

Minutes of a Meeting of the **Scrutiny Committee** held in the **Deben Conference Room, East Suffolk House, Riduna Park, Melton** on **Tuesday 27 November 2018** at **6.30pm**

**Members of the Committee present:**

P Dunnett (Chairman), M Deacon (Vice Chairman), S Bird, C Block, P Coleman, G Harding, C Hedgley, G Lynch, S Mower

**Other Councillors present:**

J Fisher, T Fryatt, S Harvey, J Kelso, A Smith

**Officers present:**

K Abbott (Democratic Services Business Manager), M Edgerley (Principal Planner), A McMillan (Principal Planner), D Reed (Planning Policy and Delivery Manager), P Ridley (Head of Planning and Coastal Management)

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**1. Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Burroughes.

**2. Declarations of Interest**

The following Members declared Local Non Pecuniary Interests for the agenda items and reasons detailed below:

Councillor Bird, item 4, Suffolk Coastal Final Draft Local Plan, as a County Councillor and a member of Felixstowe Town Council.

Councillor Block, item 4, Suffolk Coastal Draft Local Plan, as a member of the Deben Estuary Partnership, and also item 5, Verbal update on the Provision of Affordable Broadband, as a member of the Suffolk Superfast Broadband CIC.

Councillor Coleman, item 4, Suffolk Coastal Draft Local Plan, as a member of Felixstowe Town Council.

Councillor Deacon, item 4, Suffolk Coastal Draft Local Plan, as Ward Member for Felixstowe North and a member of Felixstowe Town Council.

Councillor Dunnett, item 4, Suffolk Coastal Draft Local Plan, as a member of Saxmundham Town Council and as a member of the Local Plan Working Group, and also item 5, Verbal update on the Provision of Affordable Broadband, as a member of the Suffolk Superfast Broadband CIC.

Councillor Fisher, item 4, Suffolk Coastal Draft Local Plan, as a member of Saxmundham Town Council.

Councillor Harvey, item 4, Suffolk Coastal Draft Local Plan, as a member of the Local Plan Working Group.

Councillor Kelso, item 4, Suffolk Coastal Draft Local Plan, as a member of both Martlesham Parish Council and the Martlesham Neighbourhood Plan Working Group

Councillor Smith, item 4, Suffolk Coastal Draft Local Plan, as a member of Felixstowe Town Council.

### **3. Minutes**

#### **RESOLVED**

- (a) That the Minutes of the Meeting held on 13 September 2018 be confirmed
- (b) That the Minutes of the Simultaneous Meetings of Suffolk Coastal District Council's Scrutiny Committee and Waveney District Council's Overview and Scrutiny Committee held on 25 October 2018 be confirmed

### **4. Suffolk Coastal Final Draft Local Plan**

The Cabinet Member with responsibility for Planning introduced the report, **SCR 08/18**. He said the Draft Final Local Plan, at appendices A and B to the report, provided a comprehensive plan for the District for the period 2018-2036 and included an ambitious vision, spatial strategy, district-wide policies, area specific strategies and site allocations. The Cabinet Member said that, in accordance with the Council's timetable for production of the Local Plan, it had evolved through the formulation of a robust evidence base, two rounds of public consultation and regular engagement with local communities and infrastructure providers.

The Cabinet Member added that, since January 2017, a Local Plan Working Group had met 27 times to oversee the production of the Local Plan. The Working Group had actively informed and developed the vision, strategy, policies and proposals from the initial Issues and Options stage, through to the First Draft Local Plan, to the Final Draft Local Plan now before the Committee. The Working Group had also provided the opportunity for Members and Officers to discuss and consider topics, evidence-base documents and the responses to the consultation. The Cabinet Member said representatives from Town Councils had been invited to the Working Group at the appropriate time, as had other District Councillors, to discuss particular issues facing certain locations. The action notes of the Working Group had been published on the Council's website to ensure transparency and to provide an update on progress.

The Cabinet Member continued to say that, fundamental to the Local Plan's process, had been ensuring the Council worked collaboratively – under the duty to co-operate - with its neighbouring authorities. He added that, to fulfil this duty, considerable partnership working had taken place as part of the Ipswich Strategic Planning Area Board in order to address strategic cross-boundary issues.

In conclusion, the Cabinet Member said the Final Draft Local Plan had evolved through significant public consultation and engagement. In particular, he referred to the Issues and

Options document, published for consultation between August and October 2017, which had provided an initial opportunity for the local community and interested parties to engage in the preparation of the Local Plan. The 6,893 comments from 642 respondents to that consultation had informed the First Draft Local Plan, published for consultation between July and September 2018 and over 3,350 comments from 1,389 respondents had further informed the Final Draft Local Plan, now before the Committee.

