

Chelmsford Policy Board Agenda

16 January 2020 at 7pm

**Council Chamber
Civic Centre, Duke Street
Chelmsford CM1 1JE**

Membership

Councillor G H J Pooley (Chair)

and Councillors

N Chambers, W Daden, I Fuller, J Galley, M Goldman,
S Goldman, N Gulliver, G B R Knight, R Moore, R J Poulter,
I C Roberts, A Sosin, M Springett, N Walsh, R T Whitehead
and T N Willis

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. If you would like to find out more, please telephone Brian Mayfield in the Democracy Team on Chelmsford (01245) 606923, email brian.mayfield@chelmsford.gov.uk, call in at the Civic Centre or write to Democratic Services, Civic Centre, Duke Street, Chelmsford CM1 1JE. Council staff will also be available to offer advice at the Civic Centre for up to half an hour before the start of the meeting.

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CHELMSFORD POLICY BOARD

16 JANUARY 2020

AGENDA

PART 1

Items to be considered when members of the public are likely to be present

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

3. MINUTES

Minutes of meeting on 3 October 2019

4. PUBLIC QUESTIONS

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Board is responsible. Questions can be put under this item or, if they relate to an item on the agenda, when the Board considers that item.

If a number of people wish to ask substantially the same questions or make the same points on a matter, they are encouraged to appoint one or more spokespersons to do so on their behalf in order to avoid repetition.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

5. AFFORDABLE AND SOCIAL HOUSING

To consider the attached recommendations of the Working Group

6. MOVEMENT AROUND THE CITY WORKING GROUP

To consider the attached terms of reference for the Working Group

7. CASTLE POINT BOROUGH COUNCIL LOCAL PLAN

To consider the attached proposed response to Castle Point's consultation on its draft Local Plan

8. WORK PROGRAMME OF THE POLICY BOARD

To note the attached work programme

9. URGENT BUSINESS

To consider any other matter which, in the opinion of the Chairman, should be considered by reason of special circumstances (to be specified) as a matter of urgency and which does not constitute a key decision.

10. REPORTS TO COUNCIL

The officers will advise on those decisions of the Board which must be the subject of recommendation to the Council.

PART II (EXEMPT ITEMS)

NIL

MINUTES

of the

CHELMSFORD POLICY BOARD

held on 3 October 2019 at 7pm

Present:

Councillor G H J Pooley (Chair)

Councillors N Chambers, W Daden, I Fuller, J Galley, M Goldman, S Goldman,
N Gulliver, G B R Knight, R Moore, R J Poulter, I C Roberts, A Sosin,
M Springett, N Walsh, R T Whitehead and T N Willis

Also present:

Councillors K Bentley, D Clark, P Clark, C Davidson, J Deakin, M Mackrory

1. **Apologies for Absence and Substitutions**

It was reported that the Administration Group had appointed Councillor N Walsh to replace former Councillor C Finnecy on the Board. Her status as either a permanent member or a substitute would be confirmed after the meeting.

2. **Minutes**

The minutes of the meeting on 6 June 2019 were signed as a correct record.

3. **Declaration of Interests**

All Members were reminded to disclose any interests in items of business on the meeting's agenda and that they should do so at this point on the agenda or as soon as they became aware of the interest. They were also obliged to notify the Monitoring Officer of the interest within 28 days of the meeting, if they had not previously notified her about it.

4. **Public Question Time**

Questions were asked or statements made on the following matters:

1. Whether, before any further steps were taken to adopt the Local Plan, an ecological survey of sites for the Warren Farm site allocation could be carried out.

The Spatial Planning Manager said that a Chelmsford-wide Local Wildlife Site review had been undertaken as part of the evidence base that supported the Local Plan. As part of their site-specific submissions, the developers had undertaken an initial ecological assessment in respect of the West Chelmsford Site (Warren Farm). This was currently being updated and refined to be submitted as part of any future planning applications for the Warren Farm development.

2. How the estimated 480 long term empty properties in Chelmsford would be brought back into use, especially in the light of the Council's wishes to support sustainable development and reduce homelessness.

The Committee was informed that the Council was committed to bringing long-term empty properties back into use as soon as possible. It was constrained by the fact that many were in private ownership and the complexity of the procedures that needed to be followed, including seeking compulsory purchase orders. A degree of sensitivity was also needed as some owners faced difficult personal circumstances that had led to the properties becoming empty in the first place. It was acknowledged, however, that it was a problem that needed to be tackled.

3. Concern that the Local Plan had not been changed despite the many objections from the public about its general principles and specific proposals, and not having any Local Plan would be preferable.

The Committee was reminded that the Local Plan had been the subject of four stages of statutory public consultation. It provided a firm basis for ensuring the controlled development of Chelmsford to 2036 and the provision of the necessary infrastructure to support it. The Committee was also reminded that having no Local Plan raised significant risk of unplanned and speculative development which was not supported by necessary infrastructure.

