

LOCAL PLAN SUB-COMMITTEE AGENDA

Tuesday, 11 July 2017 at 06:00 PM

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

THIS MEETING IS OPEN TO THE PUBLIC
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**Members of the Local Plan Sub-Committee are requested to attend this meeting to
transact the business set out in the Agenda.**

Membership:-

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

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by 3pm on the day of the meeting.

A WRIGHT
Acting Chief Executive

INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest must declare the nature of their interest in accordance with the Code of Conduct. Members 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.

Question Time

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PUBLIC SESSION	Page
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 Minutes of the Previous Meeting To approve as a correct record the Minutes of the meeting of the Local Plan Sub-Committee held on 16th May 2017 (copy previously circulated).	
4 Public Question Time (See paragraph above)	
5 Hatfield Peverel Neighbourhood Plan - Regulation 16 Consultation Response	5 - 10
6 Colchester Borough Council Publication Draft Local Plan - Response to Public Consultation	11 - 14
7 Tendring District Council Publication Draft Local Plan - Response to Public Consultation	15 - 17
8 Evidence Base for the Publication Draft Local Plan	18 - 22
9 Urgent Business - Public Session To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.	
10 Exclusion of the Public and Press To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.	

At the time of compiling this Agenda there were none.

11 Urgent Business - Private Session

To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

Braintree Draft Local Plan – Hatfield Peverel Neighbourhood Plan Regulation 16 Consultation Response		Agenda No: 5
Portfolio: Planning and Housing Corporate Outcome: Securing appropriate infrastructure and housing growth Report Presented by: Alan Massow Report Prepared by: Alan Massow		
Background Papers: <ul style="list-style-type: none"> National Planning Policy Framework (NPPF) National Planning Practise Guidance (NPPG) Localism Act (2011) Planning and Compulsory Purchase Act (2004) Hatfield Peverel Neighbourhood Development Plan Submission Version (2017) 		Public Report: Yes Key Decision: No
Executive Summary: <p>Hatfield Peverel Parish Council's Neighbourhood Plan group has been working on a Neighbourhood Plan for the parish of Hatfield Peverel. Neighbourhood Plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications. They have the same status as the non-strategic elements of the Local Plan.</p> <p>The Plan is currently undergoing consultation under regulation 16 which concludes on the 17th July. The Neighbourhood Plan is Appendix 1 to this report.</p> <p>Once the consultation finishes, the Council and Hatfield Peverel Parish Council will agree an examiner, who will hold an examination into the Plan.</p> <p>This report sets out the Braintree District Council response to the Hatfield Peverel Neighbourhood Plan.</p>		
Decision: <p>To agree the response to the Hatfield Peverel Neighbourhood Plan Regulation 16 consultation.</p>		
Purpose of Decision: <p>To respond to the consultation on the Hatfield Peverel Neighbourhood Plan.</p>		

Corporate Implications	
Financial:	The preparation of the Plans set out within the Local Development Scheme will be a significant cost which will be met through the Local Plan budget.
Legal:	To comply with Governments legislation and guidance
Equalities/Diversity:	The Councils policies should take account of equalities and diversity.
Safeguarding:	None
Customer Impact:	There will be public consultation during various stages of the neighbourhood plan
Environment and Climate Change:	This will form part of the evidence base for the emerging Neighbourhood Plan and will inform policies and allocations.
Consultation/Community Engagement:	There will be public consultation during various stages of the emerging Neighbourhood Plan.
Risks:	The Neighbourhood Plan examination may not succeed at examination. The Neighbourhood Plan may be rejected at a referendum. Risk of High Court challenge.
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1 Background

- 1.1 Neighbourhood planning is a right for communities introduced through the Localism Act 2011. It allows communities to shape development in their areas through the production of Neighbourhood Development Plans, Neighbourhood Development Orders, and Community Right to Build Orders.
- 1.2 Neighbourhood Development Plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications. The policies in the plan cannot block development that is already part of the Local Plan. What they do is shape where development will go and what it will look like.
- 1.3 A Neighbourhood Plan should support the strategic development needs set out in the Local Plan and plan positively to support local development (Paragraph 16).
- 1.4 The Neighbourhood Plan will become part of the statutory development plan once it has been made (brought into legal force) by the planning authority. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

