



**MINUTES of
PLANNING AND LICENSING COMMITTEE
25 APRIL 2017**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Councillors	E L Bamford, H M Bass, B S Beale MBE, M S Heard and S J Savage
Substitute Members	Councillors M F L Durham, Miss M R Lewis and R Pratt

1. CHAIRMAN'S NOTICES

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

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce MBE, CC, P G L Elliott, A K M St Joseph and Mrs M E Thompson. In accordance with notice duly given Councillors M F L Durham, Miss M R Lewis and R Pratt were substituting for Councillors Elliott, Boyce and St. Joseph respectively.

3. MINUTES OF THE LAST MEETING

RESOLVED:

- (i) that the Minutes of the meeting of the Committee held on 2 March 2017 be received.

Minute No. 1048 – FUL/MAL/16/01419 and LBC/MAL/16/1420 – Vaulty Manor, Goldhanger Road, Heybridge

Reference was made to the discussion that had taken place regarding the fact that this application had been referred to three Committees to arrive at a decision, but this was not recorded in the Minutes. It was noted that Officers agreed that this was a cumbersome process that needed review.

RESOLVED:

- (ii) that the Minutes of the meeting of the Committee held on 2 March 2017 be confirmed.

4. DISCLOSURE OF INTEREST

Councillor S J Savage disclosed a non-pecuniary interest in Agenda Item 8 – Fixing our Broken Housing Market: The Housing White Paper (2017) – as he was a trustee of an Almshouse Trust.

Councillor R Pratt declared a non-pecuniary interest in Agenda Item 9 – Burnham-on-Crouch Neighbourhood Plan, as he was a Burnham-on-Crouch Town Councillor.

Councillor Mrs P A Channer declared a non-pecuniary interest in relating to all items involving Essex County Council, particularly the Economic Development Update report, since she was a County Councillor.

5. PUBLIC PARTICIPATION

No requests had been received.

6. ECONOMIC DEVELOPMENT UPDATE

The Committee considered the report of the Chief Executive providing an update on key issues and providing an opportunity for feedback and input.

The Economic Development Officer provided updates on some successful events held since the report was prepared and responded to Members' questions, particularly with regard to Sense of Place events and meetings of the Business Board.

The Committee was informed that following The Leader's 3rd Big Business Conversation, positive feedback had been received from businesses at The Causeway/Heybridge Street with a view to creating a Business Improvement District. The involvement of the Maldon and Witham MPs in this was acknowledged.

With regard to the proposals for the Maritime Sector, Members were asked to assist with identifying relevant businesses and finding a suitable venue for a proposed breakfast meeting.

RESOLVED that the report is noted.

7. PLANNING POLICY UPDATE

The Committee considered the report of the Chief Executive providing an update on local, sub-regional and national planning policy matters including Neighbourhood Plans and legislation. It was noted that separate reports had been submitted on the Housing White Paper and The Burnham-on-Crouch Neighbourhood Plan.

With regard to the Local Development Plan, the Committee was advised that the closing date for representations to the Post Examination Modifications was Friday 28 April. The Committee was advised that it was not clear what impact the impending General Election would have on the timing of the Secretary of State's decision on the Plan.

On Essex Plans, the Chairman said that she understood that Chelmsford City Council had a Member/Officer Duty to Co-operate meeting for 3 May 2017.

Further to the Housing White Paper, the Deputy Leader said that he had written to the Housing Minister regarding certification of a five-year land supply, but in the light of the impending dissolution of Parliament an early response was now unlikely.

Some discussion then took place regarding the definition of a brown field site and the identification of suitable brown field sites in the light of new Regulations and the possible issue of a briefing note to Members on this. It was advised that Government Guidance on the new Regulations should be awaited. A report would be submitted to the Committee on the requirement for a Brownfield Register after the Guidance is released, which will set out how the Register will affect Maldon and advise on the definition of Brown Field land.

RESOLVED that the Planning Policy Update is noted.

8. FIXING OUR BROKEN HOUSING MARKET: THE HOUSING WHITE PAPER (2017)

The Committee considered the report of the Chief Executive on a proposed response to the Government's Housing White Paper published in February 2017. The Government was inviting comments on the Paper, which included proposals for changes to national planning policy and the way local councils approach planning for housing growth. The consultation period closed on 2 May 2017. A draft response was set out in Appendix 1 to the report.

Alongside the Housing White Paper, and referred to in the White Paper, the Government was also consulting on the introduction of Affordable Private Rented accommodation as part of developing the Build to Rent sector. This document was the Planning and Affordable Housing for Build to Rent Consultation Paper and was included in this report.