5. **Livewell Development Accreditation Scheme**

A report was presented on the Livewell Development Accreditation scheme, which aimed to recognise developers who contributed to improving health and wellbeing through the design of their developments. The report outlined the process for achieving accreditation and the principles on which it was based.

During discussion of the report, the Committee was told that:

- the Livewell Development accreditation was a voluntary scheme, but was being encouraged as part of the masterplan process for strategic allocated sites within the new Local Plan and smaller development sites through the Developer Charter;
- it would be possible for a developer to lose their accreditation if they failed to meet the criteria in subsequent developments;
- the Livewell Development accreditation had now been endorsed by the Essex Planning Officers' Association (EPOA) with the expectation that it would be adopted by all Essex local planning authorities;
- the accreditation scheme was site, rather than developer, specific;
- the provision of affordable housing was not part of the criteria for accreditation as it was a separate planning policy requirement;

- the health and well-being initiatives arising from the accreditation of part of a development site would be a material consideration in the consideration of future planning applications for that site but as the Livewell accreditation was voluntary, it would have only limited weight in decision-making; and
- acronyms within the accreditation document were stated in full on their first use.

RESOLVED that:

1. the report on the Livewell Development Accreditation Scheme be welcomed and its promotion by the City Council be endorsed; and
2. the Director of Sustainable Communities, after consultation with the Cabinet Member for Greener Chelmsford, be authorised to finalise the content of the guidance on the Scheme for developers, planners and designers and the Livewell Developer Charter submitted as appendices to the report to the meeting.

7.25pm to 7.48pm

6. **Masterplans Procedure Update**

The Board considered proposed amendments to the procedure for the preparation of masterplans for development allocations in the emerging Local Plan. An update was also given on progress with masterplans currently in production. A Green Sheet of amendments and additions to Appendix 1 to the report was distributed.

Members were told that the changes to the procedure addressed good practice that was already informally being followed and that the amendments proposed simply formalised the associated documentation. The Committee's attention was drawn to the intention to follow slightly different procedures for the sites in north-East Chelmsford and Chelmer Waterside owing to their particular circumstances and/or complexity.

In response to questions from the Board:

- all members in wards affected by a proposed development would be consulted as part of the masterplan process for that site;
- the process for the site to the north of South Woodham Ferrers had yet to reach Stage 1. At that stage, the Town Council and ward councillors would be consulted on the development principles put forward. Adjacent parish councils and Maldon District Council would also be consulted;
- new healthcare facilities as part of the Local Plan site north of Broomfield, whilst potentially desirable as part of the masterplan for the development site in that ward, was dependent on the NHS agreeing to its provision and funding. The Council was working with the NHS on the specific nature and delivery of health facilities associated with all developments within the Local Plan;
- the aim of public consultation on masterplans was to establish what local residents wanted as part of future development;
- Masterplanning Planning Performance Agreements (PPAs) had been agreed with developers/promoters on all strategic Local Plan sites which helped meet the cost of officer time assisting with the preparation of masterplans; and
- the masterplanning procedure note would ensure that statutory bodies would be consulted/engaged rather than simply likely to be.

RESOLVED that the updated masterplan process detailed in Appendix 1 of the report to the meeting, as amended by the Green Sheet, be noted, its importance recognised and welcomed, and it be recommended to the Cabinet for approval.

(7.48pm to 8.20pm)

7. Working Group Updates

The Board received the following updates from the Chairs of its Working Groups.

Affordable and Social Housing

The Working Group had identified the need for information on what qualified as affordable housing, its supply and demand, the mix of supply, how the Council could influence supply, key worker housing and housing benefits. The Working Group had identified a number of work streams for future meetings and was keen to ensure that its activities were co-ordinated with those of the Homelessness and Rough Sleeping Working Group.

Chelmsford's Waterways

The Chair of this Working Group said that it had agreed at its first meeting the work streams it would pursue. It had subsequently looked at possible improvements to the navigation of the City's waterways and the prospects for their better use.

The Board suggested that the Working Group might also consider the feasibility of the weirs being used to generate electricity and the part the rivers and canals could play in reducing the risk of flooding.

Connectivity and Local Democracy

This Working Group had considered initial proposals for the review of polling districts and polling places; received information on the options for a Community Governance Review of the unparished areas; considered a paper on improving turnout at elections; taken an initial look at increasing engagement; and discussed the possibility of a volunteering scheme for Council employees.

Health and Wellbeing

The Working Group was now finalising an updated Health and Wellbeing Strategy for submission to the Cabinet in November. The emphasis had been on making it a living document that took into account the contributions that could be made by a number of organisations to the overall aims of the Strategy.

Homelessness and Rough Sleeping

This Working Group had submitted an updated Strategy on Homelessness and Rough Sleeping to the Cabinet on 10 September 2019 on which consultation was now taking place. The Working Group would continue to work with other organisations to monitor the effectiveness of the Strategy and adapt and develop it as necessary; this too would be a living document. It had been recognised that one of the challenges was streamlining the work of the many organisations involved in supporting the homeless and rough sleepers

RESOLVED that the updates from the Board's Working Groups be noted
(8.20pm to 9.16pm)

8. **Future Work Programme**

Members discussed possible topics for future consideration by the Board.