- 1.5 A Neighbourhood Plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is made (brought into legal force) by the Local Planning Authority. At this point it becomes part of the statutory development plan.
- 1.6 An emerging Neighbourhood Plan may be a material consideration. Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the Neighbourhood Plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging Neighbourhood Plan.
- 1.7 The Neighbourhood Planning Act (2017) also gives some weight to the policies and proposals contained within a Neighbourhood Plan once an examiners report is received.
- 1.8 A draft Neighbourhood Plan must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition.
- 1.9 Although a draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.
- 1.10 Only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:
 - a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Order (or Neighbourhood Plan).
 - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. Read more details.

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.

d. the making of the Order (or Neighbourhood Plan) contributes to the achievement of sustainable development.

e. the making of the Order (or Neighbourhood Plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

f. the making of the Order (or Neighbourhood Plan) does not breach, and is otherwise compatible with, EU obligations.

g. prescribed conditions are met in relation to the Order (or Neighbourhood Plan) and prescribed matters have been complied with in connection with the proposal for the Order (or Neighbourhood Plan).

2 Hatfield Peverel Neighbourhood Plan

2.1 The Neighbourhood Plan is subdivided into four main sections covering economic, environmental, housing and facilities and infrastructure policies.

2.2 Each section shows the key issues, objectives and a policy and justification to the policy.

2.3 The Plan has identified the former Arla Dairy site for residential development, however the extent is different to that shown in the Publication Draft Local Plan. As such an amendment is proposed through the consultation.

3 Proposed Response

3.1 A response should be submitted by the LPA to the Regulation 16 consultation in order for the Neighbourhood Plan to satisfy the basic conditions. The following topic areas would need to be covered in the response;

- That the Council congratulates the Neighbourhood Plan group on the hard work which has been carried out to get the Neighbourhood Plan to this stage.

3.2 That the Council believes that the basic conditions have been met, and that the following comments should be made to the examiner:

- The extent of allocation which is centred at Arla Dairy should be extended to match the extent shown in the Publication Draft Local Plan.
- Extend maps within the document to show land at Wood End Farm which is in Hatfield Peverel Parish and is allocated as a strategic growth location in the Publication Draft Local Plan.
- Remove limit of 20 employees in policy ECN1- Support for Local Businesses as this could be seen as curtailing economic development which is contrary to para 16 of the NPPF.

3.3 It should be noted that a number of planning applications are pending. Applications at Gleneagles Way, and Stonepath Drive currently have holding notices issued by the Secretary of State. An appeal decision is also awaited on a further Stonepath Drive application which is likely to be issued in mid to late July.

3.4 Further changes to the Neighbourhood Plan may be necessary pending the outcome of the SoS decision as to whether or not to call those applications in.

4 Next Steps

4.1 The Neighbourhood Plan is currently undergoing regulation 16 consultation which is due to finish on the 17th July 2017.

4.2 During the consultation Braintree District Council, in agreement with Hatfield Peverel Parish Council, will appoint an examiner to undertake the examination of the Neighbourhood Plan.

4.3 Once the consultation has concluded all responses will be sent to the appointed examiner, who will decide whether or not the examination goes ahead as a written representations examination or a more formal examination. It is for the independent examiner to decide the format and scope of the hearing, who will be invited to speak at a hearing, in addition to the local planning authority and the qualifying body that submitted the neighbourhood plan, and the questions to be asked at the hearing.

4.4 When the examiner is minded to recommend that the neighbourhood plan should proceed to referendum, the examiner must recommend whether the

referendum area should extend beyond the neighbourhood area. If the examiner recommends that the area should be extended they must state what they consider that extended area should be.

- 4.5 It may be appropriate to extend the referendum area beyond the neighbourhood area, for example where the scale, or nature of the proposals in the draft neighbourhood plan are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area.
- 4.6 Once the examiner's report is received, the Council has 5 weeks to make a decision to send a plan to referendum.

