

Minutes

Local Development Framework Panel

25th June 2008



Councillors	Present	Councillors	Present
Miss L Barlow	No	H J Messenger	Yes
G Butland	Apologies	Lady Newton	No
N R H O Harley	Apologies	Mrs W D Scattergood	Yes
M C M Lager	Yes	Miss M Thorogood	Yes <i>left at 7:10</i>
N G McCrea (Chairman)	Yes	R G Walters	No

Others in attendance:

Eleanor Dash, Planning Policy Manager

Dave Cookson, Planning Policy Consultant, Development Services

Melanie Ward, Locality Support Officer (Minute Clerk)

Jonathan Hills, Member of the public (to observe only)

10 **DECLARATIONS OF INTEREST**

No declarations.

11 **MINUTES**

The minutes of the Local Development Framework Panel meeting held as a private session on 2nd April 2008 and the minutes for 7th May 2008 were agreed as correct records and signed by the Chairman.

12 **QUESTION TIME**

No items to discuss.

13 **LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY PROGRESS REPORT**

The report sets out comments received on a working draft of the Core Strategy Preferred Options, that had been issued as a basis for discussion to key stakeholders, such as the Environment Agency, Highways Agency, Natural England and Go-East, together with all adjacent LPAs. The purpose of this consultation was to identify any major issues, which should be addressed before the document was published for full public consultation in September this year.

Dave Cookson stated that comments had been received from nearly all the stakeholders. No fundamental issues with the proposed strategy were raised, which meant that the strategy could be considered basically sound. However, a number of important points were raised over the document lacking "local distinctiveness", especially in identifying key issues. The Spatial Portrait will need to be upgraded to

identify these issues more clearly so as to relate to the policies and proposals later in the plan and to make them more locally distinctive.

Key areas of growth for each location option in the Braintree District needs to be clearly set out e.g. housing numbers, employment, transport and community infrastructure requirements to be used as evidence to firm up the strategy. Key service villages' development options are based on a combination of size and provision of service levels to population.

Members of the Panel agreed that the Plan needed to be more creative and less formal and to show a politically driven vision for the District.

Better integration between various elements of the plan (Themes) need to link together. This should be achievable with a fuller "Spatial Vision".

Delivery and Implementation, especially in relation to Housing and Infrastructure trajectories needs more detail on how the plan/policy is delivered for the district.

Descriptions of the districts three main towns and rural north and south areas are where provision of services and accessibility need to be listed in detail.

Transport and community infrastructure upgrades to serve any new development have been considered with consultations from statutory bodies within the delivery process. The housing trajectory will be informed by the outputs from the Annual Monitoring Report and Strategic Housing Land Availability Assessment, which are assessed by the Government Office and used as a performance indicator.

More work will be needed on the impacts of the Community Infrastructure Levy. The infrastructure requirements will serve as a basis for charging the Community Infrastructure Levy, which is expected to come into effect in Spring 2009.

Proposals of all options will be submitted to Essex County Council for sustainability appraisal once finalised.

The Highways and Environment Agencies had requested that land contamination, sustainable water management, waste minimisation, flooding, a more accurate reflection of the status of the A120/A12 upgrade and a need to change travel behaviour be listed in more detail.

Officers felt that these points could be addressed by amending the wording of the document. The Panel suggested that the report highlights works that have already been undertaken to avoid flooding issues in the district. Travel behaviour is based on the function of services and jobs, which set behaviour; it would be very hard to influence change.

The Rural Community Council referred to the overall focus of the plan, which it felt was too "urban" focused and reference should be made to the difference in service delivery in rural and urban areas.

The Panel agreed that the balance of the plan needs to be changed to be more rural focused and to revise the strategic vision. It was suggested that Officers could pass on drafts informally to members to discuss on away days and workshops for their comments before publication.

National England requested an assessment of the impact of development to the Blackwater Estuary as a designated site of European Wildlife Importance. Although not in our district, the level of possible population impact needs to be considered and alternative recreation sites/attractions within our area be looked into to reduce impact to the Estuary site.

The Panel agreed that recreation site alternatives could be considered later under agenda item 16.