The Director of Sustainable Communities planned to submit the following to future meetings:

In January 2020 – Supplementary Planning Documents on Planning Obligations and Making Places

In March 2020 – a review of the Community Infrastructure Levy and consideration of the Strategic Housing and Economic Land Availability Assessment

The Chair said that he intended to discuss with officers existing policies and strategies of the Council to identify those that would benefit from consideration by the Board.

The Board went on to discuss whether a working group should be established on traffic congestion in the City. It was decided that draft terms of reference should be brought to its next meeting, when a decision on whether to set up such a group would be made.

RESOLVED that the planned items for future meetings be noted and that the Board consider at its next meeting draft terms of reference for a possible working group on congestion.

(9.16pm to 9.42pm)

9. **Urgent Business**

There were no matters of urgent business.

10. **Reports to Cabinet/Council**

The report on the Masterplan procedure (minute number 6) would be forwarded to the Cabinet on 15 October 2019.

The meeting closed at 9.42pm

Chairman

CHELMSFORD POLICY BOARD

16 January 2020

AGENDA ITEM 5

Subject	AFFORDABLE AND SOCIAL HOUSING WORKING GROUP – RECOMMENDATIONS
Report by	DIRECTOR OF SUSTAINABLE COMMUNITIES

Enquiries contact: Jeremy Potter – Spatial Planning Services Manager
01245 606821 jeremy.potter@chelmsford.gov.uk

Purpose

This report sets out the recommendations of the Affordable and Social Housing Working Group for consideration by the Board.

Recommendation

That the Board agree the recommendations of the Affordable and Social Housing Working Group set out at Section 6 of this report.

Corporate Implications

Legal:	The Council has a legal duty to relieve homelessness and provide accommodation for those eligible for assistance, in priority need, and unintentionally homeless. Enabling affordable housing above planning policy requirements is discretionary.
Financial:	The proposed recommendations have financial implications in relation to the capital cost of the acquisition of new residential units for temporary accommodation and the on-going revenue saving; the potential reduction in land value of Council-owned sites and the capital cost of potential land acquisition. Further business cases will be required for inclusion of projects on the Council's capital programme.
Potential impact on climate change and the environment	Additional new homes could have an adverse impact on climate change and the environment. These can be mitigated by Building Regulation and planning policy requirements related to environmental sustainability.

Contribution toward achieving a net zero carbon position by 2030	Future additional new homes will be required to comply with Building Regulation and planning policy requirements. This includes the emerging Future Homes Standard.
Personnel:	None.
Risk Management:	Policy and market intervention have potential financial and other risk.
Equalities and Diversity: Equalities and Diversity: (For new or revised policies or procedures has an equalities impact assessment been carried out? Y/N)	Chelmsford's Local Plan has been subject to Equalities and Diversity Assessment. If recommendations proceed a more detailed Equalities and Diversity Assessment should be carried to support decision.
Health and Safety:	None.
IT:	None.
Other:	None.

Consultees	Strategic Housing Services Manager - CCC Corporate Property Services Manager – CCC Accountancy Services Manager – CCC Public Health and Protection Services Manager – CCC
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Policies and Strategies

The report takes into account the following policies and strategies of the City Council:

Corporate Plan

Facilitating suitable housing for local needs is one of the Corporate Plans six key priorities. The Council's adopted Local Development Framework and emerging new Local Plan helps deliver the Council's Spatial Vision, provide housing and employment that meets local needs and maintain high quality public places.

Local Plan

The Council's adopted LDF and emerging new Local Plan sets out the strategic and detailed policy context for all planning related decision making. These documents have been informed by a wide-ranging evidence base.

Homelessness and Rough Sleeper Strategy 2020-2024

The Council's approved Homelessness and Rough Sleeper Strategy assesses the main causes of and levels of homelessness in Chelmsford and sets out a strategy to address the identified issues.

1 Introduction

- 1.1 This report seeks the Board's approval of the recommendations of the Affordable and Social Housing Working Group (ASHWG).
- 1.2 At the Chelmsford Policy Board's inaugural meeting on 6 June 2019 the need to improve the supply of affordable and social housing was identified as a priority matter. The ASHWG was subsequently established and has met on four occasions in 2019.
- 1.3 As identified in the Working Group's terms of reference, the purpose of the group is:

To make recommendations to the Chelmsford Policy Board on how best to improve the supply of social housing and appropriate private sector housing that is affordable by evaluating current assessments of housing need and other relevant evidence to provide options for different policy mechanisms and other interventions to maximise different types of affordable homes needed to meet those in the community with priority housing needs.

- 1.4 Another separate Working Group has been set up to specifically assess the issues surrounding homelessness and rough sleeping.