The Chairman invited the two Principal Planners to provide a short presentation which included some additional potential sites which had been identified since the publication of the First Draft Local Plan, such as the current police headquarters site at Martlesham. It was emphasised that the addition of such potential alternative sites was a normal part of the evolution of such Plans, the planning process and in accordance with regulations.

The presentation provided information on the following:

- An overview of the Local Plan Review process
- First Draft Local Plan: Focus on economic growth supported by infrastructure delivery; an ambitious housing target to meet the Council's objectives and to address the five year land supply; spatial distribution of growth focussed on the Garden Neighbourhoods of Felixstowe and Saxmundham alongside increased growth in rural areas
- Final Draft Local Plan (1): Ambitious vision and approach to economic and residential growth alongside the early delivery of necessary infrastructure; supportive of the strategic priorities in the East Suffolk Business Plan; evolved through a robust and credible evidence base and changing national policies; provided a framework for developing Neighbourhood Plans and supported their introduction and/or review
- Final Draft Local Plan (2): Employment land to deliver 6,500 jobs along with appropriate retail floor space and driven by the evidence-base; at least 10,476 new dwellings (582 per year) – the annual requirement within the First Draft Local Plan had increased based on the Government's standard methodology; additional sites included to promote a plan-led approach; an over allocation of site to provide contingency – this allowed a choice and variety of sites over the Plan's period and was best practice encouraged by the Government; site allocations were supported by district-wide criteria based on planning policies; identified cross-boundary infrastructure requirements with neighbouring authorities.
- Innocence Farm: Employment allocation for Port-related uses; significant number of comments in objection to the proposed allocation, including the submission of a petition; concerns raised in respect of use as employment land, deliverability of the site and the impact on nearby villages; consultation responses taken into account within the Final Draft Local Plan but allocation for economic activities retained. Policy evolved to provide more clarity in respect of the built employment area, significant landscaping and additional community benefits; the revised Plan outlined the response to the points of concern and provided supporting text regarding the identified need for the site and access arrangements
- Garden Neighbourhood Saxmundham: High level of public consultation responses identified sensitive areas of landscape and heritage assets, the impact on highway infrastructure – a revised plan for the location was included within the Final Draft Plan and provided areas for formal and informal open space; opportunity to provide primary school, green infrastructure and other community provisions; a mix of 800

- dwellings on land between A12 and railway line; employment land on the west of the A12 (not to the east as originally and to reflect the consultation responses).
- Garden Neighbourhood Felixstowe: New leisure centre essential part of the Garden Neighbourhood; significant public consultation responses highlighting the importance of Grove Woodland and Eastward Ho playing pitches; new Plan addressed those responses and the need to develop key infrastructure including primary school provision, green infrastructure and other community provisions; integrated outline planning permission granted for land at Candlet Road on appeal; opportunities to redevelop existing leisure sites in Felixstowe covered by site specific policies; 2000 dwellings (including 560 with outline planning permission).
- Evidence Base: Wide ranging evidence base prepared to support the Local Plan; all evidence base documents e.g. employment needs, housing needs, landscape character assessments, had been sufficiently progressed to inform the content of the Final Draft Plan; evidence on the housing mix was still being prepared but outputs would be considered by the Local Plan Working Group prior to Cabinet and Full Council in January 2019; issues within the evidence base to be mitigated or overcome through a positive and collaborative approach with relevant stakeholders

*The Chairman invited questions.*

A member of the Committee, with reference to the presentation, said that the value of the environment, particularly Areas of Outstanding Natural Beauty, had not been mentioned in the presentation and asked why this had been omitted. The Principal Planner said this had not been included within the presentation as the relevant assessments formed part of the overall process. The Principal Planner added that the natural environment and climate change were key elements in the Final Draft Plan and integral to its policies. The Committee was referred to the position note within the report which related to the Appropriate Assessments and that sustainability appraisals which identified the potential for impact on the natural environment had been undertaken. The member acknowledged this but repeated that, in presenting the Final Draft Local Plan, an emphasis on the environment and its importance to the area should have been reflected. The member asked for copies of the assessment and appraisal documents to be provided.

Another member of the Committee, with reference to the Garden Neighbourhood Felixstowe (page 210 of the papers), and the sixteen specific conditions, queried why there was no reference to a spine road through the site. The member further referred to the view of Felixstowe Town Council that, to work cohesively, the scheme required such a road and not a “piecemeal” approach. The member continued to say it was essential that the eastern end of the proposed site be able to avoid having to use a circuitous route.

