

Minutes

Council Special Meeting 20th June 2016



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J Abbott	Yes	Councillor G Maclure	Yes
Councillor Mrs J Allen	Yes	Councillor D Mann	Yes
Councillor C Bailey	Apologies	Councillor J McKee	Yes
Councillor M Banthorpe	Yes	Councillor R Mitchell	Yes (until 7.55pm)
Councillor J Baugh	Yes	Councillor Mrs J Money	Yes
Councillor Mrs J Beavis	Yes	Councillor Lady Newton	Yes
Councillor D Bebb	Yes	Councillor J O'Reilly-Cicconi	Apologies
Councillor R Bolton	No	Councillor Mrs I Parker	Yes
Councillor K Bowers	Yes	Councillor Mrs S Paul	Yes
Councillor Mrs L Bowers-Flint	Yes	Councillor Mrs J Pell	Yes
Councillor G Butland	Yes	Councillor R Ramage	Yes
Councillor S Canning	No	Councillor F Ricci	Yes
Councillor J Cunningham	Yes	Councillor B Rose	Apologies
Councillor Mrs M Cunningham	Yes	Councillor Miss V Santomauro	Yes
Councillor T Cunningham	Yes	Councillor Mrs W Scattergood	Yes
Councillor M Dunn	Yes	Councillor Mrs W Schmitt	Yes
Councillor J Elliott	Yes	Councillor P Schwier	Apologies
Councillor J Goodman	Yes	Councillor C Siddall	Apologies
Councillor A Hensman	Yes	Councillor Mrs G Spray	Yes
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor D Hufton-Rees	Yes	Councillor Miss M Thorogood	Yes
Councillor D Hume	Yes	Councillor R van Dulken	Yes
Councillor H Johnson	Yes	Councillor Mrs L Walters	Yes
Councillor Mrs A Kilmartin	Yes	Councillor Mrs S Wilson	Yes
Councillor S Kirby	Yes		

In accordance with the Code of Conduct, Councillors C Bailey, J O'Reilly-Cicconi and P Schwier were not in attendance as they were the owners, or were related to the owners, of sites which had been submitted for consideration as part of the draft Braintree District Local Plan 'call for sites'. On the basis of their individual Disclosable Pecuniary Interests, the Councillors were precluded from taking part in the discussion and decision on the draft Local Plan as a whole.

All those present at the meeting observed a minute's silence in memory of Mrs Jo Cox, MP for the Constituency of Batley and Spen, West Yorkshire who had been tragically killed on 16th June 2016.

17 CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

Councillor Gavin Maclure - The Chairman was pleased to welcome Councillor Gavin Maclure to his first meeting of Full Council. Councillor Maclure had been elected to Witham South Ward on 5th May 2016.

George Courtauld OBE, Deputy Lieutenant - The Chairman announced that George Courtauld, Deputy Lieutenant had been awarded an OBE in the Queen's Birthday Honours for services to the community in Essex. The Chairman stated that he had written to Mr Courtauld congratulating him on this well-deserved honour. In response, Mr Courtauld had thanked Members and staff of Braintree District Council for their congratulations and kind words and had stated that he felt very honoured and flattered.

18 DECLARATIONS OF INTEREST

INFORMATION: The following interests were declared:-

All Councillors declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor C Bailey, Councillor J O'Reilly-Cicconi and Councillor P Schwier were the owners, or related to the owners, of sites which had been submitted for consideration as part of the draft Local Plan 'call for sites' and Councillors Bailey, O'Reilly-Cicconi and Schwier were known to them as elected Members of Braintree District Council.

Councillor J Abbott declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as an elected member of Rivenhall Parish Council, which had made representations.

Councillor M Banthorpe declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor J Bendall representing Earls Colne Parish Council, who was speaking at the meeting during Question Time, was known to him.

Councillor T Cunningham declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor Mrs Jackie Smith representing Black Notley Parish Council, who was speaking at the meeting during Question Time, was known to him.

Councillor D Hume declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor J Bendall representing Earls Colne Parish Council, who was speaking at the meeting during Question Time, was known to him.

Councillor R Mitchell declared a 'substantial' non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation and, in particular, Draft Site Allocation Maps - Sites FEER230 - Land off Inworth Road, Feering; and FEER232 and FEER233 - Land South of Feering, West of the A12 as the land was located directly to the front and to the rear of his property. Councillor Mitchell left the meeting whilst this Item was discussed and determined, and also for the remainder of the meeting.