2 Context

- 2.1 The Working Group assessed the history of affordable housing provision; the different policy, enabling and delivery roles; the role of the planning system; and the Council's delivery record. The Working Group went on to investigate how housing need is assessed, how affordable housing is defined and how supply relates to need. This led to further discussions about the type and size of affordable housing needed to meet need and the impact of changes to the national benefits system.
- 2.2 The Working Group went on to focus on the differing interventions available to the Council to boost the supply of the right type and size of affordable housing.

Historic Context

- 2.3 At the beginning of the 20th Century, the vast majority of people in the UK lived in privately rented homes. Council housing, providing social rented homes, accelerated in the period 1919 to 1939 with over 1 million homes built in this period. In the period up to 1981, owner occupation and social rented council homes made up the majority of the housing stock. With the introduction of the 'right to buy' from 1980, around 2 million social rented homes became privately owned in the next two decades. Most social housing in the UK is managed by Registered Providers (Housing Associations) although the majority of councils still retain their own housing stock.
- 2.4 By the 1990s, affordable housing started to be secured as a requirement of planning permission through section 106 legal agreements. This delivery mechanism through the planning system effectively replaced the large scale municipal development of social housing that took place in the post-war period which still forms the majority of social housing stock. With the demise of government grant for affordable housing secured through the planning system, a new product called 'Affordable Rent' was introduced by the Government in 2011. Affordable rents can be up to 80% of the equivalent market rent.

- 2.5 By 2018, home ownership and private rented made up the majority of homes in the UK and with the new ability for stock-holding councils to borrow against their Housing Revenue Accounts (HRA), new council housing has slowly started to be built again. This is all within the context of the increasing disparity between average house prices and average earnings across the UK and particularly in the south east of England.

3 Issues covered by the Working Group

- 3.1 To inform the Working Group's recommendations the following issues were discussed.

The Role of the Planning System

- 3.2 The National Planning Policy Framework (NPPF) states that different types of housing should be assessed for different groups in the community including those who require affordable housing. Where need for affordable housing has been identified, planning policies should be used to identify how much affordable housing is needed and what type. The types of affordable housing is defined in Annex 2 of the NPPF which is set out at Appendix 1 of this report. Section 106 legal agreements secure the delivery of the affordable housing.
- 3.3 Strategic Housing Market Assessments (SHMA) are the planning tool to assess affordable housing need using a nationally defined methodology. This takes into account the existing affordable housing stock and new supply. It shows that there is a need in Chelmsford for 175 new rented affordable homes a year with the greatest need for two bedroom homes (when including a vacancy rate this increases to 179 homes).
- 3.4 When defining the policy requirements for affordable housing to be contained in Local Plans, local planning authorities have to consider the effect on the overall viability of development which includes the cost of all other infrastructure requirements. The Council's new Local Plan requires 35% of all housing on sites of 11 homes or more to be affordable housing based on 22% rented and 13% affordable home ownership. The Council's emerging Planning Obligations Supplementary Planning Document (SPD) will provide further detail on implementation of this policy.
- 3.5 In 2018, 49% of new affordable housing in the UK were funded through Section 106 agreements as part of new residential developments. The Working Group acknowledged that although the planning system and specifically the new Local Plan will be an important source of supply of new affordable housing, the subsidy created by Section 106 agreements will not be able to provide homes for all those in housing need to meet the backlog of need over the lifetime of the new Local Plan.

Delivery Record in Chelmsford

- 3.6 The Working Group assessed the delivery of affordable homes in Chelmsford. The proportion of affordable housing delivered in Chelmsford is predominately through Section 106 schemes. The delivery of new affordable homes in Chelmsford is relatively high and is one of the highest across Essex. In 2018/19, there were 287 new affordable homes completed in Chelmsford which equates to 23% of all new homes built which includes the developments where, due to their size, there is not a policy requirement for affordable housing. For comparison, in the same period 110 new affordable homes were built in Colchester, equating to 9.4% of all new homes built.

Type and Size of Affordable Housing

- 3.7 The Working Group assessed how the different types of affordable housing meet need in Chelmsford. The main focus for the Working Group were the differences between 'affordable rent' and 'social rent'. Data presented to the Working Group demonstrated that although affordable rent products are allowed to be up to 80% of market rents, in practice they were around 55-70% in Chelmsford depending on their size. Social rent products are pegged to local incomes and broadly equivalent to 40-55% of market rents in Chelmsford.
- 3.8 The data presented to the Working Group showed that, for all sizes of homes, rent levels for 'affordable rent' products were slightly less than the Local Housing Allowance (LHA) level in Chelmsford. The LHA is used to calculate the level of housing benefit available to rent a home in Chelmsford and is calculated as the 30th percentile of private market rents being paid by tenants in broad rental market area. On first assessment this would indicate 'affordable rent' can be afforded by all households in receipt of benefits and in housing need.
- 3.9 However, the data does not take into account the effect of changes related to the introduction of Universal Credit and in particular the Benefit Cap. The cap disproportionately affects larger households as affordable rents on three and four bedroom properties will be higher, but with overall benefits capped it means these larger types of homes become increasingly unaffordable. This issue is compounded by the level of re-lets in the existing affordable housing stock. There is a relatively high turnover of re-lets of one and two bedroom affordable homes. There are fewer three and four bedroom affordable homes in Chelmsford's overall housing stock and re-lets are more static. The effect of the benefit cap and the relative lack of supply of three and four bedroom homes to need, has created a backlog.
- 3.10 The Working Group considered that was a significant factor affecting the numbers of households currently requiring temporary forms of accommodation. Providing additional temporary accommodation of three and four bedroom accommodation was identified as the most pressing priority.
- 3.11 Other types of affordable housing were also assessed, such as affordable home ownership products. The Working Group concluded that these products meet a demand, but would not meet housing need by accommodating those in the greatest need on the Council's Housing Register and assisting the Council in meeting its legal duties. Therefore, it was concluded that the Working Group's focus should be maximising additional rented affordable housing and in particular larger homes available for social rent.

