

# COUNCIL SPECIAL MEETING AGENDA



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**Date: Monday 23<sup>rd</sup> September 2013**

**Time: 7:15pm**

**Venue: Council Chamber, Causeway House, Bocking End, Braintree, CM7 9HB**

## **Membership:**

Councillor J E Abbott	Councillor M E Galione	Councillor F Ricci
Councillor J S Allen	Councillor C Gibson	Councillor D E A Rice
Councillor M J Banthorpe	Councillor M Green	Councillor W J Rose
Councillor P R Barlow	Councillor P Horner	Councillor V Santomauro
Councillor J Baugh	Councillor S A Howell	Councillor W D Scattergood
Councillor J C Beavis	Councillor H D Johnson	Councillor W Schmitt
Councillor D L Bebb	Councillor S C Kirby	Councillor A F Shelton
Councillor E Bishop	Councillor M C M Lager	Councillor L Shepherd
Councillor R J Bolton	Councillor C Louis	Councillor C E Shute
Councillor L B Bowers – Flint	Councillor D J Louis	Councillor C Siddall
Councillor G Butland	Councillor D Mann	Councillor G A Spray
Councillor C A Cadman	Councillor J T McKee	Councillor J S Sutton
Councillor S Canning	Councillor R G S Mitchell	Councillor J R Swift
Councillor T G Cunningham	Councillor J M Money	Councillor P Tattersley
Councillor J G J Elliott	Councillor Lady P Newton	Councillor C M Thompson
Councillor Dr R L Evans	Councillor J O'Reilly-Cicconi	Councillor M Thorogood
Councillor A V E Everard	Councillor I C F Parker	Councillor L S Walters
Councillor J H G Finbow	Councillor J A Pell	Councillor R G Walters
Councillor M J Fincken	Councillor R P Ramage	Councillor S A Wilson
Councillor T J W Foster	Councillor D M Reid	Councillor B Wright

## **QUESTION TIME**

Immediately after Declarations of Interests have been made, there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact the Council's Member Services Team on 01376 552525 or email [chloe.glock@braintree.gov.uk](mailto:chloe.glock@braintree.gov.uk) at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

**Health and Safety.** Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by the fire evacuation officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building. Any persons unable to use the stairs will be assisted to the nearest safe refuge.

**Mobile Phones.** Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

**Documents.** Agendas, reports and minutes for all the Council's public meetings can be accessed via the internet at <http://www.braintree.gov.uk>

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information:

Meeting Attended .....Date of Meeting.....

Comments.....

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Contact details.....

Members unable to attend the meeting are requested to forward their apologies for absence to Alastair Peace on 01376 552525 or email [alastair.peace@braintree.gov.uk](mailto:alastair.peace@braintree.gov.uk)

### **INFORMATION FOR MEMBERS**

#### **Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest:-**

Any member with a Disclosable Pecuniary Interest or other Pecuniary Interest to indicate in accordance with the Code of Conduct. Such Member must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

**Members of the Council are requested to attend the above meeting to transact the following business: -**

**PUBLIC SESSION**

**1. Apologies for Absence.**

**2. Declarations of Interest.**

To declare the existence and nature of any Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

**3. Question Time. (See page i).**

**4. Pre- Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement. Report attached (page 1)**

N BEACH  
Chief Executive

The last page of this agenda is numbered 9.