It is proposed that the revised preferred options document, including the amendments suggested by the stakeholders, referred to in the report, be submitted to Members for approval at the next Panel Meeting on 30th July 2008.

Decision

The Panel agreed to amend the Core Strategy Preferred Options to take into account the comments received from Stakeholders and the Panel; to identify key issues more clearly and creatively to stand out against other Plans, relate policies and proposals to make the Plan more locally distinctive and include more detail of the Districts provisions including more emphasis on rural areas. The amended preferred options document could then be submitted to Members for approval at the next Panel Meeting on 30th July 2008.

14 CORE STRATEGY AFFORDABLE HOUSING POLICY

The Panel agreed at the last meeting that the affordable housing threshold should be 3 dwelling units or over, with a site size threshold of 0.1 hectares and over, and the proportion of affordable housing to be provided as 40% of the total dwelling units. The Panel expressed concerns at potential problems with viability for very small sites and agreed that alternative options should be included in the Core Strategy.

The Panel felt that this was an unrealistic option and thresholds were set higher than the current plan. Rural aspirations of Parish Councils were not as positive.

The Conservative group had suggested the following Preferred Policy wording:

Affordable Housing Will Be Provided On Housing Developments Of 5 Dwellings and Over and Sites of 0.2 Ha and Over In Accordance With The Following Criteria - 40% Of Dwellings On These Sites Will Be Affordable Housing.

Exceptionally, Off Site Provision Or Funding Contribution To Deliver The Same Amount Of Affordable Housing May Be Acceptable If On-Site Provision Is Shown To Be Unviable Or Otherwise Impractical.

In terms of views that would be welcomed on Affordable Housing the group suggested that the following alternatives be canvassed:

- A Threshold Of 10 Units Linked To A 45% Contribution.
- A Threshold Of 3 Units Linked To A 35% Contribution.

The Panel agreed with this preferred policy wording but to also include the site area in the alternative wording. This would be more achievable than the current BDC housing policy and would not be out of line with the Regional Plan.

Officers put forward the recommendation that the Core Strategy Preferred Options includes both the option agreed by the Panel at the last meeting, with a threshold of 3 dwellings or 0.1 ha and a percentage of 40% affordable housing, together with the following alternative options: -

- A threshold of 5 dwellings and a percentage of 40%, with a site size threshold of 0.16ha
- A threshold of 10 units and a 45% contribution, with a site size threshold of 0.3ha.
- A threshold of 3 units and a 35% contribution, with a site size threshold of 0.1ha.

The option to include the reference to the fact that exceptionally off-site contributions could be acceptable, if on-site provision is impracticable.

Decision

The Panel agreed to adopt the Core Strategy Preferred Options Policy wording suggested by the Conservative Party; affordable housing will be provided on housing developments of 5 dwellings and over and sites of 0.2 ha and over in accordance with the following criteria - 40% of dwellings on these sites will be affordable housing.

Exceptionally, off site provision or funding contribution to deliver the same amount of affordable housing may be acceptable if on-site provision is shown to be unviable or otherwise impractical.

Alternative Affordable Housing Options;

- **A threshold of 10 units and a 45% contribution, with a site size threshold of 0.3ha.**
- **A threshold of 3 units and a 35% contribution, with a site size threshold of 0.1ha.**

The Panel also agreed that an option to include reference to less than 5 dwellings being open to some form of tariff should be considered, as well as on 5 dwellings and over.

15 REVISED PLANNING POLICY STATEMENT 12 ON CREATING STRONG, SAFE AND PROSPEROUS COMMUNITIES THROUGH LOCAL SPATIAL PLANNING

Revisions to PPS12 and accompanying regulations have simplified the tests of soundness against which plans are judged, and require Core Strategies to be deliverable, more flexible and more site- specific. Changes to regulations remove the need for preferred option consultation and allow local authorities to withdraw plans after submission to make major changes, if necessary.

Officers stated that it would be difficult to cut out the preferred option consultation stage now, as there is a need to show that we have consulted the public and statutory bodies and have taken account of their comments.

Decision

The Panel agreed that it would be beneficial for the preferred options stage of the Core Strategy for consultations to continue.