Councillor Mitchell declared a non-pecuniary interest in the same Item as Councillor Mrs K Evans representing Feering Parish Council, who was speaking at the meeting during Question Time, was known to him.

Councillor Mrs J Pell declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor J Bendall representing Earls Colne Parish Council, who was speaking at the meeting during Question Time, was known to her.

Councillor Mrs W Scattergood declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor D Lee representing Bures Hamlet Parish Council, who was speaking at the meeting during Question Time, was known to her.

Councillor Mrs G Spray declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor J Bendall representing Earls Colne Parish Council, who was speaking at the meeting during Question Time, was known to her.

Councillor R van Dulken declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor J Bendall representing Earls Colne Parish Council, who was speaking at the meeting during Question Time, was known to him.

Councillor Mrs S Wilson declared a non-pecuniary interest in Agenda Item 5 – Draft Braintree District Local Plan for Consultation as Councillor J Bendall representing Earls Colne Parish Council, who was speaking at the meeting during Question Time, was known to her.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the debate and decision when the Item was considered.

19 **MINUTES**

DECISION: That the Minutes of the meeting of the Council held on 25th April 2016 be approved as a correct record and signed by the Chairman.

20 **QUESTION TIME**

INFORMATION: Prior to the consideration of this Item, Mrs E Goodings, Planning Policy Manager, gave a presentation on the draft Braintree District Local Plan.

There were six statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes.

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

21 **DRAFT BRAINTREE DISTRICT LOCAL PLAN FOR CONSULTATION**

INFORMATION: Councillor Mrs L Bowers-Flint, Chairman of the Local Plan Sub-Committee, introduced this Item.

The Council had been working on a new Local Plan to guide development in the District up to 2033. The document would include strategic and non-strategic policies and allocations and, once adopted, it would replace the Braintree District Local Plan Review 2005 and Core Strategy from 2011. As part of the Local Plan, the Council was required to boost significantly the supply of housing, as set out in the National Planning Policy Framework.

Since March 2016, the Local Plan Sub-Committee had met to consider the total number of new homes to be provided; a broad spatial development strategy; and to recommend the allocation of development sites within town and villages in the District. At its meeting on 26th May 2016, the Sub-Committee had recommended that the draft Plan, including all site allocations and policies contained within it, be approved by the Council for public consultation.

The Local Plan Sub-Committee had recommended that the Local Plan should deliver the Objectively Assessed Need of 845 new homes per annum between 2016 and 2033. This required the Council to allocate land for approximately 10,000 new homes within the District over the Local Plan period, given the sites that had already been approved for development. Sites for the provision of open space, employment, education, retail and community facilities to support the new homes would also be allocated and provision made to ensure that infrastructure requirements were met. In addition to proposed policies and development site allocations in towns and villages across the District, the Plan would include a strategic section on North Essex setting out proposals for new garden communities. The Local Plan was a draft document and further changes could be made to it either in response to consultation, or from new evidence which continued to be gathered.

In conjunction with the draft Local Plan, the Council would be publishing a Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA). This document assessed the environmental implications of every policy and site allocation in the Local Plan and all reasonable alternatives.

If approved by the Council, the draft Local Plan and (SA/SEA) would be subject to public consultation for a period of eight weeks from Monday, 27th June 2016 to Friday, 19th August 2016. Consultation responses would be reported to the Local Plan Sub-Committee in the Autumn and the final draft version of the Plan would be considered by the Sub-Committee and full Council in late 2016. A further period of public engagement would then take place before the draft Plan was submitted to the Planning Inspectorate for examination.

Eleven amendments to the draft Braintree District Local Plan had been submitted by Members and they had been published in an Amendment Pack prior to the meeting. The amendments were numbered 1 to 11. In accordance with the agreed process for this Special Meeting of Full Council, Councillor Mrs Bowers-Flint had agreed to accept the amendments numbered 1, 2, 3, 4, 5 and 6, as set out in Part 1 of the Amendment Pack and to move these as part of the substantive motion. No Member had requested a debate on these amendments. The amendments are set out below:-

Amendment No. 1 (Proposed by Councillor R Mitchell)

Part 3 - Shared Strategic Plan - Policy SP9 - West of Colchester/East of Braintree New Garden Community - Section A.1 – Place-making and design quality

Amendment

Add to the final sentence 'Feering'

Amended Wording

The final sentence to read (change underlined):-

'A separation will be maintained between the new garden community and the nearby settlements of Coggeshall, Stanway and Feering.'

