

# LOCAL PLAN SUB-COMMITTEE AGENDA

**Thursday, 10 January 2019 at 06:00 PM**

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

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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 Mrs G Spray (Vice-Chairman) |
| Councillor G Butland                     | Councillor Miss M Thorogood            |
| Councillor T Cunningham                  |  |
| Councillor D Hume                        |  |
| Councillor Mrs J Money                   |  |

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A WRIGHT  
Chief Executive

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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.

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| <b>PUBLIC SESSION</b>  |  | <b>Page</b>    |
|------------------------|--|----------------|
| <b>1</b>               | <b>Apologies for Absence</b>   |                |
| <b>2</b>               | <b>Declarations of Interest</b><br>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. |                |
| <b>3</b>               | <b>Minutes of the Previous Meeting</b><br>To approve as a correct record the Minutes of the meeting of the Local Plan Sub-Committee held on 15th November 2018 (copy previously circulated).   |                |
| <b>4</b>               | <b>Public Question Time</b><br>(See paragraph above)   |                |
| <b>5</b>               | <b>Statement of Community Involvement - Draft for Public Consultation</b>  | <b>4 - 37</b>  |
| <b>6</b>               | <b>Local Development Scheme 2019 - 2021</b>  | <b>38 - 62</b> |
| <b>7</b>               | <b>Braintree Publication Draft Local Plan - Update</b>   | <b>63 - 65</b> |
| <b>8</b>               | <b>Urgent Business - Public Session</b><br>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.   |                |
| <b>9</b>               | <b>Exclusion of the Public and Press</b><br>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.<br><i>At the time of compiling this Agenda there were none.</i>  |                |
| <b>PRIVATE SESSION</b> |  | <b>Page</b>    |
| <b>10</b>              | <b>Urgent Business - Private Session</b><br>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.   |                |

|  |   |              |
|--|---|--------------|
| Report for Public Consultation on Draft Statement of Community Involvement   |   | Agenda No: 5 |
|  |   |              |
| Portfolio  | Planning and Housing  |              |
| Corporate Outcome:   | A sustainable environment and a great place to live, work and play<br>A well connected and growing district with high quality homes and infrastructure<br>Residents live well in healthy and resilient communities where residents feel supported |              |
| Report presented by:   | Gary Sung, Senior Planning Policy Officer   |              |
| Report prepared by:  | Gary Sung, Senior Planning Policy Officer   |              |
|  |   |              |
| Background Papers:   | Public Report   |              |
| The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017<br>Neighbourhood Planning Act 2017<br>Town and Country Planning (Development Management Procedure) Order (2015)<br>General Data Protection Regulations<br>National Planning Policy Framework (2018)<br>National Planning Policy Guidance | Key Decision: No  |              |
|  |   |              |
| Executive Summary:   |   |              |
| An update to the Statement of Community Involvement (SCI) is required at least every five years to comply with the Town and Country Planning Regulations 2017.   |   |              |
| This update includes publication of the actions the Local Planning Authority will do to support Neighbourhood Planning and changes in response to new technology and consultation techniques for Local Plans. There will also be a streamlining of the consultation process for Development Management.                        |   |              |
| A six week public consultation is required in the process of adopting this SCI.  |   |              |
|  |   |              |
| Recommended Decision:  |   |              |
| To approve the updated Statement of Community Involvement for public consultation for six weeks.   |   |              |
|  |   |              |
| Purpose of Decision:   |   |              |
| To undertake the publication of an update to the Statement of Community Involvement.   |   |              |

| <b>Corporate Implications</b>             |  |
|---|--|
| <b>Financial:</b>                         | Officer time and resources required to carry out the public consultation is estimated to be minor.   |
| <b>Legal:</b>                             | The Local Planning Authority has a duty to review its Statement of Community Involvement at least every five years from the date of publication.   |
| <b>Safeguarding:</b>                      | No matters arising out of this report.   |
| <b>Equalities/Diversity:</b>              | Attached as <b>Appendix 2</b> to this report<br><br>The Statement of Community Involvement has a positive/neutral impact on people with protected characteristics.   |
| <b>Customer Impact:</b>                   | The Statement of Community Involvement will set out how the Local Planning Authority will undertake public consultations and/or engage with its customers for the Local Plan and for planning applications. For Parish Councils, it will also set out how the Local Planning Authority will support Neighbourhood Plans. |
| <b>Environment and Climate Change:</b>    | No matters arising out of this report  |
| <b>Consultation/Community Engagement:</b> | There will be a six week consultation on the Statement of Community Involvement.   |
| <b>Risks:</b>                             | The Local Planning Authority has a legal duty to review its Statement of Community Involvement under the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.  |
|   |  |
| <b>Officer Contact:</b>                   | Gary Sung  |
| <b>Designation:</b>                       | Senior Planning Policy Officer   |
| <b>Ext. No:</b>                           | 2590   |
| <b>E-mail:</b>                            | Gary.sung@braintree.gov.uk   |

