

Notes of a meeting of the Local Plan Working Group held in Committee Room 2, The Grange, Ely, on Wednesday, 31st May 2017 at 6.00pm.

PRESENT

Cllr David Brown
Cllr Steve Cheetham
Cllr Paul Cox
Cllr Lorna Dupré
Cllr Coralie Green
Cllr Julia Huffer

OFFICERS

Julie Barrow – Senior Planning Officer
Edward Dade – Strategic Planning Officer
Richard Kay – Strategic Planning Manager
Janis Murfet – Democratic Services Officer

1. ELECTION OF CHAIRMAN

Councillor Coralie Green was nominated and duly seconded.

It was resolved:

That Councillor Coralie Green be elected as Chairman of the Local Plan Working Group for the ensuing Municipal Year.

2. APOLOGIES

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that a decision had been taken to reduce the size of the Working Group and as a result, Councillors Derrick Beckett and Joshua Schumann were no longer members. She therefore wished to have placed on record her thanks for all their work whilst serving on the Working Group.

5. **NOTES**

It was resolved:

That the Notes of the previous meeting held on 9th May 2017 be confirmed as a correct record and signed by the Chairman.

6. **LOCAL PLAN: HOUSING NUMBERS UPDATE**

The Strategic Planning Manager presented a report, which sought to update Members on the latest position with housing numbers, and the degree to which new sites needed to be found.

The report set out details of the 'new sites' permitted, (or permitted subject to S106) over the past year or so, not currently accounted for in the Further Draft; sites potentially at risk of deletion; and sites with a potential to be reduced in scale.

It was noted that the Further Draft had allocated a large number of sites and also made an allowance for completions, future 'windfall', and future Community Land Trust (CLT) development, the latter two elements being on non-allocated sites. If the entire Further Draft amount materialised, it would slightly over-provide by approximately 750 homes (6.5% over provision).

However, it was widely accepted (and expected by Inspectors) that a Local Plan should always have a buffer above its base target. ECDC's 6.5% buffer in the Further Draft was quite low, especially as its windfall/CLT allowance was relatively high with 1,500 dwellings equating to 13% of the total.

It was for this reason that the Further Draft explicitly stated that a further 500 – 1,000 homes were needed. If the midpoint was chosen (750), it would give the Local Plan an over-provision of 1,500 or 13%. This would match the windfall allowance and would also match the intended re-distribution of 1,500 homes to Peterborough via a longstanding agreement. It would be a helpful argument to have at an examination and would de-risk the Plan if the Inspector was not supportive of the re-distribution or the windfall allowance.

Furthermore, over-provision was extremely helpful to ensure that post adoption, the Council wanted to maintain its five year land supply position. The more sites that were allocated, the more likely the Council could prove it had supply to meet need. In the light of this, it was recommended that the Council should aim to provide for 12,900 homes in the Local Plan.

In practical terms it meant that 650 new homes needed to be found, with the caveat that no sites were deleted from the Further Draft.

The following points were made:

- There is some concern about going for a headline target figure of 12,900 homes, 2014 – 2036, because of the message it would send to partner councils;

- The buffer should be 10% above the base target, to allow room for manoeuvre;
- There is a risk, with over-provision, that developers will cherry pick sites, in which case the Authority will be no better off;
- Rather than a specific figure, the Council should aim to provide between 12,700 and 13,000 homes in the Local Plan.

It was agreed:

That if a robust position is to be put into the Plan, then further sites, from those available, need to be allocated in order that the Plan provides (including an allowance for windfall and CLT) for around 12,700 – 13,000 homes.

7. LOCAL PLAN: FORDHAM DISCUSSION PAPER

The Strategic Planning Manager presented a report, from which Members were asked to discuss Fordham, in order to determine what the Local Plan should propose for this settlement. Tabled at the meeting were maps to help illustrate the options available.

Fordham is currently classed as a 'Large Village', and is unusual in that there is no single central core from which it has historically expanded. It could be described as a collection of four or five separate entities, between which are green areas and ribbon development. It has a reasonable range of facilities and a reasonable public transport service. A recent expansion of the primary school ensures there is some capacity to take growth and the County Council confirmed that the level of growth as set out in the Further Draft can be accommodated in that primary school. However, the County Council did note that the school has no potential for further expansion.