16 PROPOSED COUNTRY PARK IN THE SOUTH OF THE DISTRICT

This report refers to the potential development of a country park to serve the south of the District. It sets out a possible short-term option at former mineral workings in Hatfield Peverel and a long-term proposal in the Blackwater Valley, south of Rivenhall.

Short Term: The Local Plan Review has allocated land for an agreed after-use Country Park at Dannatts Pit, Wickham Bishops Road Hatfield Peverel, which has not yet been implemented. Land is due to be transferred imminently to Essex County Council, however, the County Council have stated that they do not have a budget to establish or manage a country park in this location. The future of this proposal is therefore uncertain.

Long Term: Site proposals have been submitted to the Council for the development of a large area to the south of Rivenhall between the River Blackwater and the A12 for a proposed Mineral Extraction Site with after-use as a Country Park/ Water Based Leisure, as part of the request for sites in relation to the Local Development Framework Core Strategy. Mineral extraction would have to be completed before leisure after uses could commence, so the time scale for leisure proposals to start is likely to be in excess of 20 years after the commencement of mineral extraction on site.

The Panel agreed that the Rivenhall proposal should not be supported due to the scale and time scale of the site. The Hatfield Peverel site should be retained as a Plan proposal and include options for all leisure use such as a nature reserve, watersports, open space as well as a county park.

The use of the site for leisure/recreation could attract visitors from a considerable distance. In that context it could be useful as an alternative 'draw' to the more sensitive areas of the Blackwater estuary, where there is a growing conflict between leisure activities and nature conservation interests, given its designation as a site of European Wildlife Importance. The proposals should also create jobs, but the scale of these is unknown at present.

Officers recommended that:

- Officers investigate the provision of a country park, or nature reserve on the former Dannatts Mineral Workings at Wickham Bishops Road, Hatfield Peverel.
- Officers discuss the scale and impact of the proposed mineral workings in the Blackwater Valley, south of Rivenhall with the landowner and Essex County Council and the Highways Agency.
- A further report is made to the Panel on the outcome of these investigations.

Decision

The Panel agreed that:

- **Officers investigate the provision of a country park, or nature reserve on the former Dannatts Mineral Workings at Wickham Bishops Road, Hatfield Peverel and propose that all leisure use options are included for this site.**
- **The Rivenhall proposal was not a viable option due to the time scale of the sites availability so should therefore not be considered as an option.**
- **That a further report be made to the Panel on the outcome of investigations on the Dannatts site.**

17 LOCAL PLAN REVIEW POLICIES TO BE SAVED AFTER JULY 2008

Government Regulations dealing with the transition from Local Plans to Local Development Frameworks state that Local Plan policies are only automatically 'saved' that is, in force, for three years after the date of adoption of the plan. Local authorities have to apply for a direction from the Government Office in order to save policies for a longer period, until they are replaced by approved policies in the Core Strategy and Development Control Documents, produced under the new planning system.

The Council had applied to save all the policies, apart from those, which had been superseded by more recent planning policy guidance, or had already been implemented.

The report states that it would be necessary to amend the Local Plan Review on line, on

the Council's website and copies of the plan which are sold in the future. There would also need to be an explanation of this change to the status of Local Plan Review policies on the Council's website. A report will be taken to Planning Committee on this matter.

Decision

The Panel noted which Local Plan Review Policies were saved and which would expire after 24.7.08. It was agreed that an addendum page be created to list all the obsolete policies at the start of the Local Plan Review Policies Document rather than altering the whole document.

18 ANY OTHER BUSINESS

It was brought to the Panel's attention that Hertfordshire County Council had launched a legal challenge against the East of England Plan over the plan preparation procedures.

Decision

The Panel noted Hertfordshire County Council's challenge to the East of England plan preparation procedures.

A copy of the challenge can be obtained from Eleanor Dash, Planning Policy Manager

19 PRIVATE SESSION

No items for inclusion.

20 DATE OF NEXT MEETING

The next Local Development Framework Panel has been arranged for **Wednesday 30th July 2008** in **Committee Room 2** starting at **6.00pm**.

The meeting commenced at 6:05pm and closed at 7:35 pm

N G McCrea (Chairman)