<b>Report on Pre- Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement.</b>		<b>Agenda No: 4</b>
<b>Corporate Priority:</b>	<b>Securing appropriate infrastructure and housing growth.</b>	
<b>Portfolio Area :</b>	<b>Planning and Property</b>	
<b>Report presented by:</b>	<b>Cllr Roger Walters, Chairman of LDF Sub Committee</b>	
<b>Report prepared by:</b>	<b>Eleanor Dash Planning Policy Manager</b>	
<b>Background Papers:</b> Braintree District Core Strategy 2011. National Planning Policy Framework. Braintree District Site Allocations and Development Management Plan (ADM) Draft for Consultation 2013. Responses to Public Consultation on Draft Plan (on line in Planning Policy Consultation Portal on Braintree Council website under Planning Policy). Sustainability Appraisal and Strategic Environmental Assessment of the ADM. Draft Statement of Community Involvement January 2013.		<b>Public Report</b>
<b>Options:</b> To approve, (with or without amendments) or not to approve, the pre-submission version of the Draft Site Allocations and Development Management Plan 2013. To approve, (with or without amendments) or not to approve, the Statement of Community Involvement 2013. To agree or not agree delegated powers for the Corporate Director (Sustainable Development), in consultation with Councillor Walters as Chairman of the LDF Sub Committee, to approve the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and the Equalities Impact Assessment.		<b>Key Decision: No</b>
<b>Executive Summary:</b>		
<p>The Draft Site Allocations and Development Management Plan were published in January 2013, following a plan preparation process, which included discussions of proposals with local communities and stakeholders.</p> <p>There was public consultation on the draft proposals in January/ February 2013, following which the LDF Sub Committee considered all of the representations that were submitted by the public and stakeholders. The LDF Sub Committee recommends that the Council should approve the Pre- Submission Draft Plan, which incorporates many changes to the January 2013 Draft Plan in response to the representations.</p> <p>The accompanying Sustainability Appraisal and Strategic Environmental Assessment is currently being revised to take into account these changes and it is requested that the Council approve delegated powers to the Corporate Director (Sustainable Development).</p>		

in consultation with Councillor Walters as Chairman of the LDF Sub Committee, to approve these documents.

The draft Plan covers the period up to 2026 and defines development boundaries for the main towns, key service villages and other villages in the District and protects land outside these boundaries as countryside. It allocates sites for specific land uses including housing, employment and retail purposes. It also designates areas to be protected from development and sets out policies, which will be used by the Council to determine planning applications for development in the District.

There will be public engagement on the Pre- Submission Draft Plan in the Autumn of 2013, if the Council approves this document. New comments on the Pre- Submission Draft Plan will be reported to the LDF Sub Committee in early 2014, after which the document and all responses received during the engagement period will be submitted to the Planning Inspectorate. A public examination will then take place later in 2014 where an Inspector will assess the document.

The Council is also requested to approve the draft Statement of Community Involvement published in 2013, which was endorsed for approval by the LDF Sub Committee on 24<sup>th</sup> July 2013 with no changes following the public consultation on the draft document in January/ February 2013.

#### **Decision:**

- 1. To approve the Pre- Submission draft of the Site Allocations and Development Management Plan.**
- 2. To approve the Statement of Community Involvement 2013.**
- 3. To provide delegated authority to the Corporate Director (Sustainable Development), in consultation with Councillor Walters as Chairman of the LDF Sub Committee, to approve the SA/SEA and the Equalities Impact Assessment.**

#### **Purpose of Decision:**

**To enable the Council to publish an approved Pre- Submission Draft Plan, with its SA/SEA and an approved updated LDF Statement of Community Involvement (SCI).**

#### **Corporate implications [should be explained in detail]**

##### **Financial:**

Financial costs of preparing and examining the Site Allocations and Development Management Plan.  
Financial cost in representation at appeals should the Council not have up to date development plans or a lack of a five year housing land supply.

##### **Legal:**

The Site Allocations and Development Management Plan cannot be adopted unless it is found to be sound by a Planning Inspector. It will be the basis for future planning decisions in the District.

	SCI preparation and content follows and complies with legal procedures as set out in the Town and Country (Local Planning)(England) Regulations 2012.
<b>Equalities/Diversity:</b>	The Council's policies and allocations in the Plan should take account of equalities and diversity.
<b>Customer Impact:</b>	Providing housing, employment, open space, infrastructure and protecting the countryside and the environment of the District.
<b>Environment and Climate Change:</b>	Impact on environment of sustainable policies and sustainable location and design of housing. (The SA/SEA assesses these impacts.)
<b>Consultation/Community Engagement:</b>	Initial community engagement with Parish and Town Councils. Consultation with the public and stakeholders between 10 <sup>th</sup> January 2013 and 22 <sup>nd</sup> February 2013. Further public engagement is proposed on the Pre-Submission Draft in Autumn 2013, subject to Council approval of the draft Plan.
<b>Risks:</b>	<p>That the Draft Site Allocations and Development Management Plan may not be found sound, when it is examined by a Planning Inspector.</p> <p>An absence of an up to date development plan or a lack of a five year housing land supply could lead to appeals being allowed for development on unallocated sites in the countryside.</p>
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<b>Designation:</b>	Planning Policy Manager
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## 1. Background

