and how the Planning Practice Guidance encouraged Local Planning Authorities to identify 'non-designated heritage assets' against consistent criteria. Adding them to a 'local list' was considered a positive way of improving the 'predictability of the potential for sustainable development'. The Council's Conservation Officer was currently drafting lists for each Parish with a target completion date of March 2021.

Draft lists for the Parishes of Heybridge and Southminster had been approved for publication on 6 June 2019. Following public consultation, a number of responses had been received (a summary of these was set out in Appendix 2) and the report highlighted a number which resulted in some minor amendments. Members were advised that the draft lists (Appendix 1) had been amended to reflect the proposed amendments.

The Committee asked that its thanks be passed onto the Conservation Officer for his work on the Lists of Local Heritage Assets. Councillor A S Fluker particularly thanked the Officer for bringing the Southminster Heritage List through early.

In response to a question regarding the Old Parish Room in Southminster the Chairman advised that the Director of Strategy, Performance and Governance would take this matter up outside of the meeting and advise the Ward Members' accordingly.

The Chairman offered her congratulations to the Ms Jackie Longman in her new post as Strategic Theme Lead – Place.

Councillor R G Boyce proposed that the recommendation as set out in the report be agreed.

RESOLVED that the Lists of Local Heritage Assets for the Parishes of Heybridge and Southminster be approved for formal adoption.

368. DRAFT ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION STRATEGY (RAMS) SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' approval of the draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (attached as Appendix A to the report) for public consultation.

Members were reminded that the Essex Coastal RAMS was a joint initiative between 12 Essex Authorities to identify the recreational impacts new homes would have on the habitat sites along the Essex Coast. The report provided further detail regarding the benefits of the SPD. This Committee had previously approved the draft Essex Coastal RAMS Strategy for public consultation in January 2019 which had been further amended in March 2019 following comments received from Natural England. The Strategy was set out at Appendix B to the report and the schedule of changes at Appendix C.

It was highlighted that approval for public consultation was being sought from all Authorities and it was expected that the consultation would take place in Autumn / Winter 2019.

The Chairman reminded Members that this was a consultation document. In response to a question, the Chairman confirmed that recommendation (ii) would need revising should changes to the SPD be required following October 2019 when the Council's new Committee structure was in place.

RESOLVED

- (i) That the draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy Supplementary Planning Document (RAMS SPD) be approved for stakeholder and public consultation.

- (ii) That the Committee agree that the Director of Strategy, Performance and Governance, in consultation with the Planning and Licensing Committee Chairman (or appropriate Committee Chairman post October 2019), be authorised to make changes to the draft Supplementary Planning Document should it be necessary prior to the consultation commencing (see paragraph 3.9 of the report).

369. CHELMSFORD DRAFT LOCAL PLAN MAIN MODIFICATIONS CONSULTATION

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of the Council's proposed response to the main modifications to the draft Chelmsford Local Plan.

The primary role of the Local Plan was to set out the required housing delivery growth and other land use requirements, allocate sites to meet that growth and to produce policies for the determination of planning applications up to 2036. Proposals for strategic developments were also included.

The report set out the points of consideration for the Council when making a response to the consultation. It was noted that the Council had been consulted on the Chelmsford Local Plan preferred options in 2017 and pre-submission draft Local Plan in March 2018. Changes to the draft Local Plan (main modifications) following examination in 2018 were now proposed. Members were informed how the concerns of the Council had been addressed at the pre-submission stage, and considering this Officers felt there were no substantive reasons to object to the main modifications proposed to the draft Chelmsford Local Plan.

In response to a comment from the Chairman, the Specialist – Local Plan confirmed that the South Woodham growth area previously referred to a bridge over the road but had been amended to 'multi user crossings' for example, a bridge or underpass, to give flexibility in the future.

RESOLVED that Chelmsford City Council be informed that Maldon District Council had no objections to the Schedule of Main Modifications to the draft Chelmsford Local Plan.

370. SECTION 106 AGREEMENTS - INTERIM UPDATE

The Committee considered the report of the Director of Strategy, Performance and Governance proposing a modification to the existing timeline for periodic reports to Committees and provided an interim update on the status of current day to day operations of Section 106 (S106). It was noted that this report should be read in conjunction with Agenda Item 11 – Community Infrastructure Levy (CIL).

The report provided detail in respect of CIL, the Government review in 2015 and the notable changes coming forward following recommendations from the CIL Review Team, which came into effect on 1 September 2019.

Members noted the arrangements that had been put in place to undertake an extensive review into the existing S106 systems, processes and procedures. In addition, an in-house review of the existing CIL evidence base would be taking place which would feed into the CIL charging Schedule and the requirement for all Councils to keep charging schedules under review.

