

Minutes

Local Plan Sub-Committee

8th July 2015

Present:

Councillors	Present	Councillors	Present
D Bebb	Yes	Mrs J Money	Yes
Mrs L Bowers-Flint (Chairman)	Yes	Lady Newton	Yes
G Butland	Yes	J O'Reilly-Cicconi	Yes
T Cunningham	Yes	Mrs W Scattergood	Yes
D Hume	Apologies	Miss M Thorogood	Yes

Councillors Hensman, Ramage and Schwier were also in attendance.

7 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

Councillor Butland declared a non-pecuniary interest in Agenda Item 7 – 'Essex County Council and Southend-on-Sea Replacement Waste Local Plan – Consultation' as Essex County Council's elected Member for Braintree Town Division.

Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 7 – 'Essex County Council and Southend-on-Sea Replacement Waste Local Plan – Consultation' as Essex County Council's elected Member for Braintree Eastern Division and a member of Essex County Council's Planning Committee.

8 **MINUTES**

INFORMATION: The Minutes of the meeting of the Local Plan Sub-Committee held on 11th June 2015 were confirmed as a correct record and signed by the Chairman.

9 **QUESTION TIME**

INFORMATION: There were no questions asked, or statements made.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

10 **LANDSCAPE CAPACITY ANALYSIS**

INFORMATION: Consideration was given to a report on the landscape character and capacity of the District. Mr Simon Neesam of The Landscape Partnership attended the meeting to present the report and to answer Members' questions.

Members of the Sub-Committee were advised that in October 2014 the Council had commissioned The Landscape Partnership to re-evaluate the landscape capacity of Braintree, Coggeshall, Earls Colne, Halstead, Hatfield Peverel, Kelvedon, Silver End and Witham and to carry out a more detailed assessment of areas which had previously been identified as having low or low/medium capacity. The Landscape Partnership had been requested also to carry out an analysis of the landscape capacity of Sible Hedingham; to update the District's Landscape Character Assessment of 2008 to reflect changes to the planning system since 2006; and to publish a guide to assist people in interpreting the analysis and Character Assessment. It was reported that those parcels of land which had been categorised as having medium, medium-high, or high landscape capacity were considered to be the most suitable for development.

In discussing the report, concern was expressed by a Member that some parcels of land viewed locally as having high landscape importance and a low capacity to absorb development had been identified by the analysis as having a higher capacity to absorb development in comparison to parcels of land with fewer special characteristics. It was noted that landscape capacity was only one aspect of a site's suitability for development and that when determining the development potential of individual sites consideration would also be given to other matters.

DECISION: That the Landscape Capacity Analysis re-evaluation reports, the Landscape Capacity Analysis for Sible Hedingham and the reviewed/updated Landscape Character Assessment (2008) be approved as part of the evidence base for the emerging Local Plan.

11 **SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT SCOPING REPORT - REPRESENTATIONS**

INFORMATION: Members of the Sub-Committee considered a report on the representations which had been received following consultation on the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) Scoping Report.

Members were advised that it was a legal requirement for a Local Plan to be subject to an SA and SEA in order to assess the social, economic and environmental impacts of the Plan and to establish a sound evidence base. National Planning Policy Guidance set out a single appraisal process for the SA/SEA.

The Council had commissioned consultants to produce an SA and SEA Scoping Report. The Scoping Report had reviewed relevant plans, policies and programmes; had considered the current state of the environment in the Braintree District; and had identified key environmental issues, or problems which may be affected by the Local Plan. The Scoping Report set out also a Sustainability Appraisal Framework comprising specific sustainability objectives against which the

likely effects of the Local Plan could be assessed. The Scoping Report had been subject to consultation with statutory consultees and the public had also been invited to submit comments. A summary of the representations submitted was set out in the Agenda report. The Sustainability Appraisal Framework had been amended to reflect the representations received and this was attached to the report at Appendix B.

DECISION: That the representations submitted following consultation on the Sustainability Appraisal/Strategic Environmental Assessment Scoping Report, and the amended Sustainability Appraisal Framework for policies and site allocations as set out in Appendix B of the Agenda report, be noted.

12 **ESSEX COUNTY COUNCIL AND SOUTHEND-ON-SEA REPLACEMENT WASTE LOCAL PLAN - CONSULTATION**

INFORMATION: Consideration was given to a report on the Council's proposed response to the Essex County Council and Southend-on-Sea Replacement Waste Local Plan which was currently subject to public consultation.

Essex County Council and Southend-on-Sea Borough Council had agreed to plan jointly on waste matters through the preparation of a new Waste Local Plan. Once approved, the Plan would supersede the current Waste Local Plan which had been adopted in 2001. The Replacement Waste Local Plan would set a strategy for waste development to 2032. The Plan would safeguard existing waste capacity, allocate sites suitable for waste facilities, and include policies for the management of future waste development.