5 Referendum

- 5.1 The Council must make arrangement for the referendum to take place. The rules covering all aspects of organising and conducting the polls can be found in the Neighbourhood Planning (Referendum) Regulations 2012 (as amended by the Neighbourhood Planning (Referendum) (Amendment) Regulations 2013 and 2014) and the Neighbourhood Planning (Prescribed Dates) Regulations 2012.
- 5.2 Once the referendum has been successfully completed, the local planning authority is able to make the Plan.

6 Recommendation

To agree the response to the Hatfield Peverel Neighbourhood Plan Regulation 16 consultation as set out in the report.

LOCAL PLAN SUB-COMMITTEE
11th July 2017



Response to Public Consultation on Colchester Borough Publication Draft Local Plan		Agenda No: 6
Portfolio Planning and Housing Corporate Outcome: A well connected and growing district with high quality homes and infrastructure		
Report presented by: Emma Goodings Report prepared by: Gary Sung		
Background Papers: <ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) • National Planning Practise Guidance (NPPG) • Braintree District Draft Local Plan (June 2016) • Draft Sustainability Appraisals • Local Plan Sub Committee Agendas and Minutes • Colchester Borough Publication Draft Local Plan • Colchester Borough Publication Draft Local Plan Policies Maps • Local Plan Sub Committee Agenda and Minutes for 12th July 2016 • Braintree District Publication Draft Local Plan June 2017 		Public Report: Yes Key Decision: No
Executive Summary: Colchester Borough has released its Publication Draft Local Plan for public consultation between 16 th June 2017 – 11 th August 2017. Section 1 of this Local Plan comprises of the shared strategic plan shared with Braintree District Council and Tendering District Council. Section 2 contains policies relating to Colchester Borough. This report proposes the Braintree District Council response to the Colchester consultation.		
Recommended Decision: To approve the Braintree District Council consultation response to the Colchester Borough Publication Draft Local Plan.		
Purpose of Decision: To provide a response to the Colchester Borough Publication Draft Local Plan during the relevant consultation period.		

Corporate Implications	
Financial:	The costs of the consultation and examination process will be met from the Local Plan budget.
Legal:	The Local Plan must meet the requirements for soundness set out in the NPPF and other regulatory requirements.
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	Neighbouring/nearby authorities' draft Local Plans have the potential to affect all customers in the District.
Environment and Climate Change:	The Local Plan will include policies in relation to the Environment
Consultation/Community Engagement:	The Publication Draft Local Plan is subject to a period of public consultation from the 16 th June to the 28 th July 2017
Risks:	That the Local Plan is found unsound, which could delay the provision of housing in the District.
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1 Introduction

- 1.1 The Colchester Borough Publication Draft Local Plan has been published for public consultation taking place between 16th June to the 11th August 2017 and comments must be received within these dates. The Publication Draft marks the submission stage of the Local Plan and these comments, along with the Local Plan, will be submitted to the Secretary of State for Examination in Public.
- 1.2 As Colchester Borough and Tendering District are partners with Braintree District in the Shared Strategic Section One Local Plan, the Councils have been working very closely together over the last two years. This will demonstrate good partnership working between the three local authorities and help meet the requirements of the duty-to-cooperate.
- 1.3 Members are invited to take note of Colchester Borough's public consultation and consider officer's comments on the Publication Draft Local Plan. It is proposed that a formal response can then be issued on behalf of Braintree District Council.

2 Background

- 2.1 Section 1 of the Colchester's Local Plan is identical to that in the Braintree Local Plan. It includes the ten strategic policies and proposed broad areas of search for three garden communities.

- 2.2 Section 2 relates only to Colchester Borough and sets out the spatial vision for development in the district. It includes policies which address housing, employment and retail need, policies for specific areas or allocations, and some development management policies intended guide development. Each of the categories of policies has a policy number according to topic. Allocations within are divided according to area, with a set of policies for the town centre and a set each for the North, South, East and West of Colchester. Following these are specific policies for the next tier of settlements (larger villages) outside of Colchester Town named sustainable settlements.
- 2.3 The vision for Colchester is to support the town centre, retaining its pre-eminence and vitality as the heart of the Borough. To achieve the vision, the spatial strategy seeks to direct development towards the most sustainable locations as shown on the Key Diagram.
- 2.4 Braintree District Council had commented on the 'Preferred Options' or draft version of the Colchester Local Plan and these were reported at the committee meeting on 12th July 2016.