## 1. Introduction

- 1.1 The Statement of Community Involvement (SCI) explains how the Local Planning Authority (LPA) will involve local people in planning, setting out who and how the LPA will engage residents and stakeholders. This includes public consultation on the Local Plan, Neighbourhood Plan and Supplementary Planning Documents, making comments on planning applications and how the LPA will assist Neighbourhood Planning areas or forums. Most residents and stakeholders engage with planning through either making a comment on a planning application, or writing a consultation response to the Local Plan.
- 1.2 This is the fifth update to the SCI which was last changed in October 2013. It is based on an established succession of SCIs which was first adopted in July 2006. This iteration was prompted by amendments to Government Regulations for town and country planning requiring SCI reviews at least every five years and a new duty on the LPA to support Neighbourhood Plans enacted recently through the Neighbourhood Planning Act 2017.
- 1.3 The SCI must be subject to a six week public consultation before it can be adopted by the Council. Any matters raised in responses to this consultation will be taken into account and reported back, with any necessary amendments made to the SCI.
- 1.4 **Summary of the Statement of Community Involvement**
- 1.5 The document is set out in seven sections:

1. Introduction - Sets out the legal and policy framework for undertaking an SCI and the key regulatory stages for preparing Development Plan Documents (DPD).

2. The Plan making process – Details of the Plans that are covered by the consultation requirements in the SCI. A section on Neighbourhood Plans outlines the assistance that will be provided by the LPA to comply with the Neighbourhood Planning Act 2017.

3. Stages in the preparation of DPDs – Here the SCI states the actions the LPA will undertake for consultation at each regulatory milestone in the process of adoption.

4. Community involvement in the Local Plan – Provides details of the different consultation methods that the LPA will use to engage with stakeholders and the general public.

5. Who is involved – This section specifically lists the national and local stakeholders who are consulted for Development Plan Documents. It also states how the voluntary sector and hard to reach groups, including people with protected characteristics under the Equalities Act, will be included at public consultation events. Finally, the process for how the Council will consider consultation responses is laid out.

6. Planning Applications – This chapter covers guidance for developers undertaking pre-application consultation and states the LPA's policy for public consultations regarding planning applications.

7. Monitoring and Review – Sets out the considerations for triggering a review of the SCI.

## **2. Summary of Updates to the Statement of Community Involvement**

2.1 The Statement of Community Involvement has been updated to take into account the following legislation and Regulations:

- The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017
- Neighbourhood Planning Act 2017
- Town and Country Planning (Development Management Procedure) Order (2015)
- General Data Protection Regulations
- National Planning Policy Framework (2018) (NPPF)
- National Planning Policy Guidance

2.2 As well as the changes to legislation requiring an SCI review, it is considered necessary to update the SCI due to changes to the corporate priorities and technology used in communications.

2.3 There have been changes to streamline consultation methods for planning applications and update the planning terms used. The presentation and graphics have also been updated while the structure of the document has remained broadly the same.

2.4 A summary list of changes to the document is as follows:

### **2.5 Introduction**

- Updates to the Introduction and plan making process to reflect the latest national publications and legislation.
- Adding a paragraph from the National Planning Policy Guidance defining what an SCI is.

### **2.6 The Plan Making Process**

- Removal of out-of-date planning terms such as Core Strategy, Local Development Frameworks and Annual Monitoring Reports etc. and updates for the latest information on the stage reached by the new Local Plan, Minerals and Waste Local Plans.
- Text referring to Annual Monitoring Reports was removed as this document no longer requires a public consultation.
- The assistance and advice to be provided by the LPA to Neighbourhood Planning Groups and forums is duplicated from existing Council policies as adopted through the *Statement of Relationship with Braintree District Council in the preparation of a Neighbourhood Development Plan*.
- Removal of a separate section for Community Infrastructure Levy (CIL).