Two sites in the Braintree District, namely Cordons Farm, Galleys Corner, Braintree (W34) and Rivenhall Airfield (IWMF2) had been identified for allocation as waste sites. It was proposed that Cordons Farm should be used for municipal waste management which reflected its current permission and that Rivenhall Airfield should be allocated for additional waste management. Seven other sites in the District had been highlighted as 'areas of search' with potential for the provision of waste management facilities. A number of other small-scale, existing facilities had also been highlighted. The Plan included eight proposed strategic objectives and nineteen preferred approaches. A summary of these was included in the Agenda report. Public consultation on the Replacement Waste Local Plan would conclude on 30th July 2015.

It was reported that site IWMF2 at Rivenhall Airfield had been granted permission for the development of an integrated waste management facility comprising an anaerobic digestion plant, materials recovery facility, mechanical biological treatment facility, paper pulping recycling facility, and a combined heat and power plant. Members were advised that the permission had recently been extended for a one year period up to March 2016, not two years as stated in the Agenda report, but that it had not been implemented.

It was reported that part of the text of the draft Plan relating to Springwood Drive industrial estate and Broomhill industrial estate, Braintree had been omitted and that the proposals for these sites were unclear. The missing information had

subsequently been provided by Essex County Council and it was read to Members at the meeting. In discussing Springwood Drive industrial estate in particular, it was acknowledged that a new school for children with special needs was being built opposite the existing waste facility and it was suggested that this should be drawn to the attention of Essex County Council.

In discussing Preferred Approach 17 – ‘Transportation of waste’ it was reported that part of the text was missing from the Agenda report and this was updated at the meeting. Members suggested that the proposed response to Essex County Council regarding the transportation of waste should be reinforced to emphasise the potential effect of an increase in the number of HGVs on the local road network.

DECISION: That the following comments/objections, as amended above, be submitted to Essex County Council in response to consultation on the Essex County Council and Southend-on-Sea Replacement Waste Local Plan:-

1. Objection to the intensification of uses at the Rivenhall Site (IWMF2) for additional waste management capacity on the grounds of:-

- Intensification of industrial activity in the countryside;
- Environmental impacts on the countryside and local residents including light pollution and noise;
- Impact on local lanes and the A120;

The Council has previously objected to the use of this site for waste management facilities. Whilst the site now has the benefit of planning permission and an extension of time was allowed in 2014 any additional development could impact on the landscape and environment as well as the local road network. Also, as the site has not been developed it raises the question as to whether or not it is deliverable. This is further supported by the Site Assessment and Methodology report assessment for this site which shows that the land owner is unknown. The site access road is also within 250m of a Grade 1 listed building, which is not identified in the site assessment.

2. Springwood Industrial Estate and Broomhill Industrial estate, Braintree are two separate employment areas and should be treated as such. Broomhill is unlikely to be suitable for waste facilities due to the close proximity of residential areas. Residential development is within 100m and a significant proportion of residential development is within 250m of the site.
3. Preferred Approach 17 – Transportation of waste. Whilst referenced, the impact of proposals on the local transport network should be more prominent and contain a reference to proposals being supported by a transport assessment and travel plan.
4. Preferred Approach 18 - General considerations for all waste management development proposals. Reference should be made to the potential impact of new waste facilities on operational airfields e.g. increased risk of bird strike.

5. Pictures 6 and 7 show the Rivenhall site as existing and under construction when it is not.
6. Picture 8 shows two sites to the north of Braintree as inert existing and under construction landfills. This is not the case as the historic landfills are closed and land at Woolmers Farm has been remediated.
7. As the Council has not seen any of the maps prior to the consultation, it would be helpful if the sites shown could be specifically listed in the document to aid in their identification.
8. That Officers be authorised to submit any further technical comments on the draft Plan to Essex County Council.

13 **STATEMENT ON THE DUTY TO CO-OPERATE**

INFORMATION: Consideration was given to a report on the Council's draft Statement on the Duty to Co-operate.

The Duty to Co-operate had been introduced by the Localism Act 2011. The Duty placed a legal obligation on Local Planning Authorities, County Councils and public bodies to engage constructively and actively on an on-going basis to maximise the effectiveness of Local Plan preparation on strategic cross boundary matters. The Council would be required to demonstrate at the Local Plan examination how it had complied with the Duty and if the Council was unable to provide robust and credible evidence, the examination would not be able to proceed. It would also be necessary to show that engagement had taken place at both Member and Officer level.

The approach which the Council proposed to take to fulfil its obligations was set out in a Draft Statement which was attached as an Appendix to the report. The Statement made reference to joint working, memorandums of understanding and the joint commissioning of information to provide an evidence base.

It was noted that the Council was working with five other Authorities in the north and central areas of Essex on a joint Memorandum of Co-operation. This Memorandum would indicate that the participating Authorities agreed to a number of key principles which would help guide development in the area within the next Local Plan cycle and beyond.

DECISION: That the Statement on the Duty to Co-operate, as set out in Appendix A to the Agenda report, be approved.

The meeting commenced at 6.00pm and closed at 7.02pm.

Councillor Mrs L Bowers-Flint
(Chairman)