

Minutes

Local Plan Sub-Committee

1st August 2018

Present:

Councillors	Present	Councillors	Present
D Bebb	Yes	Mrs J Money	Yes
Mrs L Bowers-Flint (Chairman)	Yes	Lady Newton	Apologies
G Butland	Yes	Mrs G Spray	Yes
T Cunningham	Yes	Miss M Thorogood	Yes
D Hume	Apologies		

Councillor Everard was also in attendance.

7 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Agenda Item 8 – Uttlesford District Council Local Plan Consultation, as a non-voting member of North Essex Garden Communities Ltd.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 8 - Uttlesford District Council Local Plan Consultation, as a non-remunerated Director of North Essex Garden Communities Ltd.

In accordance with the Code of Conduct, Councillors remained in the meeting and took part in the discussion when the Item was considered.

8 **MINUTES**

DECISION: That the Minutes of the meeting of the Local Plan Sub-Committee held on 16th May 2018 be approved 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 **BRAINTREE RETAIL STUDY UPDATE 2018**

INFORMATION: Consideration was given to a report on an update to the Braintree Retail Study.

In accordance with the National Planning Policy Framework the Council had commissioned Lichfields to update a previous Study which had been carried out in 2015. The update identified the floor space required for convenience goods (food), comparison goods (eg. clothing and electronics), food and beverage provision (pubs/restaurants) and other main town centre uses such as cinemas in the Braintree District for the period up to 2033. The Study showed that sites identified in the Publication Draft Local Plan should be able to meet the need for retail floor space and other uses and that no changes to policy, or the Draft Local Plan were required.

The economic downturn continued to impact on the retail and leisure sectors and market conditions were still challenging. Furthermore, there had been increased growth in new forms of retailing such as home/electronic shopping and 'click and collect' and future growth in these areas would continue to have an effect on High Street retailing and traditional stores. However, it was expected that the underlying trend over the medium to long term would be a need for further modern retail floor space.

It was proposed that the updated Retail Study should be subject to public consultation for a period of four weeks and that any responses should be passed to the Inspector appointed to examine the draft Local Plan.

DECISION: That the Retail Study Update 2018 be included in the evidence base for the new Local Plan and published for consultation.

11 **GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE ACCOMMODATION ASSESSMENT - EVIDENCE BASE UPDATE**

INFORMATION: It was reported that Braintree District Council as part of the joint Essex Authorities had commissioned Opinion Research Services to provide an update to the Essex wide Gypsy, Traveller and Travelling Showpeople Accommodation Assessment. The Assessment set out the overall need for additional pitches and plots for gypsies, travellers and travelling showpeople across Essex and enabled the Essex Local Authorities to determine the allocations required in their draft Local Plans. The Assessment contained a section on the demand for transit site provision for those people who either travelled permanently, or for part of the year. It was noted that changes to national policy in August 2015 meant that people who had ceased to travel permanently were no longer defined as 'travellers' for the purpose of assessing accommodation need.

Figures for gypsies, travellers and travelling showpeople in the Braintree District for the period 2016 to 2033 were set out in the Agenda report. These showed a reduction in the number of pitches required for gypsies and travellers from 30 to 26. It was proposed that the draft Local Plan Policy LPP36 'Gypsy and Travelling

Showperson Accommodation' and its preamble text should be amended to refer to the revised figure. The number of plots required for travelling showpeople remained unchanged at six.

In discussing this Item, Members of the Local Plan Sub-Committee made reference to the size of a pitch and how many caravans/mobile homes could be accommodated on each pitch. It was suggested that the Council should give early consideration to including a policy within the draft Local Plan regarding the size of pitches.

DECISION: That the Essex, Southend-on-Sea and Thurrock Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2016-2033 update be approved as part of the Council's draft Local Plan evidence base.

12 **KELVEDON NEIGHBOURHOOD PLAN**

INFORMATION: Consideration was given to a report on the Kelvedon Neighbourhood Plan 2017-2033. The Plan had been submitted to Braintree District Council as part of the consultation process in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The consultation would conclude on 14th September 2018. The Council's proposed response to the Plan regarding policies 'HO4 - Location/sites where development will be permitted' and 'BR3 – Live-work units' was set out in section 3 of the report.

Neighbourhood planning had been introduced by the Localism Act 2011 to enable communities to shape development in their areas through the use of Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders. When adopted, Neighbourhood Plans become a statutory development plan for the purpose of determining planning applications. A Neighbourhood Plan had to be in general conformity with strategic policies contained in a Local Plan.

The Kelvedon Neighbourhood Plan comprised two volumes. Volume 1 included a vision statement together with objectives and policies relating to 'housing', 'moving around', 'health and social care', 'education', 'heritage', 'the natural environment', 'business and retail' and 'developer contributions'. Volume 2 included guidance and information on 'development briefs', 'statement of community consultation', 'local green spaces', 'design', 'built character assessment', 'heritage' and 'key views methodology and assessment'. The Neighbourhood Plan did not propose any specific new housing allocations other than those set out in the Publication Draft Local Plan.

It was the responsibility of Kelvedon Parish Council and the Neighbourhood Plan Team to collate and consider the responses submitted following consultation and to make any further amendments to the Plan. A screening assessment of the Plan would also be commissioned to determine if it was likely to have significant environmental effects. Following this, a Regulation 15 submission draft of the Plan would be submitted to the District Council.

In considering this Item, Members of the Local Plan Sub-Committee commended Kelvedon Parish Council and the Kelvedon Neighbourhood Plan Team for their work on the Plan. The document was the result of many months of research, survey work, policy writing and effort by community volunteers.

DECISION: That Braintree District Council's proposed response to the Kelvedon Neighbourhood Plan Regulation 14 consultation, as set out at section 3 of the report, be approved and submitted to Kelvedon Parish Council.

13 **UTTLESFORD DISTRICT COUNCIL LOCAL PLAN CONSULTATION**

INFORMATION: Consideration was given to a report on Uttlesford District Council's Regulation 19 pre-submission Local Plan for the period up to 2033, which had been published for consultation. Braintree District Council's proposed response to the Plan was set out at sections 3, 4, 5 and 6 of the report. The closing date for the submission of comments was 13th August 2018.

Regulation 19 consultation was required prior to a Local Plan being submitted to the Secretary of State for examination. The Council had previously commented on the Plan in August 2017 at the Regulation 18 stage and Uttlesford District Council had made a number of changes to the Plan in response. The Plan included proposals by Uttlesford District Council and Braintree District Council for a cross boundary garden community known as 'West of Braintree' for which a joint Development Plan Document would be produced.

The Council's comments had to be on the basis of whether or not the Plan was 'sound' and it was proposed that the Plan should be supported, subject to some minor amendments. It was also considered that the requirements relating to the Duty to Co-operate had been met. A Sustainability Appraisal and a Habitats Regulation Assessment had been published with the Plan, but it was not proposed to submit any comments on these documents.

Uttlesford District Council proposed to submit the draft Local Plan to The Planning Inspectorate in Autumn 2018 with a view to a public examination being held in Winter 2018/19. It was anticipated that the Plan would be adopted by Autumn 2019.

DECISION: That, in response to consultation on its pre-submission Local Plan, Uttlesford District Council be advised that Braintree District Council considers the Plan to have been positively prepared, to be justified, effective, consistent with national policy and to accord with the duty to co-operate and that the comments set out in sections 3, 4, 5 and 6 of the Agenda report be approved and submitted to Uttlesford District Council.

The meeting commenced at 6.00pm and closed at 6.30pm.

Councillor Mrs L Bowers-Flint
(Chairman)