## **2.7 Stages in the Preparation of Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans**

- Added a paragraph outlining the requirements for Statement of Common Ground.
- Added information on Habitats Regulations Assessments.
- Updated the tests of soundness to bring them up-to-date with 2018 NPPF.
- Removed the paragraph regarding consistency between different Local Development Framework (LDF) documents – new Local Plans are likely to be a single document rather than use the modular approach advocated by the LDF structure.
- Added a table for the preparation of SPDs and Neighbourhood Plans.

## **2.8 Community Involvement in the Local Plan**

- Updated the relevant NPPF 2018 paragraph which states how Councils should undertake community engagement for Local Plans.
- Consultation methods updated to take account of new technology in communications and social media.
- The use of document deposits at public libraries will be a less important consultation method.

## **2.9 Who is Involved?**

- There are no significant changes to the lists of consultees.
- The paragraph regarding the duty-to-cooperate has been updated to reflect the new NPPF.
- A paragraph has been added to set out the Council's policy for holding mailing lists in accordance with the General Data Protection Regulations (GDPR).

## **2.10 Planning Applications**

2.11 There have been changes to streamline consultation methods for planning applications and update the planning terms used. The presentation and graphics have also been updated while the structure of the document has remained broadly the same.

2.12 The public consultation process for planning applications has been streamlined as the SCI does not represent current best-practice. Following the Admin Review by Development Management, the publicity described at planning application stage has been updated to be more flexible while ensuring that the minimum statutory requirement for publicity is met.

2.13 The publicity for applications for planning permission is set out in the Town and Country Planning (General Development Procedure) Order as follows:



| Application Type                 | Publicity   |
|----------------------------------|---|
| <i>EIA Applications</i>          | <i>Site Notice and Newspaper</i>                  |
| <i>Departure Applications</i>    | <i>Site Notice and Newspaper</i>                  |
| <i>Affecting a Right of Way</i>  | <i>Site Notice and Newspaper</i>                  |
| <i>Major categories</i>          | <i>Site Notice <u>or</u> Letter and Newspaper</i> |
| <i>Others</i>                    | <i>Site Notice <u>or</u> Letter</i>               |
| <i>Railway Land (within 10m)</i> | <i>Notify Infrastructure Manager</i>              |

- 2.14 In practice, this will mean reducing use of newspaper notices and letters, replaced by increased use of the Council's website, social media and automatic notifications via email. Development Management will have discretion over the use of letters to neighbours rather than for all applications as is currently the practice. These amendments could allow efficiency savings by reducing paper, removing duplication, encouraging self-service, reducing postage costs and reducing officer time spent on administration.
- 2.15 The process for making decisions under delegated powers has been updated to reflect the latest version of the delegation protocol. Delegation is only broadly set out as it acknowledged that the protocol is likely to evolve independent of the SCI.
- 2.16 Additional changes include the removal of specific timeframes for the publication of committee agenda and reports as this will be set by the Governance and Members Team and published on the Council's website instead. The specific use of Consultative Committees or Forums is out-of-date and no longer required - continuing dialogue with the developer will be encouraged instead.

### 3. Next Steps

- 3.1 The SCI is attached as **Appendix 1**. There will be a six week consultation on this document. Responses received and recommended amendments will be reported back to this Sub-Committee in March.
- 3.2 The Government is expected to produce an short update to the Neighbourhood Planning Regulations at the end of December, therefore it may be necessary to make amendments to the SCI post consultation in response.

### 4. Recommendation

**To approve the updated Statement of Community Involvement for public consultation for six weeks.**



| LOCAL  
PLAN | Statement of  
Community  
Involvement  
2018





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## 1. Background

1.1 This document is an amendment to the Statement of Community Involvement (SCI) September 2013. It is the 5<sup>th</sup> iteration of the SCI.

1.2 The first SCI was adopted by the Council in July 2006, following a public consultation and review by an independent Planning Inspector. In September 2009, a supplement was approved due to the Council introducing pre-application charging. A further minor amendment was approved by the Local Development Framework (LDF) Panel in April 2010. Further amendments were made in 2013 reflected changes in legislation, governance and technological change.