At this point, Councillor Mrs P A Channer declared an interest through being a trustee of an Almshouse Charity.

Discussion ensued on how the Council could strengthen its position in relation to the presumption towards sustainable development given that it had a five-year land supply and the fact that sustainability did not reflect need or desirability. Officers advised that the Council's housing figures were a minimum, not a cap, and that there were a number of factors behind the five-year land supply. Although there was concern and frustration at some appeals being lost, the Council had done all it could and only an adopted Local Plan together with certification of the five-year land supply would strengthen its position. It was agreed that officers would strengthen the response to make this point.

In terms of housing provision meeting local need it was noted that the only controls available were in relation to affordable housing or alternatively through an Exceptions Scheme.

With regard to the proposed amendment of the National Planning Policy Framework in relation to Green Belt boundaries, a suggestion was made that a comment should be made on landscaping, an issue often arising at appeal. Officers advised that whereas Green Belt was a policy tool to meet certain objections, landscape protection was more of an environmental tool and was a little more subjective. Although Maldon was not a Green Belt District, it was agreed that an additional comment should be made highlighting the fact that there were landscape issues that were as important to Maldon as well as Green Belt issues are to those authorities in those areas.

RESOLVED that subject to the additional comment in relating to landscape protection as referred to above, the draft responses to the Housing White Paper and also the Planning and Affordable Housing for Build to Rent Consultation Paper, as set out in Appendices 1 and 2 to the report, are agreed.

9. BURNHAM-ON-CROUCH NEIGHBOURHOOD PLAN

The Committee considered the report of the Chief Executive on the findings of the Examiner's Report on the Neighbourhood Plan. It was noted that the Examiner recommended proceeding to Referendum within the Neighbourhood Area if recommended modifications are made to the Plan. At Appendix A to the report was a schedule of the recommended modifications and the Officers' responses. Subject to approval by the Council, it was anticipated that a referendum could be held on 13 July 2017.

An update to the report containing the formal response from the Burnham-on-Crouch Town Council had previously been circulated and was made available to Members at the meeting.

Councillor R Pratt asked that his congratulations to the Steering Group for its hard work over a long period be recorded and commended the recommendations set out in the report.

Reference was made to a particular appeal decision received that day, which had been allowed, and concern was expressed as to how this might affect the Neighbourhood Plan and housing numbers. Officers stressed the importance of getting the Local Plan adopted.

RECOMMENDED

- (i) that the Council approves the proposed changes to the Burnham-on-Crouch Neighbourhood Plan as set out in the Examiner's Report and **Appendix A** to these Minutes;
- (ii) that the Burnham-on-Crouch Neighbourhood Plan as modified goes forward to Referendum within the Neighbourhood Area.

16. EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Act, and that this satisfies the public interest test.

17. WATERFRONT LEASES, MALDON

The Committee considered the report of the Director of Customers and Community seeking extensions to several waterfront leases at Hythe Quay, Maldon in preparation for the emerging Maldon and Heybridge Central Area Masterplan and Historic Waterfront Revival Projects.

It was noted that the Committee was being asked for agreement to the principle of extending the various leases, the detailed consideration of which would be a matter for the Finance and Corporate Services Committee the following evening.

Discussion ensued on a proposal by Councillor M F L Durham, seconded by Councillor Miss M R Lewis on the inclusion of a three year break clause to provide flexibility should circumstances change in relation to the progression of certain projects. It was felt that this would not be disadvantageous to the interests of other parties and noted that local businesses were working with the Council on this. The proposition was agreed.

RESOLVED that subject to the inclusion of a three year (2020) break clause for both parties where leases are proposed to be extended until 2022, the Committee endorses the principle of the proposed leasing arrangements for Areas A and B, Cooks Yard, the Tin Parliament Shed, the Old Classroom, Kiosk 1 and the Seafood Kiosk at Hythe Quay, Maldon, as shown on the map at Appendix 1 to the report, and recommends accordingly to the Finance and Corporate Committee.

18. LAST MEETING IN MUNICIPAL YEAR

The Chairman expressed her thanks to Members and Officers for their work over the past year particularly in relation to the Local Plan, a top priority, and its progression towards the Examination in Public. She paid special tribute to the work of the Interim Strategic Planning Policy Manager and his team and the exemplary way in which the Examination had been conducted.

There being no further items of business the Chairman closed the meeting at 9.07 pm

MRS P A CHANNER
CHAIRMAN