The Strategic Planning Manager reminded Members that Fordham had received a large number of site suggestions at the preliminary Draft stage and a further two more suggested sites at the Further draft stage. In recent months there had also been a relatively large number of speculative planning applications, although these tended to mirror some of the 'site suggestions'.

A wide ranging discussion of the issues and options took place, relating to the following points:

- The impact of growth on infrastructure and the ability to deliver needed infrastructure in the village;
- The latest position regarding residential proposals (including planning applications) for Fordham;
- Local objections and issues raised in relation to the various sites;
- The emerging opinion of Officers.

It was agreed:

That the contents of the report be noted; and the broad approach as set out in it be endorsed.

8. LOCAL PLAN: WITCHFORD DISCUSSION PAPER

The Strategic Planning Manager presented a report, from which Members were asked to further discuss the corridor of Witchford – Lancaster Way – South West Ely, in order to help determine what the Local Plan should propose for this corridor. Tabled at the meeting were maps to help illustrate the options available.

The Strategic Planning Manager reminded Members that depending on the scale of growth, the Council would have to decide how governance would proceed and reminded Members that the next stage of consultation would be open to the public, but comments would go straight to the Inspector.

During the course of discussion, the following points were made:

- Witchford Parish Council had made its formal submission and contended that development of site 10/29 would destroy the community;
- Concern was raised regarding the potential for urban sprawl from Ely;
- The County Council had considered A142/A10 Witchford – Ely capacity improvements as a project for submission to the Government's National Productivity Investment Fund, but the project was ranked fifth out of seven projects in total and would not be submitted;
- The existing primary school was almost at full capacity and was constrained;
- Links with the Enterprise Zone were discussed;
- Engagement with the village would be important so that people felt they were being involved in the process;

It was agreed:

That a number of options be noted.

However, Councillors Cheetham and Dupré wished it to be minuted that they were not in favour of significant growth at Witchford, without further consideration of alternative locations for growth in the District.

9. LOCAL PLAN: KENNETT DISCUSSION PAPER

The Strategic Planning Manager presented a report which updated Members about proposals in Kennett.

It was noted that Kennett received a few site suggestions at the Preliminary Draft stage and a few more suggested sites at the Further Draft Stage. A single site (KEN.M1) was

'preferred' in the Further Draft, being the mixed use, housing-led site to the west of Station Road. This site received a considerable number of objections.

Members were reminded that one of the reasons for a large scale site in Kennett in the Further Draft was the 'Devolution deal' as being negotiated at the time. The Further Draft Local Plan, which had been prepared and consulted on between the Devolution Proposal being published and the final Deal being issued, introduced a site which would fit with the principle established in the Devolution Proposal.

The wording in the Devolution Deal was undoubtedly in favour of allocating a large strategic site at Kennett, and on the basis that the deal had been agreed by Government and all the constituent authorities, considerable weight had to be attached to what it stated. However, the 'Devolution Deal' was not a statutory 'plan' and the East Cambs Local Plan had to defend any allocation in Kennett.

Representations and available evidence was continuing to be considered and further evidence was being gathered or prepared for all suggested sites. The Strategic Planning Manager's report set out a summary of some of the challenges made by objectors to the inclusion of site KEN.M1.

The Strategic Planning Manager reiterated that there was an element of risk in including site KEN.M1 (the risk being that the Inspector would reject it, with consequences for the Local Plan as a whole) and the risk increased with the greater the volume of objectors. The Council had to be mindful of this, as the site would be tested very heavily.

During the ensuing discussion, the following points were raised:

- The Inspector writing the report will be appointed by the Secretary of State. There is no mechanism to call in the report, as the law does not permit this;
- Kennett is part of the Devolution Deal and it is not for ECDC to start 'unpicking' it;
- The site KEN.M1 should be included and the risks noted. This shows the importance of having a buffer.

It was agreed:

That the issues and assumptions in the report be noted and that Members will await a further update on site KEN.M1 (including policy wording amendments) at a future Working Group meeting.

10. LOCAL PLAN : AIR QUALITY, POLLUTION AND MORE – DISCUSSION PAPER

The Strategic Planning Manager presented a report, from which Members were asked to discuss what the Local Plan should propose regarding air quality, pollution and similar matters.

It was noted that Councillor Dupré had requested that a report be brought to the Working Group, specifically considering HGV routing agreements, as well as pollution, noise and vibration, and how these matters were taken into account in site allocations.