3 Officer Comments

- 3.1 The following comments will be submitted by Braintree District Council at the relevant policies of the Colchester Borough Publication Draft Local Plan:
- Part 1 of the plan has been constructed in close cooperation with Braintree District Council (BDC) and is supported. BDC are satisfied that Colchester has addressed strategic issues, including the requirement to meet objectively assessed housing needs for market and affordable housing, employment needs and to promote sustainable development. BDC are committed to continue partnership working with Colchester and Tendring to produce a Strategic Growth DPD for the Garden Communities, a Recreation Avoidance and Mitigation Strategy (RAMS) to support the work on the appropriate assessment and to positively address any other strategic cross border issues.
 - BDC is satisfied that the appropriate level of joint-working has been undertaken for the Local Plan in accordance with the Duty-to-Cooperate.
 - BDC supports the spatial strategy and spatial hierarchy in Section 2 of the Local Plan which seeks to concentrate development at Colchester, as the most sustainable location for growth, with some expansion of sustainable settlements of circa 500 dwellings, and the establishment of two cross boundary garden communities at Colchester Braintree Borders and Colchester Tendring Borders. The OAN target is 920 dwellings per year which, against a historic average of 903 dwellings per year, is realistic and achievable.

- BDC notes that Colchester will allocate employment land sufficient to meet 44.2ha of new employment land which is between the economic scenarios for the EEFM (29.8ha) and Higher Past Completion Rates (55.8ha) requirements as specified in Colchester's 2015 ELNA. This is towards the higher end of a range of scenarios given in the ELNA; a land requirement of between -21 and 55.8ha is suggested. Similarly, BDC is pursuing a 'high' growth scenario which equates to growth of 30.5 hectares plus the replacement of recent losses. We are confident that there will be sufficient employment land allocated to meet employment needs and provide sub-regional competition. BDC support the Strategic Economic Areas (employment allocations) at Stanway, North Colchester and the Knowledge gateway, these locations are accessible with good road connections to Braintree District.
- BDC notes that allocations of up to 600 dwellings at Tiptree will be identified within the Tiptree Neighbourhood Plan and that cross boundary strategic infrastructure will be considered within this document. We welcome the amendment to include policy point v, for the consideration of strategic cross boundary issues, and point iv, for the delivery of any infrastructure/community facilities in policy SS14. These amendments will help ensure that the Neighbourhood Plan allocations can be delivered with appropriate roads, education and other infrastructure to support them.
- BDC supports the general thrust to protect designated assets in the environment, coastal areas and green infrastructure policies. The Colchester orbital route is supported as this will help draw pressure away from leisure uses at protected European assets.
- BDC supports the climate change policies, which encourage moves towards a low carbon future, and infrastructure delivery and mitigation policies as these have positive cross boundary impacts.

4 Next Steps

- 4.1 If this response is agreed by Members then this will be submitted to Colchester through the online consultation portal and will be considered by the Independent Planning Inspector.

5 Recommendation

To approve the Braintree District Council public consultation response to the Colchester Borough Publication Draft Local Plan.

LOCAL PLAN SUB-COMMITTEE
11th July 2017



Response to Public Consultation on Tendring District Council Publication Draft Local Plan		Agenda No: 7
Portfolio Corporate Outcome:	Planning and Housing A well connected and growing district with high quality homes and infrastructure	
Report presented by:	Emma Goodings	
Report prepared by:	Julie O'Hara	
Background Papers: <ul style="list-style-type: none">National Planning Policy Framework (NPPF)National Planning Practise Guidance (NPPG)Braintree District Draft Local Plan (June 2016)Draft Sustainability AppraisalsLocal Plan Sub Committee Agendas and MinutesTendring District Council Publication Draft Local Plan Consultation June 2017Tendring District Council Draft Local PlanLocal Plan Sub Committee Agenda and Minutes for 12th July 2016Braintree District Publication Draft Local Plan 2017	Public Report: Yes	
	Key Decision: No	
Executive Summary:		
<p>Tendring District Council has released its Publication Draft Local Plan for public consultation. The consultation period has effect from 16th June 2017 – 28th July 2017 and it is proposed to issue a response within this period. Part 1 of this plan comprises the shared strategic plan shared with Braintree District Council and Colchester Borough Council. Part 2 contains policies relating to Tendring District. There have been some alterations to Part 2 but these are minor in nature.</p>		
Recommended Decision:		
<p>To issue a formal response to Tendring District Council which expresses support for section 1 of the Tendring District Council Publication Draft Local Plan and no comments on section 2 of this Plan.</p>		
Purpose of Decision:		
<p>To provide a response to the Tendring District Council Publication Draft Local Plan during the relevant consultation period.</p>		