1.1 In September 2011, the Council adopted the Core Strategy, which is the principal document within the Local Development Framework (LDF). This sets out the Council's overall vision and objectives; the sustainable spatial strategy for the District and strategic policies to guide development up to 2026. The Core Strategy identifies a settlement hierarchy with future housing development targets and allocates major sustainable growth locations adjoining Braintree and Witham, to ensure that the Council continues to provide a five year supply of housing land, in accordance with Government requirements.

1.2 The Site Allocations and Development Management Plan (ADM) has been prepared by the Local Development Framework Sub Committee over the last 18 months. It is important for the Council to have an up to date approved Core Strategy and Site Allocations and Development Management Plan, in order to comply with the requirements of the National Planning Policy Framework as an absence of up to date development plans or a lack of a five year housing land supply could lead to appeals being allowed for development on unallocated sites in the countryside.

1.3 The role of the Site Allocations and Development Management Plan is:-

- To allocate non- strategic sites to meet the requirements set out in the Core Strategy for the development needs of Braintree District.
- To provide non- strategic policies to manage change, which will be used to assess and determine planning applications, in conjunction with the Core Strategy strategic policies.
- To replace the allocations in the Local Plan Review 2005 and replace those policies in the Local Plan Review, which have not already been superseded by the policies in the Core Strategy.

1.4 Following preparation of evidence and discussions with Parish and Town Councils on local issues and on development boundaries and designations in their settlements, the draft document was agreed for public consultation by the Local Development Framework Sub Committee. It was published for six weeks public consultation in January 2013, to enable the public and stakeholders to comment upon the draft allocations and policies and alternatives and to suggest amendments to the plan.

1.5 The public consultation included a series of exhibitions of the plan proposals in the main towns (including displays throughout the consultation period at the main libraries), the six Key Service Villages and at Great Yeldham. Site notices were displayed at all the residential sites of 10 or more dwellings and at new employment allocations. The exhibitions were well attended, with a total of around 880 attendees at the 12 exhibitions. Several Parish Councils also arranged their own meetings to discuss the proposals for their areas.

1.6 There were 1,636 representations received about the draft plan and its alternatives from 1,007 persons/ organisations.

1.7 The Local Development Framework Sub-Committee considered all of the representations and sites put forward through the public consultation. The Sub-Committee has agreed the changes to policies and site allocations set out in this revised Draft, in response to the representations, for consideration by the Council.

1.8 If the Council approves the Pre Submission Draft of the Plan, there will be further assessment of infrastructure required to accompany the Plan and a viability assessment of the emerging plan. The employment land information will also be updated to include information for 2013. The ADM will be subject to a Sustainability Appraisal and Equalities Impact Assessment, which are currently underway. It is requested that Council give delegated approval to the Corporate Director (Sustainable Development), in consultation with Councillor Walters as Chairman of the LDF Sub Committee, to approve these reports. Subject to approval, they will be published together with the Pre- Submission Plan.

## 2. The Site Allocations and Development Management Proposals

### Housing

2.1 The Core Strategy sets out (in Policy CS1) the minimum numbers of houses required within the three towns of Braintree, Witham and Halstead; at the Growth Locations on the edges of Braintree and Witham; in the six Key Service Villages (Coggeshall, Earls Colne, Sible Hedingham, Hatfield Peverel, Kelvedon and Silver End) and in the 'Other Villages' between 2009 and 2016.