On a wider basis, Planning Committee had recently had to deal with these sorts of issues for high profile applications, especially in relation to applications adjacent to the A142.

The Strategic Planning Manager reiterated that it was very difficult for the Local Plan or the planning application process to do very much about HGV routing. The Local Plan was not a mechanism to downgrade roads, introduce highway measures or otherwise 'ban' certain vehicles from certain routes. In instances whereby an allocation or planning application was deemed acceptable, except for the harm HGVs might cause, it was possible to agree a HGV routing agreement whereby HGVs were required to access the site via a certain route, avoiding communities and inappropriate roads as much as possible. However, such agreements could not be in the form of a planning condition, but via a S106 agreement.

Although it was considered that the Local Plan was too strategic to start stipulating precisely which allocations should or should not have a routing agreement, it seemed sensible to introduce wording which would give the ability for the Council to negotiate a routing agreement, when appropriate and reasonable to do so. Local Plan Further Draft Policy LP17 appeared to be the most sensible place to add this requirement and the Strategic Planning Manager drew Members attention to some suggested wording for an additional paragraph.

With regard to site allocations and proposals near main roads, it was noted that the Further Draft Local Plan was largely silent regarding 'buffer zones'. LP26 included 'Pollution and Land Contamination' which referred to noise and air quality, but it was high level policy. For a few allocations the Plan referred, in general terms, to the need for a 'buffer' between development and the road which was adjacent, but it was not specific in what was expected. The Strategic Planning Manager therefore suggested that LP26 be strengthened through additional text, as suggested in his report.

Speaking next of health, the Strategic Planning Manager said that it was possible for the Local Plan to introduce a wide ranging 'health' policy, and Members, attention was drawn to two recently adopted policies in other Local Plans. It was noted that the policies were quite high level and strategic in nature and whilst they were well meaning, the difficulty arose in developers and Development Management Officers implementing them. Members were therefore asked to give a steer as to whether such a policy should be included in the Local Plan.

It was also suggested for specific sites, where it could be reasonably assumed that noise, pollution or vibration would be an issue, that suggested wording in the Local Plan be strengthened and/or the indicative housing number revised.

During the course of discussion, the following comments were made and points raised:

- HGV should be changed to read 'HCV', so that all types of large vehicles would be covered;
- The reference to 'road' in paragraphs (a) and (b) of LP26 would be better changed to 'route';
- The Local Plan should include something regarding health and wellbeing;
- HCVs could be conditioned by S106 Agreements to adhere to routing agreements, though these might be difficult to enforce; meanwhile the County Council's 'covenant' was voluntary and required individual parishes to sign with individual hauliers. A more robust alternative would be a set of traffic regulation Orders limiting HCVs;
- It would be useful to hold a Member seminar for both District and County Members, so that all these issues could be discussed and dealt with.

The Working Group agreed the following steer to Officers:

- 1) That LP17 should be strengthened to make reference to HCV routing agreements;
- 2) That LP26 should be strengthened to make reference to buffer zones alongside main roads;
- 3) That a new 'health' policy, along the lines of those found in Fenland and Central Lincs Local Plans, should be included in the Local Plan; and
- 4) That some site allocations, as listed in the report, have their 'indicative' dwelling number reduced.

11. FURTHER DRAFT LOCAL PLAN: KEY ISSUES REPORT

The Working Group received a draft Key Issues report which summarised the main issues raised during the consultation on the Further Draft Local Plan.

Appendix 1 to the report was a draft version and Officers would give it its final checks so it was ready for publication after the Working Group meeting. It was noted that this summary report was a statutory requirement and would be published imminently unless the Working Group considered it inappropriate to do so.

In terms of the next steps, all representations would be carefully considered and Officers would make recommendations as to what amendments to the policies and allocations were necessary as a result.

It was agreed:

- a) That the Key Issues Report and its imminent publication be noted;

- b) That the Working Group should receive a briefing at its next meeting as to what the next stages will entail in respect of the Local Plan , leading up to its future adoption in 2018.

12. FORWARD PLAN OF ITEMS FOR MEMBER WORKING GROUP MEETINGS

The Working Group received a report from which Members were asked to agree the highlighted forward plan of items for discussion at future Working Group meetings.

It was resolved:

That the forward plan of items for future Working Group meetings be agreed, with the addition of the briefing referred to in the last agenda item.

The meeting closed at 7.59pm.