

**LOCAL PLAN PANEL held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on THURSDAY, 21
MARCH 2024 at 7.00 pm**

Present: Councillor R Freeman (Chair)
Councillors C Criscione, J Emanuel, J Evans, R Gooding,
R Pavitt (Vice-Chair), N Reeve, G Sell and M Tayler

Officers in attendance: D Hermitage (Strategic Director of Planning), P Holt (Chief Executive), A Maxted (Interim Planning Policy Manager) and C Shanley-Grozavu (Democratic Services Officer)

Public
Speakers: Cllr R Haynes

7 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence or declarations of interest.

8 PUBLIC SPEAKING

Councillor Richard Haynes addressed the meeting. A copy of his statement has been appended to the minutes.

9 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were approved as a correct record.

10 LOCAL PLAN PROGRESS UPDATE

The Strategic Director of Planning briefed members on a recent visit from the Planning Advisory Service (PAS) which had been recommended by Senior officials from the Department of Levelling Up, Housing & Communities (DLUHC).

He said that PAS had provided initial feedback, and a final copy of their review would be provided to DLUHC and likely seen by the Secretary of State. PAS had reported that the Local Development Scheme had challenging timescales; however, the well-advanced evidence base and full Regulation 18 plan meant that the Council should be able to progress to Regulation 19. There were four recommendations which would be considered by officers before they were taken to the Scrutiny Committee.

The Strategic Director of Planning also addressed recent comments regarding the online portal for the Regulation 18 consultation responses and said that, whilst everyone was used to easier software used by large corporations, they needed to manage expectations. All comments were available online and searchable by reference ID, and a video guide had been created for further accessibility.

Councillor Evans highlighted that some local authorities had simply listed consultation responses in alphabetical order and often published them in PDF format which was not searchable. The Council had taken each representation and cut them into bitesize parts which were individually searchable. The Interim Planning Policy Manager added that the software did have limitations and officers were not able to make quick changes to this. However, they had worked to make it as accessible as possible, such as producing an instruction video, and would be investigating alternatives for the Regulation 19 consultation.

The Interim Planning Policy Manager then provided a progress update on the emerging Local Plan, including the consultation processing. He explained that the team had five main workstreams; producing a report on Regulation 18 comments, updating the evidence base, re-engaging with stakeholders to address issues raised in the consultation, working with Site Promoters to update information for Regulation 19 and drafting a Regulation 19 Consultation plan.

He said that the report on Regulation 18 comments would summarise and group all comments, by topic as well as provide an officer's response. This would be presented policy-by-policy, topic-by-topic in a format which was guided by Planning Inspector's requests at other Plan examinations. In total there were over 5000 comments, after all the responses were broken down into their particular themes, and officers had generally found that there was a balance in the views presented.

In response to questions from members on the progress update, officers clarified the following:

- A report would be created following the Regulation 19 consultation with responses to individual comments submitted. This would be part of the documentation submitted with the final Local Plan to the Secretary of State, along with the report with responses to the Regulation 18 consultation.
- The report on Regulation 18 consultation responses would group similar comments together, listing each individual along with a summary of their comments and an officer response.
- Officers were currently updating the evidence bases which consisted of around 30 different studies.
- The Regulation 19 Housing supply numbers would factor in known commitments up to April 2024. This would be a larger figure than supplied in Regulation 18 which would create the opportunity to reduce the allocations and create larger head room.
- Officers would continue to work with the Site Promoters for the sites chosen within Regulation 18. However, there was potential that this be extended in some circumstances to those that were unsuccessful.

Members highlighted the importance of considering the implications of community infrastructure which could be lost as a result of reductions to site allocations. Officers said that they were having discussions with relevant infrastructure bodies around the provision of future infrastructure during the plan period, and offered reassurances that the potential reductions would not be a case of simply netting off numbers without thought for infrastructure.

Work had not yet commenced on the drafting the Council's Community Infrastructure Levy but preliminary work is underway. Further down the line, officers were intending to engage with Parish and Town Councils to consider on how a percentage of this may be transferred to them. The Charging Schedule would complement the Regulation 19 Local Plan and is planned to be adopted around the same time.

The report was noted.

11

SITE SELECTION UPDATE

The Interim Planning Policy Manager gave a verbal update on the work undertaken within the Site Selection process.

Members raised a number of questions around the Policies Map for the emerging Local Plan. In response, Officers clarified that the Policies Map demonstrated where each Local Plan policy applied within the District.

The most recent version of the NPPF outlined that if a draft Local Plan included a Policies Map and proposed housing allocations, the authority would only have to demonstrate a four-year housing land supply. As Regulation 18 Local Plan was published before this amendment, it did not apply to the Council. In addition, the publication of a Policies Map shows a more definitive intention in regard to the policies and sites for the next 20 years and was thus perhaps not appropriate for Regulation 18.

Members requested that a map be produced which included both permitted development as well as sites allocations to provide residents with a visual representation of the spread and scale of all future development, and not just that assigned within the Local Plan. Officers suggested a second map showing this would be useful.

12

NON-STRATEGIC ALLOCATIONS IN LARGER VILLAGES

The Planning Policy Manager reported on the emerging approach to non-strategic allocations in 'Larger Villages'. He explained that the Settlement Hierarchy was previously based on Parish data, rather than settlement data, however this had now been revised due to consultation feedback from Parish councils. As a result, some Larger Villages would be recategorised lower down the hierarchy.