The Principal Planner confirmed that comments on a spine road had been received from Felixstowe Town Council as part of its response to the consultation. He said there was a need to retain a flexible approach within the Final Draft Local Plan and policies so that, as the Garden Neighbourhood evolved, it would be possible to ensure the best outcomes, as necessary, through a wide variety of potential options.

The member reiterated his earlier remarks on the need for a spine road. He queried why, if it was the wish to allow the Garden Neighbourhood to evolve with flexibility, sixteen specific conditions had been put in place. The member said he considered the detailed response by Felixstowe Town Council to the consultation to have not been taken into account. The Principal Planner replied that much of the Final Draft Local Plan had evolved, in a number of ways, to reflect the responses to

the consultation, including those received from Felixstowe Town Council. He repeated that there needed to be a flexible approach that could facilitate a spine road, if one was found to be necessary, and its interconnections.

The Cabinet Member with responsibility for Planning asked the member if he wished to propose a challenge, based on the Test of Soundness. In response, the member stated that he did not contend that the Final Draft Local Plan was unsound. He repeated his earlier comments about sixteen specific conditions appearing to be contrary to the aim to allow the proposal to evolve with flexibility. He further added that, in his view, if there was no spine road the development would not be cohesive and, instead, a “jumble” of isolated developments would be the result.

The Head of Planning and Coastal Management further emphasised that a flexible approach was required because there were several potential answers to the site’s issues and, he said, it would be wrong to focus solely on a spine road as the only solution. The member said it was important to ensure the reality of the transport needs was considered.

Another member asked about the origins of the housing figures quoted. The Principal Planner said the National Planning Policy Framework had introduced a standard methodology to calculate housing needs and referred to the most recent published household projections (September 2018). The Committee was advised that a formula was applied based on an affordability ratio, based on median house prices and median earnings.

The member referred to the approved permission for a logistics development at The Trimleys, which had, he said, been contentious and asked if other potential sites had also been considered. The Principal Planner replied that other land had been identified for employment use but, at present, it was unknown if this would, or would not, be available because of permissions associated with it or other development proposals. He added that the work in support of the development of the Final Draft Local Plan, and its allocations, had looked at the macro-economy across the district to identify the key sectors (e.g. port, haulage, logistics etc.). With reference to the Innocence Farm site, the ambitious growth targets within the Council’s Business Plan had been followed to realise these in a location which was well-related to the port. He added that the Innocence Farm site provided opportunities of a larger scale comprehensive development which provided appropriate mitigation measures and other community benefits. Other sites between the Port and the Orwell Bridge had been considered, but the evidence indicated the Innocence Farm location to be an appropriate site. The member asked if other sites, in the same ownership as Innocence Farm, had been considered. The Principal Planner said ten other sites had been considered, as detailed in the Port of Felixstowe Development Needs Study; he confirmed that, whilst some were in the same ownership, others were in alternative ownership.

In response to a comment by the member related to the Council’s defence of the appeal related to the Candlet Road site, the Head of Planning and Coastal Management clarified that the appeal had been defended against the Local Plan in place at that time. He added that the new Final Draft Local Plan, before the Committee, was based on the need to deliver a strategy identified via the consultation process and which the evidence base supported. The Head of Planning and Coastal Management said circumstances had changed, including the benefits offered to the Felixstowe area, such as the provision of a mix of housing for local people. The member noted the proposed provision of primary school education infrastructure and asked if anything was proposed for secondary education. The Principal Planner referred to paragraph 12.45 on page 207 of the report which stated that, over the Plan period, the County Council considered that improvements would be required to ensure sufficient secondary education capacity was maintained. He added that this

would be included in the infrastructure framework that supported the Final Draft Local Plan as it evolved further.

Another member referred to a query, raised by residents in Saxmundham, regarding the Final Draft Local Plan's next consultation and the Stage 3 consultation on Sizewell C, both happening at around the same time, and asked if this was anticipated to be an issue. The Head of Planning and Coastal Management said that, from his point of view, this would not cause an issue for the Final Draft Local Plan, nor for the Sizewell C consultation, which started in January 2019. He disagreed that any action or amendment to the Final Draft Local Plan, its processes or timetable was required.

A member of the Committee enquired about the policy for the newly identified site at the current Martlesham Police Headquarters and if this, potentially, might include an opportunity for additional school provision. The Principal Planner referred to paragraph 12.232, page 262, of the report which highlighted over-capacity at secondary education level within the wider area and said discussions had been held with the County Council, as the main education provider.