1.3 A need to review the SCI has arisen due to recent changes in legislation. *The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017* amended section 10A to include a duty on Local Planning Authorities (LPAs) to review their SCIs every five years. Additionally, the *Neighbourhood Planning Act 2017* has introduced a requirement on LPAs to include within their SCIs their policies for giving advice or assistance on making and modifying neighbourhood development plans and on making neighbourhood development orders.

1.4 An SCI must be subject to public consultation however since 2011, there is no longer a need to submit SCIs for independent examination.

### **Consultation on draft revision of 5<sup>th</sup> iteration of the SCI**

1.5 This SCI will be published for a six week public consultation using methods from both the previous SCI and any additional methods set out in this document. An equalities impact assessment accompanies the SCI to ensure that the needs of people in respect of age, disability, gender, pregnancy & maternity, race, religion or sexual orientation are taken into account.

## 2. Introduction

2.1 The *Planning and Compulsory Purchase Act 2004* introduced a change to the planning system in England in September 2004 including a requirement for Local Planning Authorities (LPAs) to produce a Statement which informs communities and stakeholders how they will be consulted.

### What is an SCI?

2.2 The Statement of Community Involvement (SCI) sets out how and when the LPA will involve local communities in the planning system together with a description of the types of involvement that we intend to use. This includes community engagement in both aspects of the planning system; The Local Plan and other planning policy documents which sets out the planning policies to guide new development in the District and consultation on planning applications.

2.3 The *Localism Act 2011* places engaging with local communities to shape the places where they want to live, work and play at the heart of the planning system.

2.4 The National Planning Policy Framework (NPPF) (recently updated in July 2018) provides the framework for local communities and the local authorities to prepare local and neighbourhood plans that reflect their visions and aspirations through the Local Plan process. The NPPF recognises that early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential.

2.5 Paragraph 12-017 of the NPPG (last revised 2014) states:

*“LPAs [are required] to produce a Statement of Community Involvement, which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications. The Statement of Community Involvement should be published on the local planning authority’s website.”*

2.6 The key stages for preparing the Local Plan and Development Plan Documents (DPD) are set out in *Town and Country Planning (Local Planning) (England) Regulations 2012*. In summary these are set out below:

|                |                     |  |
|----------------|---------------------|--|
| <b>Stage 1</b> | Regulation 18       | Public participation in preparation of DPDs.   |
| <b>Stage 2</b> | Regulation 19 + 20  | Publication of a DPD and making representations (under regulation 20 consultation is 6 weeks). |
| <b>Stage 3</b> | Regulation 22       | Submission of documents to Secretary of State.   |
| <b>Stage 4</b> | Regulation 23 to 25 | Examination process.   |
| <b>Stage 5</b> | Regulation 26       | Adoption of DPD.   |

### 3. The Plan Making Process

3.1 The *Planning and Compulsory Purchase Act (2004)* required the preparation of new planning documents to replace the previous 'Local Plan' system. This new suite of documents was called the Local Development Framework (LDF) however, following a change of government in 2010, a new set of *Town and County Planning (Local Planning) (England) Regulations* came into force in 2012 and these revert to the former terminology of a 'Local Plan'.

#### Currently adopted Local Plan

3.2 Braintree District Council has adopted a Core Strategy under the Local Development Framework System. Previous guidance for the District, which is set out in the Local Plan Review 2005, is relevant where it is still an adopted development plan for decision making.

3.3 For the purposes of minerals and waste planning, Essex County Council are the responsible authority producing a Minerals Local Plan and Waste Local Plan. The Essex and Southend-on-Sea Waste Local Plan was adopted in July 2017 and the Essex Minerals Local Plan was adopted in July 2014. When preparing the Braintree Local Plan, regard will need to be given to the strategies and policies contained within the Minerals and Waste Local Plans.

3.4 Braintree District Council has submitted for examination a new Local Plan with a shared strategic Section 1 which is jointly prepared with the neighbouring authorities of Tendring and Colchester. Section 2 Local Plan has also been submitted which sets out the policies which relate to Braintree District only.

3.5 The new Local Plan will set out how the Council plans for, and make decisions about, the future of towns, villages and countryside in the District. It will set out a strategy for the future development of the District, which is based on a clear and locally distinct vision. This vision should be developed with the involvement of the local community and there should be commitment by all relevant agencies to its delivery.