Corporate Implications	
Financial:	The costs of the consultation and examination process will be met from the Local Plan budget.
Legal:	The Local Plan must meet the requirements for soundness set out in the NPPF and other regulatory requirements.
Safeguarding:	N/A
Equalities/Diversity:	N/A
Customer Impact:	Neighbouring/nearby authorities' draft Local Plans have the potential to affect all customers in the District.
Environment and Climate Change:	The Local Plan will include policies in relation to the environment.
Consultation/Community Engagement:	The Publication Draft Local Plan is subject to a period of public consultation from the 16 th June to the 28 th July 2017
Risks:	That the Local Plan is found unsound, which could delay the provision of housing in the District.
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Introduction

This report is intended to inform members that the Tendring District Local Plan has issued a publication draft plan for public consultation. The consultation period has effect from 16th June to the 28th July 2017 and comments must be received within these dates. Members are invited to take note of the public consultation and consider officers comments on the plan. It is proposed that a formal response can then be issued on behalf of Braintree District Council.

Background

Tendring District Council is one of the three "North Essex Authorities" which have worked together to produce a shared set of strategic policies. This set of strategic policies is set out as Part 1 of the Tendring Local Plan and its content is therefore identical to those of the Braintree Local Plan. It includes ten strategic policies and three broad areas of search for garden communities.

Section 2 of the Tendring Local Plan relates only to the District of Tendring. Its contents include detailed policies intended to guide development according to the issues particular to this District. These issues are described in detail at the beginning of Section 2.

Braintree District Council has made comment on an earlier version of the Tendring District Local Plan and these were reported at the committee meeting of the 12th July 2016. The minutes show broad support for the plan. The agenda noted a revised OAN figure of 550. The letter issued to Tendring District Council supported Section 1 of the plan and made no comment on Section 2.

Officer Comments

The following comments re proposed to be submitted by Braintree District Council at the relevant policies of the Tendring District Publication Draft Local Plan:

- Section 1 of the Local Plan has been constructed in close cooperation with Braintree District Council (BDC) and is supported. BDC are satisfied that Tendring has addressed strategic issues, including the requirement to meet objectively assessed housing needs for market and affordable housing, employment needs and to promote sustainable development. BDC are committed to continue partnership working with Colchester and Tendring to produce a Strategic Growth DPD for the Garden Communities, a Recreation Avoidance and Mitigation Strategy (RAMS) to support the work on the appropriate assessment and to positively address any other strategic cross border issues.
- The Tendring District OAN housing figure of 550 now forms part of Part 1
- BDC is satisfied that the appropriate level of joint-working has been undertaken for the Local Plan in accordance with the Duty-to-Cooperate
- Section 2 contains policies relating solely to Tendring District. It allocates the homes and jobs required for the plan period outside of the garden communities. It provides place shaping policies to guide development, ensure the District's natural and built assets are enhanced and protected, communities are well connected and that design promotes healthy living, adaptability of homes and safety from flood risks.
- Whilst there are some alterations to Section 2 these do not raise issues on which Braintree District seeks to make comment. No comments are proposed in respect of section 2.

Next Steps

If this response is agreed by Members then this will be submitted to Tendring through the online consultation portal and will be considered by the Independent Planning Inspector.

Recommendation

To issue a letter in response to the public consultation expressing support for the Tendring Local Plan Part 1 and no comments on Part 2.