Another member of the Committee, with reference to page 352, Land west of Chapel Road, Grundisburgh, said he was concerned that some of the proposed sites had inadequate road access. The Principal Planner acknowledged that some of the lanes in the vicinity were, at present, narrow but there was the potential to secure widening, dependent on the access point, in order to provide additional road space. It was noted that such matters would be considered if planning permission were sought.

A Ward Member stated that the Martlesham Neighbourhood Plan had been adopted in July 2018 had been based on there being no further development, beyond the Brightwell Lakes site; he quoted a previous statement to that effect made by the Head of Planning and Coastal Management to Martlesham Parish Council. The member also quoted paragraph 3.34 on page 37 of the report before the Committee which stated that "it is not currently considered appropriate to direct any further large scale development to this part of the District". He added that the recent addition of the police headquarters site was directly contrary to those statements. The Ward Member stated that the addition of the police headquarters site was at a late stage in the process and had been put forward by the landowner for land evaluation purposes. The Ward Member continued to say that, previously, the site had been considered unviable because of related covenants and he expressed concern that the inclusion of the site in the Final Draft local Plan could lead to proposals for, what he considered to be, unnecessary and inappropriate developments. The Ward Member said the site was not, in his opinion, big enough for 300 dwellings and was concerned at its late inclusion which, he said, had meant it had not been included within the earlier public consultation. The Ward Member suggested that either the site be removed from the Final Draft local Plan or be subject to public consultation and that, if this did not happen, he would consider the Plan to be unsound.

The Head of Planning and Coastal Management, in response, said he stood by his previous comments to the Parish Council, however, since that time, the Police and Crime Commissioner had instigated a public consultation on the current police headquarters site. The Head of Planning and Coastal Management said he had been forewarned of this issue as the Team had received a letter from the Parish Council to this effect. He confirmed that, as the planning authority, the Council had a responsibility to include the site within the Final Draft Local Plan so that any future proposals were plan-led; to do otherwise, he said, could lead to potential proposals coming forward against which there would be no up-to-date local plan policy to assess them. He assured

the Scrutiny Committee that this was the sound and right approach. With regard to the comments of the Ward Member about the addition of the site being contrary to the statement at paragraph 3.34 of page 37 of the report, the Head of Planning and Coastal Management suggested that this would be a matter for Cabinet and Full Council to consider at their meetings in early January 2019. He added that the Draft Local Plan provided evidence-based opportunities for high quality developments and that, whilst he appreciated there might be concerns about the late inclusion of the police headquarters site, the timing was beyond the Council's control; he further added that such concerns could be raised during the Regulation 19 six week consultation and he again advised that, on this matter, the proposed approach was sound.

The Ward Member for Martlesham responded that the earlier draft of the Local Plan had contained policies which 'protected' the Martlesham area; he also added that the financial matters which had necessitated the Police and Crime Commissioner's inclusion of the police headquarters as a possible development site were not planning matters.

A member of the Committee asked for clarity on what the position of the site would be if it were included in the Final Draft local Plan without consultation with the Parish Council; she asked if this might set a precedent for what she described as "windfall" applications. The Head of Planning and Coastal Management replied that the police headquarters site was not a "windfall" application but had been identified through the Local Plan's consultation process. He added that the site was of strategic scale and, therefore, it was right and proper for the Council, as planning authority, to take a positive stance and include it in the Plan. The Head of Planning and Coastal Management said he was not aware of other sites of similar strategic scale and there was no expectation that the Council would receive additional proposals. He again reassured the Scrutiny Committee that the Local Plan was presented in accordance with regulations and would be subject to further consideration.

The Principal Planner added that the police headquarters site had been identified in response to the consultation on the First Draft Local Plan and this was both the usual and valid approach. She added that it was not untoward for a site identified during the consultation on the First Draft Local Plan to be included and that the soundness of the Plan would be tested through the Examination.

Another member of the Committee asked if it was possible to 'set aside' a percentage of new housing for local residents only. The Cabinet Member said the Local Plan Working Group had considered this matter and, unfortunately, such housing could not be set aside in perpetuity as the original vendors would be at liberty to sell to whom they pleased. The Cabinet Member acknowledged the need to have a small number of new homes available for first time buyers. The member of the Committee asked that this aspect of future developments be considered more fully and hoped the Council would 'lead the way' in this regard.

A member of the Committee asked about the use of policies to restrict occupancy to those with a local connection. The Principal Planner referred to the implementation of these, elsewhere, including through Neighbourhood Plans but added that there were occasional issues experienced with obtaining mortgages and the subsequent sale of the property.

The member of the Committee further referred to a lack of consistency between flood risk lifetime periods and the development periods within the Final Draft Local Plan; she said it was not possible to compare these properly and asked that coastal management and planning ensure these were more coherent and assessments were less 'fractured'. The Principal Planner said the information

within the draft Local Plan had evolved in conjunction with coastal management colleagues, but undertook to review and ensure the time periods were more consistent.