It was recommended that a range of sites of different sizes be provided in order for the Local Plan to demonstrate housing delivery in the short and medium term until larger sites had begun to deliver later in the plan period. It was proposed that this be through non-strategic sites within Neighbourhood Plans.

Members discussed the revised approach and the following was noted:

- Within the Regulation 18 Local Plan, 13 Larger Villages had been identified. This number was likely to be lower at Regulation 19, based on the consultation feedback from residents and Parishes.

- Infrastructure and amenities would be measured by the settlement, rather than parish, in order to more accurately pinpoint where housing would be best placed.
- Any Neighbourhood Plan adopted would need to be in conformity with the policies of the Local Plan. If a Neighbourhood Plan had failed to be adopted within the first 5 years of the plan period, then the Council would take control of the housing numbers.
- The NPPF seeks a housing figure to be provided within any Neighbourhood Plan. As smaller settlements would not be allocated any housing numbers in the Local Plan, any housing they propose in Neighbourhood Plans would contribute to housing numbers expected to be created by a number of non-strategic, smaller sites (windfalls).
- A Neighbourhood Plan may give Parishes greater flexibility as to how non-strategic housing would be delivered. However, this must also demonstrate compliance with the Local Plan's strategic housing figures which have been allocated within the area.
- The Housing Numbers were based off commitments in 2023, so there was a possibility that there would be a reduction in allocation numbers within larger and smaller villages.
- Smaller villages could produce a joint Neighbourhood Plan together, providing there was agreement and some commonality which joined them together.
- Neighbourhood Plans did not need to be long, complicated documents or a duplication of Local Plan and national policies. It could be very simple with a small number of policies to address local issues.
- There was support available for Parishes interested in producing a Neighbourhood Plan, including from the Rural Community Council of Essex, as well as funding from DLUHC.
- It was beneficial to have the majority of a Neighbourhood Plan Steering Group made up of residents, rather than Parish Councillors, in order to draw on the expertise of the community.
- Neighbourhood Plans could be successful in defending Planning decisions. For example, the Newport, Quendon and Rickling Plan had defended 13 appeals in only two years.

Officers confirmed that they were meeting with Parishes to discuss the development of Neighbourhood Plans. To date, many of these had been successful and the Council had been able to offer further assistance; for example, to help Debden Parish Council apply for grant funding following their designation as a Neighbourhood Plan area.

Meeting ended at 20:27

PUBLIC SPEAKING

Statement from Councillor Richard Haynes

I think first of all, the Regulation 18 draft took everybody rather by surprise. It was incredibly muddled. We're now confronted with the consultation responses which are absolutely impenetrable so there is a considerable amount of concern amongst wider community. I just really want to make you aware of that.

To come to the various point I wanted to go into. First of all, deficiencies with the evidence base. There do seem to be a lot of holes, a lot of things missing and I'm not seeing very much being done to fill those holes.

- The findings of the Community Forum seem to have been completely ignored; specifically the Community Forum conclusion that all development should be close to transport hubs and yet, most of the development seems to be nowhere near transport hubs.
- Neighbourhood Plans seem to have been completely ignored and the associated evidence from them.
- A lot of the allocations seem to lack any highways studies. There is nothing to indicate how these developments would impact on local junctions.
- Landscape - these are meant to be visual impact assessments and yet there are no view considered in any of them.
- Heritage – no consideration of setting. Setting analysis is critical where you have Heritage Assets in landscape settings.
- Flooding – no record of flooding events and how these developments relate to flooding events within the district.

Turning to the allocations themselves, I'm not going to dwell on Thaxted, other than to use it as an example. Thaxted is probably the most isolated settlement of any size in the district. It is an entirely unsustainable location. There is no railway station, it closed in 1952. It is several miles to the nearest A Road, 20 miles to the nearest hospital. It is an entirely isolated settlement, full of Heritage qualities which need to be preserved. Yet, we see 489 houses allocated to Thaxted. It is a complete nonsense. It is probably the most unsustainable location that anyone could have dreamt up for putting those houses.

Going beyond Thaxted, there seem to be sites allocated that have already been dismissed at appeal. These are being resurrected. They weren't dismissed on technicalities as we've been told by officers. Some of them were dismissed on fundamental grounds and I just cannot see how these can be resurrected and put in as allocations for this Local Plan.

Then there's the quality of maps. There's a lot about chalk streams and yet the maps don't actually indicate where the chalk streams are. The boundaries of allocation sites are not at all clear. In Thaxted, we have no idea where the primary school is meant to go.

Perhaps most concerning, and I speak as a member of the Planning Committee. We are quite good at defending against unwanted application both at Committee and at appeal and that is largely because of current plan policies like S7, EMV2, EMV5, EMV9. As this current draft is given more and more weight as time goes by Planning Inspectors, that will probably mean that we no longer have those policies to rely on. We have to turn to the current draft, or the latest draft, which has none of those. There are no Countryside protection policies at all.

In short, I think this document, the Regulation 18 document needs to be completely rewritten before you get to Regulation 19 and so I therefore question, have you got the time to do that.

I'm just summing up the concerns of my Ward constituents. This is following discussions with all the Parish Councils within my Ward, and I thought that I would bring those to you tonight. Thank you.