In response to a question regarding when the Council would be reviewing its Infrastructure Delivery Plan, originally approved in 2012, the Director of Strategy, Performance and Governance advised that this Plan would be reviewed alongside the Local Development Plan but the exact date would be detailed within the Local Development Scheme. Members were advised that S106 agreements and CIL would sit and work alongside each other.

RESOLVED

- (i) that the progress in reviewing Section 106 be noted and that all future monitoring reports will refer only to previous periods;
- (ii) that the progress towards commencement of works (in-house) to assess the potential for implementing a revised Community Infrastructure Levy Charging Schedule be noted.

371. COMMUNITY INFRASTRUCTURE LEVY UPDATE

The Committee considered the report of the Director of Strategy, Performance and Governance providing an update on the work previously completed to introduce a Community Infrastructure Levy (CIL) and set out the next steps towards the implementation of a CIL for the District.

The Chairman reminded Members that the Committee had requested that this report be brought forward at its last meeting.

The report provided background information regarding the implementation of CIL, which came into effect in April 2010 and its purpose. In addition, the report detailed the benefits of, process for and progress to date in respect of CIL and its administration and monitoring costs.

Members noted that updated CIL viability evidence base would demonstrate whether there was scope to implement a CIL within the District, which would enable the Council to maximise the collection of funding from development to contribute towards infrastructure costs.

When presenting the report, the Director of Strategy, Performance and Governance advised that CIL funds were not ringfenced for specific schemes which provided more flexibility for the Council. Section 106 agreements would still be used and operate alongside the CIL charging schedule.

The Chairman advised the Committee that recommendation (ii) would require updating to reflect the Council's new Committee structure coming into effect from October 2019.

In response to a question regarding whether there would be a Working Group when progressing CIL, the Director of Strategy, Performance and Governance advised that a review would be undertaken and following this consideration would be given to whether a Working Group was required. Members were advised that in respect of CIL monies the Council would prioritise how these would be used.

RESOLVED

- (i) that the progress to date in implementing a Community Infrastructure Levy (CIL) be noted;
- (ii) that a review of the viability evidence base commissioned in 2018 be undertaken to establish whether additional Evidence Base is required to support the implementation of CIL and, if required, Officers in consultation with the Chairman of the relevant Committee commission further work on the Charging Schedule and Evidence Base for consideration at Examination;
- (iii) that, subject to the conclusions of the updated viability evidence, a Draft Charging Schedule be brought back to the relevant Committee for approval for public consultation;
- (iv) that recommendations for corporate governance arrangements for prioritising CIL expenditure are brought back to Committee if and when approval is sought to submit CIL for Examination.

372. OTHER BUSINESS

Prior to closing the meeting the Chairman advised that this was the last meeting of the Planning and Licensing Committee and how her and Councillor Boyce had been through various variations of it. That throughout her time on this Committee, especially with the Local Plan work and policy work around planning and other matters, it had had a tremendous work load and through various panels being set up, there had been a lot of work carried throughout the years. She made reference at this point to the involvement of her and other Members in the kicking off of the Local Plan ten years ago. Councillor Mrs Channer thanked all Members she had served with on this Committee, past and present, and all Officers. The teamwork between Officers and Members had resulted in the Council having success not only with the Local Development Plan but other documents, such as Supplementary Planning Documents. The Chairman advised that as a result of this Maldon was an authority that other Essex authorities looked up to, as Maldon had an adopted Local Development Plan and other policies where they did not. Councillor Mrs Channer expressed great thanks for all the support, guidance and help from all Officers both past and present and requested that these thanks be passed onto all colleagues as it had been through the team effort of both Members and Officers that the Committee had seen the success it had throughout the years. At this time she also expressed her thanks to past Chairman of the Committee and honoured the work they had done.

Councillor A S Fluker paid tribute to Councillor Mrs Channer as Chairman of the Planning and Licensing Committee. He spoke about how she had chaired the Committee for eight years during which the Council had developed the Local Development Plan and made reference to the process the Plan went through which had

been driven by Councillor Mrs Channer. Councillor Fluker emphasised how along with all the members of staff, Councillor Mrs Channer had kept the process going and was not for her energy the Council may not have had a Local Plan. He congratulated her for this and commented that it was because of this that the Council was the envy of other Local Authorities in Essex.

Councillor Mrs Channer advised that she could not take all the accolade because she had always had very supportive Vice-Chairman, accompanying her to meetings and able to stand in. This was about a team effort, Members and Officers together. She also thanked the Committee Clerks at this time and Officers for their guidance and advice.

There being no further items of business the Chairman closed the meeting at 8.15 pm.

MRS P A CHANNER, CC
CHAIRMAN