The Ward Member for Martlesham referred to a letter of formal complaint which Martlesham Parish Council had sent to the Principal Planner regarding the police headquarters site; he said he had asked that this be shared with the Scrutiny Committee prior to the meeting and was disappointed this had not occurred. It was clarified that the letter would need to be subject to the Council's formal complaints procedure and, therefore, it would have been inappropriate for it to be shared with the Scrutiny Committee for its comment. The Principal Planner added that his earlier presentation, at the start of the meeting, had referred to a number of responses which had been received, including that of Martlesham Parish Council, and that this had seemed the most helpful way to update the Committee on correspondence received after the publication of the report.

The Ward Member for Felixstowe South asked about the process and, specifically asked if there was a wish to make a representation related to the test of soundness of the Final Draft Local Plan, would the quoting of a neighbourhood plan be germane to that process. The Head of Planning and Coastal Management confirmed that neighbourhood plans were relevant documents but sometimes contained limited detail on sites.

The Ward Member further referred to the Strategy for Felixstowe contained within the papers (specifically page 199) and suggested that it would be more accurate and desirable if this stated that the southern part of the town experienced significant levels of deprivation. A member of the Committee responded that deprivation was not confined to the south of the town and that the report was correctly worded to ensure other areas were not overlooked.

The Ward Member for Kirton, with reference to the earlier debate about the late addition of the current police headquarters site, asked for confirmation that no further additions were anticipated. The Head of Planning and Coastal Management said that a specific green-field option in Bucklesham was not included and was not supported. The Ward Member asked that, in the interests of connectivity, the proposed North Felixstowe Garden Neighbourhood site be linked to Innocence Farm by pedestrian and cycle routes to mitigate traffic pressures through The Trimleys. The Principal Planner referred to page 206 of the papers, specifically paragraph 12.43, for more detail on proposals for vehicular and non-vehicular links. The Head of Planning and Coastal Management said that, subject to the Final Draft Local Plan's approval, discussions with the landowner for both locations would be held and, hopefully, the Plan's text could then be enhanced to reflect the outcome.

A member of the Committee again stated that Felixstowe Town Council's response to the consultation had not been reflected in the Final Draft Local Plan and expressed his disappointment that this had not been included. The member proposed that an additional sub-paragraph be added to the masterplan for Policy SCLP 12.3 (North Felixstowe Garden Neighbourhood) which would establish a principle which sought adequate traffic flow, the avoidance of traffic congestion, and a cohesive approach through the inclusion of a spine road which avoided the Grove Woodland. The proposal was seconded.

In response, the Head of Planning and Coastal Management said the current text (at page 210) allowed the maximum amount of flexibility by not being overly prescriptive or pre-empting what the best option for the location would, eventually, be. He added that the best option would be identified through the public consultation which would also include Natural England as a key



stakeholder, seek to avoid an adverse impact on the ancient Grove Wood, as well as safety issues in Gulpher Road, and that this was preferable to being too prescriptive now on the placement of a spine road and the potential impact it might have on the landscape, habitats or woodland. The Head of Planning and Coastal Management suggested that, if the Committee was so minded, instead of an additional sub-paragraph, the existing sub-paragraph (k) on page 210 could be so amended (in italics):

“(k) Provision of new vehicular access points off Candlet Road supported by *a transport strategy for further traffic access and* further access for pedestrian and cycle traffic in other locations;”

The proposal by the Member for an additional sub-paragraph, having been seconded, was voted upon; the proposal was not carried (For 2; Against 4; Abstentions 3). The Chairman undertook to represent the views expressed to Cabinet when it met to consider the Final Draft Local Plan on 2 January 2019.

The Chairman moved to the recommendations which were proposed, seconded and by majority vote

### **RESOLVED**

1. That the preparation process and consequential Final Draft Local Plan proposals be noted and endorsed
2. That the progression to Full Council of the Final Draft Local Plan proposals for approval for publication to receive representations in relation to soundness and subsequent submission for independent Examination by the Planning Inspectorate be recommended to Cabinet

### **5. Verbal update on the Provision of Affordable Broadband**

On behalf of the Member Working Group, Councillor Block provided a brief verbal update to the Committee. This included a request for a mast in the south of the district and her concerns at the accuracy of latest installation information received from the County Council.

### **6. Consideration of the Committee’s Forward Work Programme**

The Committee reviewed its current Forward Work Programme. The change of date of the January 2019 meeting was noted.

The meeting concluded at 8.40pm