Amendment No. 2 (Proposed by Councillor R Mitchell)

Part 3 - Shared Strategic Plan - Policy SP9 - West of Colchester/East of Braintree New Garden Community - Section F.19 – Other Requirements

Amendment

Add to the sentence 'Feering'

Amended Wording

The sentence to read (change underlined):-

'Landscape buffers between the site and Coggeshall, Feering, Stanway and Easthorpe.'

Amendment No. 3 (Proposed by Councillor J Abbott)

Part 6 - A Prosperous District – 'A Strong Economy' - Policy LPP1 - Location of Employment Land - Strategic Employment Sites table, third row

Amendment

Add 'in Rivenhall Parish' after 'Extension to Eastways Industrial Estate, Witham'

Amended Wording

The third row of the Strategic Employment Sites table to read (change underlined):-

Area	Size and Proposed Uses
Extension to Eastways Industrial Estate, Witham, <u>in Rivenhall Parish</u>	6.8ha employment policy area.

Amendment No. 4 (Proposed by Councillor Mrs L Bowers-Flint)

Part 6 - A Prosperous District – 'Homes' – 'Affordable Housing Rural Exception Sites' - Policy LPP24 - Affordable Housing

Amendment

Delete 'less' from the fifth paragraph and replace with 'more'

Amended Wording

The fifth paragraph to read (change underlined):-

'A threshold of 10 dwellings or more with a maximum combined gross floor space of 1,000sqm will apply in all other areas of the District.'

Amendment No. 5 (Proposed by Councillor R Mitchell)

Part 6 - A Prosperous District – 'Transport and Infrastructure' - 'Transport Related Road Areas' – Policy LPP40 - New Road Infrastructure

Amendment

Add to the last sentence 'Feering'.

Amended Wording

The last sentence to read (change underlined):-

'A new link road between Inworth Road and the A12 Kelvedon North/Feering junction and improvements to the A12 junctions as agreed by the Highways Authority and Highways England.'

Amendment No. 6 (Proposed by Councillor G Butland)

Part 9 – Maps and Alternatives - Inset Map 27 – Gosfield and Airfield

Amendment (Proposed)

That the draft employment and structural landscaping allocation on Inset Map 27, site GOSF249 – Land at Gosfield Airfield is reverted to the extent shown on Inset Map 28 of the Pre-Submission Site Allocations and Development Management Plan (2014) site reference GOS1/6E.

Amendment

That the draft employment and structural landscaping allocation on Inset Map 27, site GOSF249 – Land at Gosfield Airfield (shown as a red hatched area on the illustration contained in the Amendment Pack) is deleted and reverts to the allocation extent shown on Inset Map 28 of the Pre-Submission Site Allocations and Development Management Plan (2014) site reference GOS1/6E (as indicated by the area coloured green and blue within the red hatched area on the illustration contained in the Amendment Pack).

The amendments numbered 7, 8, 9, 10 and 11, as set out in Part 2 of the Amendment Pack, had not been accepted by Councillor Mrs Bowers-Flint and so these were taken forward to the Council meeting. These amendments were subsequently considered as set out below:-

Amendment No. 7

Councillor J Abbott moved the following amendment which was seconded by Councillor Mrs J Pell:-

Part 3 - Shared Strategic Plan - Policy SP4 - Infrastructure and Connectivity

Amendment

Delete from sixth bullet point 'that can compete effectively with private cars' and replace with 'particularly cycling and walking'

Amended Wording

The sixth bullet point to read (change underlined):-

'Support changes in travel behaviour by increasing opportunities for sustainable modes of transport particularly cycling and walking.'

On being put to the vote, the amendment was **LOST**.

Amendment No. 8

Councillor J Abbott moved the following amendment which was seconded by Councillor Mrs J Pell:-

Part 3 - Shared Strategic Plan - Policy SP5 – Place Shaping Principles

Amendment

Amend tenth bullet point by adding 'natural' before 'light', deleting 'and' before 'overlooking' and adding 'and artificial light trespass' at the end of the sentence.

Amended Wording

The tenth bullet point to read (change underlined):-

Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of natural light, overlooking and artificial light trespass.

On being put to the vote, the amendment was **LOST**.

