

Notes

Meeting: Local Development Plan Members Working Group
Venue: Online via Microsoft Teams
Date: 29 January 2024
Time: 18:00-19:30

Members Present: Cllr Keith Barber, Cllr Thomas Bridge, Cllr Martin Cuthbert, Cllr Roger McCheyne, Cllr Philip Mynott

Officers Present: Jonathan Quilter (JQ), Corporate Manager – Strategic Planning
Andrea Pearson (AP), Senior Policy Planner
Camilla Carruthers (CC), Senior Policy Planner

Apologies: Cllr Dr Tim Barrett

1. Notes from previous meeting (30/10/2023)

- a) Notes from the previous meeting were agreed with no changes required.

2. Overview of NPPF updates (Dec 2023)

- a) JQ provided an overview of the changes made to the NPPF in December 2023.
- b) Cllr Barber asked how frequently Local Plans need to be updated and whether there was a timetable that sets out when the key stages will take place i.e. consultations.
- c) JQ explained that national policy requires Local Plans be reviewed at least every 5 years and that the Local Development Scheme (LDS) provides the timetable for producing the Local Plan Review.
- d) Cllr McCheyne queried what has happened to other Local Authorities that have not submitted a Local Plan.
- e) JQ set out that a number of Local Authorities including Essex authorities (Basildon, Castle Point and Uttlesford) have been threatened with intervention if they do not advance their plans to submission. In the first instance these named authorities have been asked to update their Local Development Schemes (timetables) and remain in close contact with Government on Local Plan progress.

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- f) Cllr Mynott asked how the 20% buffer works when calculating housing need.
- g) JQ confirmed that where applicable the 20% is added onto the housing need as identified through the government's standard method.
- h) Cllr Barber asked what the risk mitigation is when we are dependent on large sites coming forward, such as Dunton Hills Garden Village (DHGV).
- i) JQ explained that for any Local Plan it is necessary to undertake regular reviews of housing delivery as indicated through the Annual Monitoring Reports that are produced. If sites do not come forward as expected and there is a noticeable impact on meeting a 5 year supply then this could be a reason to trigger an early review in advance of the 5 year review period.
- j) Cllr Mynott requested clarification on what impact there is on the Council when a developer land banks a site and does not bring it forward in line with original projections.
- k) JQ explained that that there are times when there are unexpected delays, however, through the local plan process the Council needs to be provided with evidence from developers that a site is deliverable which is scrutinised by an Independent Inspector at Examination in Public. As a result, the likelihood of this situation arising is minimised.
- l) Cllr McCheyne asked in relation to the current call for sites consultation whether sites within the Green Belt will be rejected.
- m) JQ set out that it is not a reason in itself to reject sites just because they are in the Green Belt. It is important to follow the requirements of National Policy and guidance and follow the necessary steps before decisions on where development is located and meeting housing needs. Exceptional circumstances have to be fully justified to why we wouldn't develop on the Green Belt. We must consider sustainable development if Green Belt releases were to be identified.
- n) Cllr Bridge asked for clarification on what is defined as brownfield and stated the importance of being clear when using terms brownfield, Green Belt and greenfield.
- o) JQ explained that the Council has a requirement to maintain a Brownfield Register and also the approach required in site assessment work. Agreed that it will be important to be as clear as we can in our messaging over the distinctions between

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brownfield, Green Belt and greenfield.

- p) Cllr McCheyne requested to be kept updated on the number of sites submitted as part of the Call for Sites. Also raised concerns over the potential loss of agricultural land to development which is a national issue. Stated that land that is not producing crops should be focussed on not good quality farming land.
- q) JQ confirmed this will be considered as part of the site assessment work in accordance with national policy.
- r) Cllr Mynott queried the change to paragraph 70 of the NPPF and whether this is concerning the LPA supporting small sites to come forward, considered to be an important change for our communities.
- s) JQ discussed how this is reliant on the desire of the community to bring these sites forward and it is considered a positive step that there is more emphasis on this. The deliverability of small sites is a consideration.
- t) Cllr McCheyne asked in terms of Section 106 and new developments whether the Council can specify where the money is spent and what this means for development that has already taken place.
- u) JQ explained that S106 has to be justified and related to mitigating an identified impact of a specific development. However, through Community Infrastructure Levy (CIL) there is scope to improve broader local infrastructure. Confirmed that a paper on CIL spending and governance arrangements will be brought to a future committee by September 2024 in line with the recommendations when CIL was adopted in September 2023.
- v) Cllr Mynott asked in relation to the densities of development and consideration of local character what constitutes 'wholly out of character' appreciating there is not simple definition.
- w) JQ agreed it is difficult to define and highlighted it will be important to see how the issue is defined through future planning appeals across the country.
- x) **ACTION** JQ to circulate a track changes version of the updated NPPF.
- y) Cllr Barber raised question on parking provision and recent applications that have come forward with no parking provision on the basis of being in a sustainable

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location. Asked how developments would be refused which provide no parking provision and potentially erode local character.

z) JQ Did not consider there was a simple answer to this and would be one to consider further.

aa) Cllr Mynott Asked if it is the case that the NPPF is putting a hurdle in front of LPA's like Brentwood who are wanting to take more control of local parking standards?

bb) JQ explained that there is not a great deal of flexibility with how far we can go beyond the Essex Parking Standards and National Policy and guidance.

cc) **ACTION** Cllr Mynott requested a view on what the options are available in terms of introducing a stronger position on parking standards and how enforceable these would be at appeals.

dd) **ACTION** Cllr Bridge requested a view on if garages are counted as parking spaces given they are realistically used for storage.

3. Local Plan Review Update

a) JQ provided an overview of the emerging process for preparing and adopting new style Local Plans which the Government is providing more details in the autumn. Also provided an explanation of how the standard method is calculated and set out a summary of the key evidence documents that will be required to support the Local Plan Review.

4. AOB

b) **ACTION** – Cllr Bridge requested that at the next working group that an update on the call for sites consultation is provided.