Accommodating Overall Affordable Housing Need

- 3.12 The Working Group acknowledged that the planning system can only meet a proportion of the identified need for affordable housing. Section 106 schemes are not eligible for Government grant and they need to provide other infrastructure such as roads, schools and healthcare which affect their overall viability. In addition, the planning system in Chelmsford is already providing relatively high levels of affordable housing.

3.13 To assess this gap, the Working Group investigated a hybrid method of identifying housing need in order to balance supply and need. This was based on the numbers of households in Band 2 of Chelmsford's Housing Register combined with the SHMA results and also providing additional homes to reduce those in temporary accommodation by 20% per year. This need was compared with annual supply through re-lets and new build homes. This identified a shortfall of 188 new affordable homes per year. This broadly mirrors national trends of 49% affordable homes being provided through Section 106 agreements and 51% through other means of delivery requiring a different type of subsidy.

4 Council Interventions assessed by the Working Group

4.1 The main conclusions of the Working Group were as follows:

- The planning system cannot meet all affordable housing needs in the timescale of the Local Plan;
- One and two bedroom homes are generally affordable as 'affordable rent' when capped at LHA rates and the current supply of affordable one bedroom properties is adequate;
- As a consequence of the Benefit Cap, three and four bedroom homes are more affordable as 'social rent';
- There is a need to increase the overall supply of larger family sized rented affordable housing;
- The short-term priority for the Council should be to provide additional temporary accommodation; and
- The Council should investigate innovative delivery options which subsidise the delivery of additional larger family sized rented affordable housing.

4.2 The Working Group assessed a number of different options to address these main conclusions. They fell within three broad categories of intervention. Policy-led options were those that the Council or Registered Providers could introduce outside of the Local Plan system. Land-led options included using Council land to maximise the number and type of affordable housing. Property-led options involved the purchase of homes by the Council for use as temporary accommodation.

Policy-led

4.3 The main option investigated by the Working Group was the newly introduced 'Entry-level exception sites' in the NPPF. Planning permission can be granted for small sites (less than 1ha.) next to existing settlements providing they are for 100% affordable housing for first time renters or buyers. Crucially these are on sites not allocated for development in local plans and could only be used for this purpose. This means the value of land will reflect the value of the development i.e. 100% affordable housing. It is likely that this will only be viable on 'greenfield' sites with agricultural land value. A mix of affordable products would be required to allow a sufficient uplift of land value to incentivise a landowner to release the land. Therefore sites would be acquired by RPs or the Council for significantly less than the land value for market housing. Development proposals would need to comply with all other relevant planning policy.

4.4 Other policy-led options focussed on Registered Providers redeveloping and intensifying their existing estate to provide additional affordable housing and providing grant to existing undeveloped sites to increase the agreed level or mix of affordable housing.

Land-led

- 4.5 The Working Group assessed potential residential development sites owned by the Council. Some of these are already allocated in the new Local Plan. These development sites would already need to provide 35% affordable housing in accordance with the Council's planning policies. As landowner, the Council would be able to negotiate with delivery partners or site purchaser any specific requirements to provide additional affordable housing.
- 4.6 Other smaller sites in the Council's ownership could also be considered for 100% affordable housing and further land could also be acquired by the Council.

Property-led

- 4.7 The Working Group discussed options of purchasing existing homes for conversion to affordable housing. In general terms, this proved not to be good value for money. The only exception to this would be for providing temporary accommodation, where the Council currently has to rely on private landlords and bed and breakfast accommodation which has significant revenue implications.

5 Conclusions

- 5.1 The Working Group assessed the different options. It was agreed that all of the options provided opportunities for additional affordable housing supply and Officers should continue to investigate these in the medium to long term. The Working Group identified the priority of providing further temporary accommodation and increasing the provision of three and four bedroom social rented homes in addition to that sought through the planning system.

6 Recommendations

- 6.1 The following recommendations reflect the Working Group's conclusions:
- 1) The acquisition of 20 larger family sized street properties for use as temporary accommodation in 2020/21 with further acquisition in future years to achieve the objective for all necessary temporary accommodation being owned/controlled by CCC.
 - 2) Prioritise for development four smaller and more deliverable CCC owned sites for 100% affordable housing to provide affordable and social rent properties (circa 40 units) in partnership with an RP in the period 2021/22.
 - 3) Promote Entry-Level Exception Sites for RP land-led schemes with Homes England in early 2020.
 - 4) Investigate the acquisition of land by CCC for additional affordable housing and entry-level exception sites – on-going.