3.6 There are a number of different types of planning documents that can be prepared as set out below.

#### Local Development Scheme

3.7 The Local Development Scheme (LDS) is a project planning document for the Local Plan. It sets out the documents that the Council intends to produce, their scope and the timetable for their preparation. It is regularly updated to reflect the Council's priorities for plan making.

#### Local Plans (including CIL, DPDs, policies maps and Sustainability Appraisals)

3.8 Development Plan Documents (DPDs) are planning documents that cover policies, proposals and allocations. They are statutory documents prepared in accordance with set procedures. This includes community involvement throughout the process in accordance with this SCI. The DPDs will be subject to a public examination to assess their soundness, which will be carried out by an independent Planning Inspector.

3.9 A policies map (also known as proposals map) often accompanies a DPD to spatially identify land use designations and allocations. The adopted proposals map reflects the most up-to-date

spatial plan for the District and is revised when new DPDs are adopted. Inset maps have been prepared at a larger scale than the proposals map to show certain areas in more detail.

3.10 The Council will undertake Sustainability Appraisals (SA) and Strategic Environmental Assessments (SEAs) of DPDs throughout their preparation. This will test the policies and proposals against sustainability objectives and enable them to be modified where appropriate to mitigate potential adverse effects. The Sustainability Appraisal will be published for public consultation alongside the DPDs where appropriate.

#### **Supplementary Planning Documents (including Area Action Plans)**

3.11 A Supplementary Planning Document (SPD) provides further information in respect to DPD policies. They must adhere to regulations 18 through 20 but are not subject to regulation 22 submission and can be adopted by the Council, without being subject to independent examination.

3.12 To guide the application of policies in the Local Plan, the Council has adopted a number of SPDs. The SPDs cover a range of issues, specific subjects, or individual sites. They are intended to explain, or provide further detail about policies or site allocations in the Development Plan Document. SPDs must have public consultations carried out in accordance with this SCL.

3.13 An Area Action Plan (AAP) is a SPD which is focused on a specific location or area by setting out additional policies and/or land use designations. This typically involves new policies for the implementation and delivery of development of an appropriate scale, mix and quality. AAPs can be applied to development in areas which are opportunities for change or conservation. There are currently no plans for the production of new AAPs. Masterplans, rather than AAPs, will be produced for allocated strategic growth locations to guide planning applications for these areas where appropriate.

#### **Neighbourhood Plans**

3.14 The *Localism Act 2011* introduced reforms to the planning system that enables communities through a parish/town council or by establishment of a Neighbourhood Forum to create Neighbourhood Plans for their area with support from the Council. This has introduced a new tier of Development Plan Documents to the planning system.

3.15 The *Neighbourhood Planning (General) Regulations 2012* provide further details of the process of Neighbourhood Planning, including requirements for consultation and publication of neighbourhood areas, forums and plans. The 2017 regulations amendment brought in new duties for the LPA including a requirement for LPAs to set out how they will give advice or assistance to Neighbourhood plans or Development Orders.

3.16 Assistance and advice is available from the Council's Neighbourhood Planning Team and is fully set out in the *Statement of Relationship with Braintree District Council in the preparation of a Neighbourhood Development Plan* which is available online. The table below outlines the assistance that will be provided:



| Stage of Process   | Support Available  |
|--|--|
| <b>Initial meeting(s)</b>                                | Make a presentation about neighbourhood planning;<br>Facilitate a community workshop to get people involved;<br>Provide examples of publicity materials.   |
| <b>Define the Neighbourhood Area</b>                     | Explain the application process;<br>Advise on the boundaries and the suitability of the local group as a 'qualifying body'.  |
| <b>Establish a steering group</b>                        | Chair initial meetings of volunteers;<br>Advise on group structure;<br>Provide example terms of reference;<br>Provide training for group members.  |
| <b>Prepare a project plan</b>                            | Advise on time plan and budget;<br>Assist with funding applications.   |
| <b>Community engagement</b>                              | Advise on a communications strategy;<br>Provide example surveys;<br>Advise on engagement event organisation;<br>Facilitate community engagement events;<br>Advise on how to keep records of participants.  |
| <b>Draft a vision and planning objectives</b>            | Facilitate a visioning event;<br>Provide example visions and planning objectives.  |
| <b>Create an evidence base</b>                           | Sign post to sources of information;<br>Provide maps;<br>Advise on assessment of sites;<br>Provide comments on the emerging evidence base;<br>Advise on additional studies that may be needed;<br>Advise on Sustainability Appraisal;<br>Advise on any requirement for Environmental Assessment and Habitats Regulations Assessment. |
| <b>Prepare a draft plan</b>                              | Advise on presentation and assessment of options;<br>Advise on creating deliverable proposals;<br>Advise on how to draft planning policy;<br>Advise on the structure of the document;<br>Provide comments on the emerging draft;<br>Provide a Strategic Environmental Assessment scoping report on the draft plan.                   |
| <b>Consult on the plan (pre submission consultation)</b> | Advise on the statutory consultation process;<br>Advise on the preparation of the Consultation Statement and Basic Conditions Statement.   |
| <b>Submit the Plan for Validation and Consultation</b>   | Advise on suitability of the plan in meeting the 'basic conditions':<br>Conformity of the Plan;<br>Suitability of the Consultation Statement;<br>Suitability of any Environmental Assessment or Habitats Regulations Assessment undertaken;<br>Conformity with other legislative requirements;                                       |

|                         |   |
|-------------------------|---|
|                         | Conformity with the OS mapping requirements (including copyright issues). |
| <b>Appoint examiner</b> | Work together on the appointment of the independent examiner.             |

3.17 Like Local Plans, neighbourhood plans are subject to public consultations. Neighbourhood plan consultations must adhere to the stages within the Neighbourhood Planning (general) regulations 2012 (As Amended). The LPA will undertake the consultation Neighbourhood Designation under limited circumstances where this is required in accordance with the legislation. For regulation 14 the consultation bodies prescribed in Schedule 1 of the regulations must be consulted otherwise, it is for the Parish Council or Neighbourhood Forum to decide who to consult given the scope and nature of the proposals, in accordance with paragraph 48 of the PPG. The LPA will advise and assist on this consultation as required. For regulation 16, it is the LPA's responsibility to undertake public consultation in accordance with the legislation and the commitments set out within this SCI.

3.18 Before the examination, the LPA has to check that the submitted plan/order is legally compliant, i.e. the procedural steps have been followed. The examiner's report is not legally binding, but the authority must have clear reasons for departing from any of the examiner's recommendations.

#### **4. Stages in Preparation of Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans.**

4.1 The Council will publish details, in the Local Development Scheme and on the website, of the timetable for the preparation of DPDs and will regularly update this information. DPDs that have been adopted will also be published on the website, together with supporting evidence documents. An interactive version of the Local Plan will also be accessible on the website.

4.2 The actions to be undertaken by the Council during the key stages in the preparation of the Development Plan Documents are detailed below:

##### **Preparation and Public Participation, and Duty to Co-operate**

4.3 This is the survey and evidence gathering stage, undertaken to understand the main issues to be addressed in the document, involving collating up to date information on social, environmental and economic matters.

4.4 Early consultation will be conducted on the broad subject of each DPD as considered appropriate by the Council.

4.5 The Localism Act and the National Planning Policy Framework (NPPF) places a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive and active engagement on the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic infrastructure.

4.6 In order to demonstrate effective and on-going joint working, the NPPF requires LPAs to maintain Statements of Common Ground (SOCG) on cross-boundary matters. These will state the matter(s) being addressed and progress made through co-operation to address them. The information required for the production of SOCGs is detailed further in the NPPG.

##### **Regulation 18 Consultation on the Draft Document**

4.7 This consultation stage is a statutory requirement and a minimum six week consultation period for a development plan document is required. This is an opportunity for the community, statutory consultees and other stakeholders to submit representations on the document and raise concerns. It is also an opportunity to set out alternative options to those being proposed.

4.8 The Council will publish the document electronically and in paper form.

4.9 A Sustainability Appraisal must be integrated at this stage to inform the DPD from a sustainability perspective, ensuring that the social, environmental and economic needs of (and effect on) the area are taken into account. A Habitats Regulation Assessment may also be required to establish whether the DPD has likely significant effects on internationally protected nature conservation sites.