Amendment No. 9

Councillor J Abbott moved the following amendment which was seconded by Councillor Mrs J Pell:-

Part 6 - A Prosperous District – 'Homes' 'Housing Allocations' – Policy LPP17 - Strategic Growth Location - Land East of Great Notley, South of Braintree

Amendment

Delete 'with additional minor vehicle access from Bakers Lane' from the first sentence of the third paragraph after 'Notley Road'.

Amended Wording

The third paragraph to read:-

The main access to the site will be from London Road and Notley Road. All access points will have to be agreed to the satisfaction of Essex County Council Highways.

On being put to the vote, the amendment was **LOST**.

Amendment No. 10

Councillor J Abbott moved the following amendment which was seconded by Councillor Mrs J Pell:-

Part 8 – The District’s Natural Environment - Policy LPP68 - External Lighting

Amendment

Amend sixth bullet point by adding ‘intrinsically dark landscapes’ after ‘natural ecosystems’

Amended Wording

The sixth bullet point to read (change underlined):-

There is no harm to biodiversity, natural ecosystems, intrinsically dark landscapes and/or heritage assets.

On being put to the vote, the amendment was **CARRIED**.

Amendment No. 11

Councillor Mrs G Spray moved the following amendment which was seconded by Councillor Dunn:-

Maps and Alternatives - Inset Map 21 - Earls Colne West

Amendment (Proposed)

Remove from the draft Inset Map for Earls Colne the allocation of a residential site of 10 or more dwellings from site EARC221 – Land to the East of Monks Road and Hillie Bunnies, Earls Colne

Amendment

That the allocation of site EARC221 – Land to the East of Monks Road and Hillie Bunnies, Earls Colne as a residential site of 10 or more dwellings be removed from draft Inset Map 21 - Earls Colne

On being put to the vote, the amendment was **CARRIED**.

DECISION: That the draft Local Plan for the Braintree District as set out in the Appendix to the Agenda report, including all policies and allocations contained within it, be approved for public consultation commencing on Monday, 27th June 2016 and finishing on Friday, 19th August 2016, subject to the following amendments:-

Amendment No. 1

Part 3 - Shared Strategic Plan - Policy SP9 - West of Colchester/East of Braintree New Garden Community - Section A.1 – Place-making and design quality

The final sentence to read (change underlined):-

‘A separation will be maintained between the new garden community and the nearby settlements of Coggeshall, Stanway and Feering.’

Amendment No. 2

Part 3 - Shared Strategic Plan - Policy SP9 - West of Colchester/East of Braintree New Garden Community - Section F.19 – Other Requirements

The sentence to read (change underlined):-

‘Landscape buffers between the site and Coggeshall, Feering, Stanway and Easthorpe.’

Amendment No. 3

Part 6 - A Prosperous District – ‘A Strong Economy’ - Policy LPP1 - Location of Employment Land - Strategic Employment Sites table, third row

The third row of the Strategic Employment Sites table to read (change underlined):-

Area	Size and Proposed Uses
Extension to Eastways Industrial Estate, Witham, <u>in Rivenhall Parish</u>	6.8ha employment policy area.

Amendment No. 4

Part 6 - A Prosperous District – ‘Homes’ – ‘Affordable Housing Rural Exception Sites’ - Policy LPP24 - Affordable Housing

The fifth paragraph to read (change underlined):-

‘A threshold of 10 dwellings or more with a maximum combined gross floor space of 1,000sqm will apply in all other areas of the District.’

Amendment No. 5

Part 6 - A Prosperous District – ‘Transport and Infrastructure’ - ‘Transport Related Road Areas’ – Policy LPP40 - New Road Infrastructure

The last sentence to read (change underlined):-

‘A new link road between Inworth Road and the A12 Kelvedon North/Feering junction and improvements to the A12 junctions as agreed by the Highways Authority and Highways England.’

Amendment No. 6

Part 9 – Maps and Alternatives - Inset Map 27 – Gosfield and Airfield

That the draft employment and structural landscaping allocation on Inset Map 27, site GOSF249 – Land at Gosfield Airfield (shown as a red hatched area on the illustration contained in the Amendment Pack) is deleted and reverts to the allocation extent shown on Inset Map 28 of the Pre-Submission Site Allocations and Development Management Plan (2014) site reference GOS1/6E (as indicated by the area coloured green and blue within the red hatched area on the illustration contained in the Amendment Pack).

Amendment No. 10

Part 8 – The District’s Natural Environment - Policy LPP68 - External Lighting

The sixth bullet point to read (change underlined):-

There is no harm to biodiversity, natural ecosystems, intrinsically dark landscapes and/or heritage assets.