7 Financial Implications

- 7.1 Affordable housing, by its very nature, requires a financial subsidy of some form. Though increased investment may allow the reduction in the use of more expensive forms of temporary accommodation which would reduce the cost of the Council's Homelessness service. The above recommendations will have financial implications to the Council's Capital Programme and the potential future release of Council's assets. Therefore, if approved, the recommendations will be included the Council's 2020/21 Budget with delegations to make expenditure on completion of appropriate business cases.

List of Appendices

Appendix 1 – Definition of Affordable Housing contained within Annex 2 of the National Planning Policy Framework (2019)

Background Papers

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance 2014 and as amended

Extract from Annex 2: Glossary of the National Planning Policy Framework**Affordable housing**

Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

(a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

(b) Starter homes: is as specified in [sections 2 and 3 of the Housing and Planning Act 2016](#) and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

(c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

(d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to government or the relevant authority specified in the funding agreement.

CHELMSFORD POLICY BOARD

16 JANUARY 2020

AGENDA ITEM 6

CHELMSFORD POLICY BOARD WORKING GROUP Improving movement around the City	
TERMS OF REFERENCE	
Purpose	Examine proposals that will improve movement around the City and have the potential to reduce congestion and journey times, encourage more sustainable travel choices and help improve air quality
Areas of Focus	<ol style="list-style-type: none">1. The development of a new car parking strategy2. The development of a third park and ride facility3. Improving the cycleway network
Work Streams	<ol style="list-style-type: none">a) Develop a cohesive car parking strategy for the whole of Chelmsford that matches provision to future demand and includes measures that will encourage people to use more sustainable transport options to help reduce traffic congestion at peak timesb) Develop a business case for a further park and ride site as part of an integrated approach to public transport planning and parking provision and make recommendations to Essex County Council accordinglyc) Make proposals to improve the provision for cycling and walking in and around the City in line with the Local Plan
Composition	<p>Councillors:</p> <ul style="list-style-type: none">• TBC <p>Director Lead:</p> <ul style="list-style-type: none">• TBC <p>Co-ordinating Officer:</p> <ul style="list-style-type: none">• TBC <p>Key Contributing Officers:</p> <ul style="list-style-type: none">• TBC

CHELMSFORD POLICY BOARD

16 January 2020

AGENDA ITEM 7

Subject	CASTLE POINT BOROUGH COUNCIL LOCAL PLAN REGULATION 19 CONSULTATION
Report by	DIRECTOR OF SUSTAINABLE COMMUNITIES

Enquiries contact: Laura Percy – Senior Planning Officer 01245 606486
laura.percy@chelmsford.gov.uk

Purpose

The report presents information on Castle Point Borough Council's Local Plan Regulation 19 Consultation and seeks approval for the submission of the City Council's response.

Recommendation

That the Board agree the consultation response to Castle Point Borough Council's Regulation 19 Local Plan consultation set out at Appendix 1 of this report.

Corporate Implications

Legal:	The City Council has a legal duty to co-operate in plan preparation of other relevant local planning authorities' Local Plans.
Financial:	None.
Potential impact on climate change and the environment	None.
Contribution toward achieving a net zero carbon position by 2030	None.
Personnel:	None.
Risk Management:	It is important that the City Council clarifies its position on Castle Point Borough Council's Local Plan to help influence the emerging document and establish the key cross-boundary/strategic issues that affect Chelmsford City Council's administrative area.
Equalities and Diversity:	It is expected that the Castle Point Borough Council Local

Equalities and Diversity: (For new or revised policies or procedures has an equalities impact assessment been carried out? Y/N)	Plan will be subject to its own Equalities Impact Assessment in accordance with normal practice.
Health and Safety:	None.
IT:	None.
Other:	None.

Consultees	CCC – Sustainable Communities Directorate
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Policies and Strategies

The report takes into account the following policies and strategies of the Council:

Local Plan

The Council's adopted Local Development Framework (LDF) and emerging new Local Plan sets out the strategic and detailed policy context for all planning related decision making. These documents have been informed by a wide-ranging evidence base.