Evidence Base for the Publication Draft Local Plan		Agenda No: 8
<p>Portfolio Planning and Housing</p> <p>Corporate Outcome: A well connected and growing district with high quality homes and infrastructure</p> <p>Report presented by: Emma Goodings</p> <p>Report prepared by: Emma Goodings and Gary Sung</p>		
<p>Background Papers:</p> <ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) • National Planning Practise Guidance (NPPG) • Braintree District Draft Local Plan (June 2016) • Local Plan Sub Committee Agendas and Minutes • Braintree District Publication Draft Local Plan 2017 		<p>Public Report: Yes</p> <p>Key Decision: No</p>
<p>Executive Summary:</p> <p>The Local Plan is required to be accompanied by a robust and credible evidence base. As set out in the NPPF paragraph 158, each Local Authority is should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.</p> <p>Two pieces of evidence base have been completed prior to the start of the public consultation period on the Publication Draft Local Plan but after the last Local Plan Sub Committee. These are the Infrastructure Delivery Plan (IDP) and the Viability Study. Both these documents have been published on the website for the consideration of those responding to the Local Plan consultation.</p> <p>A further piece of work, the Movement and Access Study which supports the Garden Communities, has also been published. Whilst this will be primarily to support the site specific Development Plan documents on each of the Garden Communities, it is published as information.</p> <p>All three pieces of evidence are available as electronic Appendices to this report which can be found at www.braintree.gov.uk/lpevidencebase.</p>		
<p>Recommended Decision:</p> <p>A. To approve the Infrastructure Viability Assessment as evidence base to support the Publication Draft Local Plan.</p>		

B. To approve the Viability Assessment as evidence base to support the Publication Draft Local Plan.

C. To approve the Movement and Access Study as evidence base to support the Publication Draft Local Plan and the Strategic Growth Development Plan Document.

Purpose of Decision:

To provide a robust and credible evidence base to support the Publication Draft Local Plan.

Corporate Implications

Financial:	The costs of the evidence base documents, consultation and examination process will be met from the Local Plan budget.
Legal:	The Local Plan must meet the requirements for soundness set out in the NPPF and other regulatory requirements.
Safeguarding:	N/A
Equalities/Diversity:	An Equalities Impact Assessment accompanies the Local Plan.
Customer Impact:	The documents are part of the Local Plan which is available for consultation.
Environment and Climate Change:	The Local Plan will include policies in relation to the environment.
Consultation/Community Engagement:	The Publication Draft Local Plan is subject to a period of public consultation from the 16 th June to the 28 th July 2017
Risks:	That the Local Plan is found unsound, which could delay the provision of housing in the District.
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1 Background

- 1.1** The Local Plan must be accompanied by robust and credible evidence which deals with the key strategic issues in the District. There are over 70 documents on the evidence base page of the website which supports the Local Plan. www.braintree.gov.uk/lpevidencebase. The three reports which are set out here were published at the start of the consultation period but have not yet been reported to committee for information.

2 Infrastructure Delivery Plan (IDP)

- 2.1 An Infrastructure Delivery Plan (IDP) is an essential component of the local evidence base as it sets out the timing and background details of potential infrastructure requirements to support the planned housing and employment allocations. The document includes an Infrastructure Phasing Plan which is a chart listing indicative major infrastructure for each strategic allocation site. The IDP is limited to sites of 50 dwellings which do not already have planning permission and major employment allocations.
- 2.2 The IDP was commissioned jointly by Chelmsford, Braintree, Colchester and Tendring councils. It is a 'live' document which will be updated throughout the examination of the Local Plan and through its lifetime after adoption. Braintree will continue to work with infrastructure delivery partners to refine the IDP, including with the Local Highways and Health Authorities.