Amendment No. 11

Maps and Alternatives - Inset Map 21 - Earls Colne West

That the allocation of site EARC221 – Land to the East of Monks Road and Hillie Bunnies, Earls Colne as a residential site of 10 or more dwellings be removed from draft Inset Map 21 - Earls Colne

REASON FOR DECISION: To approve a draft Local Plan for consultation.

22 DRAFT BRAINTREE DISTRICT LOCAL PLAN – PROPOSED CONSULTATION STRATEGY

INFORMATION: Consideration was given to a report on the proposed Strategy for the forthcoming public consultation on the draft Braintree District Local Plan. Consultation would take place over an eight week period from 27th June 2016 to 19th August 2016.

In addition to contact with statutory consultees, Parish Councils, neighbouring Authorities, landowners, businesses, and people on the Local Plan database, the consultation process would include a series of exhibitions across the District; a

special edition of the Council's Contact magazine to be sent to every household; and site notices. The draft Local Plan and details of forthcoming events would be publicised in local newspapers and via social media, and copies of the draft Plan would be available to view on the Council's website, at Causeway House, Braintree and at local libraries.

Respondents would be encouraged to submit comments via the online consultation portal 'objective', although alternative written responses would also be accepted. Consultation responses, together with any further sites put forward, or proposed changes would be reported to the Local Plan Sub-Committee in the Autumn. A final round of public consultation would then take place before the Local Plan was submitted to the Planning Inspectorate for examination.

During the consideration of this report, Members were advised that an additional staffed exhibition had been arranged which would be held at Feering Community Centre, Feering on 25th July 2016 between 2.30pm and 7.30pm. It was confirmed also that the forthcoming consultation, as well as the second stage consultation, would include consultation with statutory consultees.

DECISION: That the Consultation Strategy for the draft Braintree District Local Plan, as set out in the Agenda report, be noted.

REASON FOR DECISION: To note the Consultation Strategy for the draft Braintree District Local Plan.

At the close of the meeting, thanks were extended to the Members of the Local Plan Sub-Committee and to Officers in the Council's Local Plan Section for their work on the draft Local Plan, as well as the staff in the Governance and Members Team. In particular, Members of the Council wished to record their appreciation for the input and guidance of Councillor Mrs L Bowers-Flint, Chairman of the Local Plan Sub-Committee, and Mrs E Goodings, Planning Policy Manager.

The meeting commenced at 7.15pm and closed at 9.21pm.

Councillor F Ricci
(Chairman)

APPENDIX

COUNCIL SPECIAL MEETING

20TH JUNE 2016

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1 Statements Relating to Agenda Item 5 – Draft Braintree District Local Plan for Consultation

Statement by Councillor Mrs Jackie Smith, for Black Notley Parish Council, c/o Mrs H Waterfield, Clerk to Black Notley Parish Council, 26 Bulford Close, Tye Green, Crossing (Regarding Sites at Black Notley) (Objector)

Statement by Councillor David Lee, for Bures Hamlet Parish Council, Malt Cottage, 15 Maltings Close, Bures, Suffolk (Regarding Sites at Bures Hamlet) (Objector)

Statement by Councillor John Bendall, for Earls Colne Parish Council, c/o Mrs Val Holmes, Clerk to Earls Colne Parish Council, Village Hall, York Road, Earls Colne (Regarding Site EARC221 - Land to the East of Monks Road and Hillie Bunnies, Earls Colne) (Objector)

Statement by Mr Steven Butler, Bidwells, Head Office, Bidwell House, Trumpington Road, Cambridge (Regarding Site EARC221 - Land to the East of Monks Road and Hillie Bunnies, Earls Colne) (for promoter of site)

Statement by Councillor Mr Alan Stones, Kelvedon and Feering Heritage Society, c/o Windrush, Coggeshall Road, Feering (Regarding Site KELV335 - Monks Farm, land South East of Coggeshall Road, Kelvedon and Sites FEER230 - Land off Inworth Road, Feering; FEER232 and FEER233 - Land South of Feering, West of the A12) (Objector)

Statement by Councillor Mrs Katherine Evans, for Feering Parish Council, c/o Mr Kevin Money, Clerk to Feering Parish Council, Feering Community Centre, Coggeshall Road, Feering (Regarding Proposals at Feering (Policies LPP20 and LPP40)) (Objector)