2.2 The following Table 1 from the Site Allocations and Development Management Plan sets out the Core Strategy housing requirement for the District in 2009 of 4,800 dwellings. It shows that 1,357 additional dwellings have been built between 2009 and 2013 in the District. This indicates that 3,443 dwellings should still be allocated as an overall District minimum. The number of houses required in each category of settlement is identified in the last column, under the heading 'residual dws(dwelling)s' to provide 2013 to 2026.'

**Table 1 Braintree District Housing Provision 2013 to 2026**

CS1 Policy Area	CS1 Provision 2009-26	Proposed revision to CS1 provision	Proposed revised CS1 provision	Net dwelling supply 2009-13 (draft)	Residual dws to provide 2013-26
Braintree, Bocking, Great Notley, excluding Growth Location	1,300		1,300	662	638
NW Braintree Growth Location	600		600	0	600
Witham excluding Growth Locations	800	-100	700	208	492
SW Witham Growth Location	600	100	700	0	700
NE Witham Growth Location	300		300	0	300
Halstead	300		300	129	171
Key Service Villages	600		600	127	473
Other Villages	300		300	231	69
District Total	4,800		4,800	1,357	3,443

CS1=Core Strategy Policy 1

Dws= dwellings (ie houses and flats).

Net dwelling supply = new dwellings minus demolitions and changes of use to other uses.



2.3 Although the draft Plan does not specifically allocate small housing sites on the inset maps, (i.e. sites which are too small to provide at least 10 dwellings), small sites which already have planning permission for housing are included in the housing supply figures in Table 2 of the ADM. All small sites count towards the overall housing provision figures when they have been constructed.

2.4 The LDF Sub Committee have ensured that changes to the allocations in the Draft Plan still provide more than the minimum number of dwellings required in each settlement category, as shown in the following Table 2 of the ADM. There are estimated to be 748 dwellings in the District in addition to the minimum Core Strategy requirement. This will ensure that there is a five year supply of housing land during the plan period and that if some sites are slow in being developed, this will not lead to a shortfall in housing land supply.

Table 2 Estimated Housing Supply 2013-2026 compared against Housing Requirements

CS1 Policy Area	Residual dwellings to provide 2013 - 2026	Estimated supply from allocated large sites of 10 or more dws at April 2013	Estimated supply from small sites of less than 10 dws with planning permission at April 2013*	Total estimated supply at April 2013	Estimated additional dws over minimum requirement
Braintree, Bocking, Great Notley, excluding Growth Location	638	786	92	878	240
NW Braintree Growth Location	600	600	0	600	0
Witham excluding Growth locations	492	474	55	529	37
SW Witham Growth Location	700	700	0	700	0
NE Witham Growth Location	300	300	0	300	0
Halstead	171	265	37	302	131
Key Service Villages	473	562	56	618	145
Other Villages	69	117	147	264	195
District Total	3443	3804	387	4191	748

\* The estimated supply does not include potential small sites within development boundaries

2.5 Appendix 1 of the ADM sets out a schedule of all of the proposed housing allocation sites of 10 or more dwellings in the District, together with an estimate of the number of houses that each could provide and whether they already have planning permission, or not.

2.6 The proposed housing allocations within the three main towns include several sites estimated to provide more than 100 dwellings:

- Land south of Mill Hill, Braintree 115 dwellings;
- Land between London Road, Pods Brook and the A120 Braintree 150 dwellings;
- Land south of Maltings Lane, Witham 213 dwellings.

There is also a proposed addition to the SW Witham growth location capacity of a further 100 dwellings, bringing the total to be provided to 700 dwellings.

2.7 The estimated number of dwellings proposed on large sites of 10 or more dwellings in the Key Service Villages and in 'Other Villages' is set out in the following table:-