Recommendation

A. To approve the Infrastructure Viability Assessment as evidence base to support the Publication Draft Local Plan.

3 Viability Assessment

- 3.1 An Economic Viability Study and model (the viability study) has been commissioned from Three Dragons and Troy Planning + Design on a joint basis, covering Braintree, Colchester and Tendring. Each authority has their own report for their respective areas.
- 3.2 A viability study addresses the requirement in the NPPF for Local Plans to demonstrate that the proposed policies and infrastructure requirements are viable on a district level. In particular, the financial implications for policies for 30 - 40% affordable housing, improved standards for accessible and adaptable homes, self-build and custom housebuilding and renewable energy requirements on major developments were tested. The Braintree viability study covers residential schemes from 1 to 2,000 homes, care homes and employment land, but not garden communities, which will have site specific viability reports commissioned for them.
- 3.3 Using a residual land value approach, the viability study found that the majority of schemes in the district will be viable. Where there is unviability, there is expected to be some flexibility available in policy or land costs, or other means. Speculative office, industrial and warehouse developments are unlikely to be viable but employment developments can be supported by public sector funding. Design and build schemes will continue to be viable.

Recommendation

B. To approve the Viability Assessment as evidence base to support the Publication Draft Local Plan.

4 Movement and Access Study

- 4.1 As part of the work to support the Garden Communities, the four authorities commissioned Ringway Jacobs to support the analysis of the concept of 'Garden Communities' for their emerging Local Plans.
- 4.2 AECOM has undertaken a detailed baseline review and multi-criteria analysis of various options, identifying three broad locations at West of Braintree, Colchester/Braintree Borders and Tendring/Colchester Borders for further considerations. These locations are considered to be the most sustainable option for the future development of Garden Communities in North Essex and provide a major opportunity for high quality, cohesive and distinctive mixed use development.
- 4.3 Of important consideration is how each of the Garden Communities can positively internalise journeys within their developments and maximise their integration and connectivity with the rest of North Essex via high quality modern public transport. Meeting this ambition will help to avoid unsustainable travel patterns and mitigate otherwise adverse impacts associated with the performance of the local and strategic highway network.
- 4.4 The Key Objectives of the Study were as follows:
 - Review and understand high level performance (congestion and service provision) of existing transport network (highways, bus, rail, cycling) in vicinity of the proposed Garden Communities and emerging issues from current local plan work
 - Review constructively the high level transport proposals in AECOM (June 2016): North Essex Garden Communities – Feasibility Study associated with the following sites and emerging work from the Concept Framework Consultants: AECOM, David Lock Associates and Peter Brett Associates in terms of their interim December 2016 draft reports and engagement through January and February 2017. It is noted that these studies will continue to evolve in Spring 2017.
 - Carry out an evidence based review of AM peak (0800-0900) trip rates, internalisation of trips and mode shares and comment on the infrastructure and behavioural measures required to support these assumptions.
 - Review at a high level likely destinations of AM peak trips, external to/from the Garden Communities with cognisance of existing sub-regional travel patterns (including use of A12, A120 and A131) and local plan allocations.
 - Provide a high level review of the key corridors of movement to link the Garden Communities with the surrounding network.

- Investigate what public transport measures to/from the garden communities and principal trip attractors will be required to accommodate 30% of all trips (50% of external trips) by public transport.
 - Carry out a high level review of access arrangements and which junctions and links should be improved and which junctions and links can be improved as a consequence of the Garden Communities.
 - Provide a summary of the phasing of mitigation measures over the plan period.
 - Provide high level indicative costing of schemes identified.
 - Provide a high level summary report to tie in with Local Plan timescales.
- 4.5 The report is available on the Council website and is broken down in a series of chapters which look at major infrastructure and schemes which could apply across all sites and then site specific schemes for each of the proposed garden communities. This includes work on rapid transit and sustainable land use possibilities. The report also includes a section which sets out how the infrastructure requirements have been defined and how the costs have been worked out at a high level.
- 4.6 It should be worth noting that the findings of the report reflect the known issues, opportunities and development quantum at this stage of the process. The plans within this report reflect a point in time reached during the evolution of the related Concept Frameworks for each of the Garden Communities. It must be noted that these plans will change as the Concept Frameworks evolve and develop further.
- 4.7 This movement and access study suggests a range of options for how transport could be managed across the garden communities. Further work on all highway and transport access on the garden communities will be progressed as work on the Strategic Growth DPD continues.

Recommendation

C: To approve the Movement and Access Study as evidence base to support the Publication Draft Local Plan and the Strategic Growth Development Plan Document.