1. Introduction

- 1.1 Castle Point Borough Council is carrying out a six week public consultation from 16th December 2019 to 14th February 2020 on its new draft Local Plan. This is a Regulation 19 (Pre-Submission) Local Plan consultation. Views are therefore sought on whether the draft Local Plan is legally compliant and meets the tests of soundness as set out by the National Planning Policy Framework (NPPF).
- 1.2 Full details of the consultation and the Draft Local Plan and Policies Map, and full Evidence Base which form part of this consultation can be found at: <https://www.castlepoint.gov.uk/local-plan-consultation>

2. Background

- 2.1 In 2014 Castle Point Council prepared a draft local plan and made this available for public consultation. In response to the consultation process, an updated local plan was produced in 2016. At Pre-Submission stage, the City Council raised objections to the Plan's soundness based on Castle Point Council's failure to meet objectively assessed housing need in full, failure to identify how unmet housing need will be addressed and the lack of a full and consistent Green Belt review. Notwithstanding this, the Local Plan was taken forward and submitted to the Secretary of State for Examination in August 2016. In December 2016, the appointed Inspector held a Duty to Co-operate hearing session. This hearing session dealt solely with Duty to Co-operate matters and involved representatives from the neighbouring authorities of Thurrock, Basildon, Rochford and Southend-on-Sea as part of the South Essex sub-region as well as Essex County Council.
- 2.2 In January 2017, the Inspector sent a letter concluding that in the Duty to Co-operate had not been complied with, in particular how Castle Point Council's unmet housing

need would be addressed across the Housing Market Area (HMA). It was recommended that the Plan be withdrawn and in March 2017 Castle Point Council formally withdrew the Plan.

- 2.3 Since then Castle Point Council has been engaging with neighbouring and nearby authorities in South Essex to address the Duty to Co-operate and to follow a more co-ordinated approach to strategic planning in the area. This has resulted in an agreement to prepare a Joint Strategic Plan (JSP) between Castle Point, Basildon, Brentwood, Rochford, Southend-on-Sea and Thurrock. The JSP will be a high-level planning framework covering the whole South Essex area. It will set out the overarching spatial strategy, housing target and distribution, strategic employment areas, key transport and other infrastructure priorities and strategic development opportunity areas. Basildon, Brentwood and Castle Point are some of 15 local authorities showing particular cause for concern having missed deadlines and failed to make progress in producing a Local Plan. These local authorities were served notice in November 2017 that the government has begun the formal process of considering formal intervention as set out in the Housing White Paper.
- 2.4 Castle Point is also committed to preparing a new Local Plan (Local Plan 2018) with an accelerated timetable to avoid intervention from the Secretary of State, having received a direction from the Secretary of State. The draft Local Plan 2018 has a timeframe of 15 years (2018 to 2033). Work on the JSP for South Essex will continue in parallel to the development of Castle Point Council's Local Plan 2018.

3. Housing Need

- 3.1 In previous versions of its draft Local Plan Castle Point Borough Council had not sought to meet its housing needs in full. Subsequently a request to Chelmsford City Council was made to assist in meeting their unmet housing need.
- 3.2 The City Council did not consider this request to be justified as, at that point in time, housing needs should be met within a Housing Market Area. At that time no strategic work had been undertaken by Castle Point and its other HMA partner authorities to establish if these needs could be met by them. It was Chelmsford's position that the absence of strategic work being undertaken and validated, and the lack of any meaningful migration and employment relationship between Castle Point and Chelmsford, did not warrant Chelmsford meeting any of Castle Point's unmet housing need.
- 3.3 Since this request was made to Chelmsford City Council the way of calculating housing needs has changed through the introduction of the 'Standard Methodology', introduced by the updates made in the 2018 NPPF. This changes how housing numbers are derived, and instead of each authority being responsible for setting its OAHN (Objectively Assessed Housing Need) a standard method is used to calculate the need for each individual authority.
- 3.4 In this latest publication of the draft Local Plan Castle Point are now proposing to meet its housing needs (based on the Standard Methodology) in full within its administrative area. This is welcomed but there are some queries over the baseline data used in this calculation and the number of homes allocated within the Plan. These are set out in **Appendix 1**.
- 3.5 As the two authorities do not share a common boundary, none of the proposed development sites contained in the Plan have a direct impact on the Chelmsford area.

4. Next Steps

- 4.1 Once approved, the City Council's representations will be submitted to Castle Point and be sent to the appointed Planning Inspector when the Plan is submitted for Examination. Castle Point propose to submit their Local Plan for examination in Spring 2020.

5. Conclusion

- 5.1 Whilst not an adjoining authority, it is important that this Council responds to Castle Point Borough Council's consultation. Furthermore, as part of the Duty to Co-operate, it is also important for Chelmsford City Council to respond to demonstrate that it has engaged effectively with Castle Point Borough Council.

List of Appendices

Appendix 1 – Proposed Consultation Response

Background Papers

- Castle Point Borough Council Draft Local Plan 2014
- Castle Point Borough Council New Local Plan 2016
- Castle Point Borough Council New Local Plan 2018

Appendix 1

Chelmsford City Council's response to Castle Point Borough Council's 2019 Local Plan consultation (Regulation 19)