<b>Settlement</b>	<b>Housing Site Allocation</b>	<b>Estimated dwelling capacity remaining April 2013</b>
Coggeshall	Beaumont House, Paycocke Way Cookfield, East Street Land at Walford Way Total large sites	16 12 20 48
Earls Colne	Harold Sims House, Sims Close Land rear of Halstead Road Land at Station Road Total large sites	13 40 48 101
Sible Hedingham	Coopers Yard, Swan Street Premdor Site, Station Road Rockways Site, Station Road Total large sites	12 193 34 239
Hatfield Peverel	Sorrells Field Total large sites	50 50
Kelvedon	Works & garage adjacent railway station Total large sites	32 32
Silver End	Crittall Works & Finishing Company Car park at Sheepcotes Lane Total large sites	80 12 92
Total Key Service Villages	Total large sites	562
Feering Great Yeldham  Steeple Bumpstead	Land at London Road Nuns Walk Field Hunnable Industrial Estate Land at Water Lane	15 50 40 12
Total Other villages	Total large sites	117

### **Care Homes and Specialist Housing and a Travellers Site**

2.8 The Draft Plan allocates sites for specialist housing/care homes at Halstead, Bocking, Kelvedon and Sible Hedingham and a site for 21 Gypsy and Travellers pitches at Twin Oaks, Stisted, subject to an improved safe access to the A120 being provided.

## **Employment**

2.9 Following an assessment of the viability of some employment sites, which were not part of industrial estates, the Draft Plan has allocated a number of former employment sites for residential development and has retained other sites to meet future employment needs in the District.

## **Retail**

2.10 The Draft Plan allocates sites for retail development, including new sites for retail warehousing at land north of Freeport Outlet Village and at the Maltings Lane Neighbourhood, Witham. Broomhills Industrial Area, Pods Brook Road, Braintree is allocated as a Regeneration Site (in policy ADM37A) which could include the sale of retail goods including food.

## **Transport**

2.11 The Draft Plan identifies routes for new off- road cycleways, a Halstead Bypass corridor and revised designations of Protected Lanes following a survey of these lanes in 2012/13. New car parks are proposed on the site of Eckard House, Easton Road, Witham, and on part of the site of the Bramston Sports Centre, Witham.

## **Policies**

2.12 The Draft Plan sets out policies, which allocate land uses and development management policies which, together with Core Strategy policies, will be used to determine planning applications in the District. Notable policies include ADM26 on retail impact assessments, policy ADM36 on comprehensive development of land east of Halstead High Street and ADM43A on health impact assessments.

## **3. Future Core Strategy Review**

3.1 As the Core Strategy requirements were based upon evidence of housing and Travellers needs prepared for the East of England Plan, the Council intends to commence an early review of the Core Strategy in 2014, in order to base future housing and Travellers requirements for the District (up to 2031) upon locally determined need, in accordance with the National Planning Policy Framework. This Review will also enable the Council to revise the wording of any strategic policies, where necessary, to fully comply with the National Planning Policy Framework. In the interim period, before the Core Strategy Review has been prepared, it is clear that sufficient land has been identified through the Core Strategy and Site Allocations and Development Management Plans to meet the District's needs and five year land supply. The Council also has the ability to bring forward the phased development of the growth locations, if monitoring identifies a need to do so.

## **4. Statement of Community Involvement**

4.1 The draft Statement of Community Involvement (SCI) is part of the Local Development Framework. The Statement of Community Involvement sets out how and when the Council will involve local communities in the planning system, together with a description of the types of involvement that will be used. The document includes community engagement in both plan making and consultation on planning applications.

4.2 The first Statement of Community Involvement was adopted by the Council in July 2006. It was considered necessary to further review the Statement of Community Involvement due to changes in legislation, Council procedures and new technology. A draft revised SCI was published for a 6 week consultation period in

January/February 2013. The comments that were received were considered by the LDF Sub Committee which endorsed for approval the SCI on 24<sup>th</sup> July 2013 with no changes.

4.3 The Council is requested to approve the draft Statement of Community Involvement published in January 2013, which was endorsed for approval by the LDF Sub Committee on 24<sup>th</sup> July 2013.

### **Recommendations**

- 1. To approve the Pre- Submission draft of the Site Allocations and Development Management Plan.**
- 2. To approve the Statement of Community Involvement 2013.**
- 3. To provide delegated authority to the Corporate Director (Sustainable Development) in consultation with Councillor Walters as Chairman of the LDF Sub Committee to approve the SA/SEA and the Equalities Impact Assessment.**