1. Chelmsford City Council (CCC) welcomes the opportunity to comment on Castle Point Borough Council's new Local Plan to help influence the emerging document and monitor the key cross-boundary and strategic issues that affect CCC's administrative area.
2. Following the withdrawn of the 2016 Local Plan in March 2017, CCC supports Castle Point Council's approach to engaging with neighbouring and nearby authorities in South Essex to address the Duty to Co-operate and to take a more co-ordinated and strategic approach to planning in the area. In particular, CCC welcomes the commitment to prepare a Joint Strategic Plan (JSP) between Castle Point, Basildon, Brentwood, Rochford, Southend-on-Sea and Thurrock. It also welcomes Castle Point Council's commitment to preparing a new Local Plan (thereafter Local Plan 2018).
3. However, CCC considers that the relationship between the JSP and the Local Plan 2018 is still unclear. As set out in CCC's previous consultation response to Castle Point the South Essex Joint Strategic Plan Statement of Common Ground June 2018 states that the JSP will focus on strategic policy matters across the six local planning areas, including overall housing provision, its distribution across Strategic Areas of Opportunity and housing needs. It states the JSP will provide the strategic framework for the preparation of appropriate detailed Development Plan Documents which will provide more detailed planning policies. However, the local authorities of the sub-region are at different stages of Local Plan preparation. If the JSP is to include the sub-region housing provision and distribution, it is questioned how the JSP and Local Plans will align with each other given the varying timetables and delays that may arise both in preparing the JSP and Local Plans.
4. However, CCC welcome the intentions of Castle Point to meet its own housing needs, based on the Standard Methodology, in full within its own administrative boundary. It is however unclear which base dates and source data is being used to derive this Standard Methodology figure. Paragraphs 9.3 to 9.6 are unclear in this respect, and also refer to Objectively Assessed Need (OAN). OAN is further referenced in various policies and places throughout the Draft Local Plan. If the Council are using the standard methodology for calculating its housing numbers, there should be no reference to OAN just the Plan's housing requirement. It appears that it is the intention to use the standard method, but this should be made clear throughout the document, as well as referencing which baseline data has been used to calculate it.
5. It is also unclear precisely how/where the full housing needs are being met. The table in Policy HO1 suggests a number of homes are expected to come from the Brownfield Register, Policy Compliant Strategic Housing Land Availability Assessment (SHLAA) sites and Windfall sites. It is accepted that windfall sites are unknown

locations, but an acceptable form of housing provision to be included. However, if sites are suitable for development in the Brownfield Register and the SHLAA then it is questioned why they are not included as formal allocations within the Local Plan? This would provide more certainty to all in terms of deliverability and assurances that Castle Point will meet their housing needs in full within the Local Plan period.

6. Regardless, CCC expects Castle Point Council to meet their housing need in full through the Local Plan 2018 and/or through the JSP. Should it be the latter, the Local Plan 2018 should clearly set out how housing need will be delivered through the JSP and the relationship between the Local Plan 2018 and JSP. As set out in CCC's letter to Castle Point Council on 6 February 2018, if there are any potential issues on meeting housing need, it is expected that the mechanism to address unmet need both at local and sub-region level should accord with the Essex Planning Officers' Association (EPOA) Guidance 'Mechanism for the Consideration of Unmet Housing Need' which was agreed by the EPOA authorities which all Essex authorities are members of.
7. In light of the Inspector's report, January 2017, to the 2016 Plan, it is also expected that continued engagement through the Duty to Co-operate process between all authorities in South Essex is undertaken with regard to meeting the need for Gypsy and Traveller accommodation in full across the HMA, particularly in reference to the needs of Basildon Borough Council. It is understood that Gypsy and Traveller accommodation is further being considered by Members of Basildon Council in relation to their emerging Plan. Whilst it is acknowledged that there is no requirement for Gypsy and Traveller and Travelling Showpeople in Castle Point the outcome of discussions between South Essex authorities and the steps on how Gypsy and Traveller accommodation will be met through the JSP should be clearly set out in Castle Point Council's new Local Plan. The process should be undertaken with regard to the agreed EPOA mechanism for considering unmet Gypsy and Traveller accommodation need.
8. Overall Chelmsford City Council welcomes Castle Point Borough Council's commitment to meeting its needs in full but would like to be reassured that this intention is deliverable.

CHELMSFORD POLICY BOARD WORK PROGRAMME

16 JANUARY 2020

AGENDA ITEM 8

Date of Meeting	Report Subject
5 March 2020	Planning Obligations Supplementary Planning Document Note: <i>This document will be the subject of a workshop for councillors before its submission to the Board</i>
	Making Places Supplementary Planning Document Note: <i>This document will be the subject of a workshop for councillors before its submission to the Board</i>
	Community Infrastructure Levy – Options for review of the Charging Schedule
	Revised Methodology for Strategic Housing and Employment Land Availability Assessment
	Health and Wellbeing and Homelessness and Rough Sleeping Strategies <i>To report progress on the adoption of and further work on the Strategies</i>
	Waterways Working Group To consider any interim findings of the Working Group
	Note: The adoption of the Local Plan is likely to be considered by a special meeting of the Council on a date to be determined
4 June 2020	Updates from Working Groups (if appropriate)
16 July 2020	Updates from Working Groups (if appropriate)
1 October 2020	Updates from Working Groups (if appropriate)
5 November 2020	To be determined
14 January 2021	To be determined
4 March 2021	To be determined