4.10 Alternative options put forward by others will also be published and made available for inspection.

#### **Regulation 19 + 20 Publication of a Local Plan**

4.11 After considering the responses to the previously published draft document, the Council will publish, what they consider in their view should be the final version of the document called the Submission Document. This will contain finalised policies and proposals.

4.12 The Council will publish the document electronically and in paper form. It will be submitted to the Secretary of State and published for formal consultation for a minimum of six weeks. The submission will be accompanied by a document that sets out how representations have been dealt with in accordance with this SCI.

4.13 The way in which representations are made at this stage will become more formal. Representations can only relate to whether policies and plans have been prepared in accordance with the Duty to Cooperate, the relevant legal and procedural requirements, and whether it is considered to be 'sound' (see paragraph 4.15 below). As such representations at this stage should only make reference to these matters.

4.14 At the same time the Sustainability Appraisal and Habitats Regulations Assessment will be published together with other supporting documents as appropriate.

#### **Public Examination**

4.15 Copies of all representations received during the period for consultation on the Submission DPD together with a summary of previous issues and how they were dealt with, will be forwarded to Secretary of State who will appoint an Inspector to carry out the examination into the soundness of the document. The tests of soundness (NPPF Paragraph 35) are set out below:

- a) Positively Prepared – providing a strategy which, as a minimum, seek to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this framework.

4.16 The Council will appoint a Programme Officer who will be the point of contact for the Inspector. The name of, and details for how to get in contact with, the inspector will be published on the Council's website. A notice detailing the time and place of the examination and pre-hearing meeting (if necessary) will be published on the Council's website.

4.17 Examinations are not required for SPDs, Neighbourhood Plans or this Statement of Community Involvement.

## Adoption

4.18 Following receipt of the Inspector's report the Council will make the necessary changes to the document and then adopt the document together with its Sustainability Appraisal. These documents will be advertised and made available at the Council offices, it will also be available on the Council's website.

## SPDs and Neighbourhood Plans

4.19 Supplementary Planning Documents (including AAPs) must accord with a separate part of the Town and Country Planning (General) regulations 2012 to DPDs (regulations 12 to 15). Neighbourhood Plans are prepared in accordance with regulations 14 to 20 of the Neighbourhood Planning (General) Regulations 2012. The differences for the purposes of community involvement are set out in the following table:

|   | <b>Local Plans,<br/>Development Plan<br/>Documents</b>   | <b>Supplementary Planning<br/>Documents</b>   | <b>Neighbourhood Plans</b>   |
|---|--|---|--|
| <b>Preparation<br/>and Duty-to-<br/>Cooperate</b> | Information gathering to update social, environmental and economic matters.<br><br>Early consultation on the broad subject of the DPD.<br><br>The LPA must undertake the DTC and maintain an SOCG on strategic cross boundary matters. | Information gathering to update social, environmental and economic matters.<br><br>The duty-to-cooperate does not apply to non-strategic plans. | Evidence gathering and public participation is at the discretion of the Neighbourhood Plan group.<br><br>The duty-to-cooperate does not apply to non-strategic plans.  |
| <b>Draft<br/>Consultation</b>                     | 6 week public consultation<br><br>Sustainability Appraisal required.   | 4-6 week public consultation.<br><br>Sustainability Appraisal not required.<br><br>This stage is optional.                                      | 6 week public consultation.<br><br>Sustainability Appraisal not required.  |
| <b>Publication<br/>Draft<br/>Consultation</b>     | 6 week public consultation.  | 4-6 week public consultation.   | 6 week public consultation.<br><br>SEA and HRA screening is required.  |
| <b>Examination</b>                                | Secretary of State will appoint an Inspector who will carry out an examination into the soundness of the Plan.   | No examination is required.   | An examiner, who is appointed by the LPA in with agreement with the Neighbourhood Planning Group, will determine if the Neighbourhood Plan meets the Basic Conditions. |

|                   |   |  |  |
|-------------------|---|--|--|
| <b>Referendum</b> | No referendum required.   | No referendum required.  | Following receipt of examiner's report, the LPA must make a decision on whether the Plan can proceed to referendum in accordance to regulation 18 as soon as possible. |
| <b>Adoption</b>   | Following receipt of Inspector's report and the recommended changes to make the plan sound, the Council may choose to adopt it in line with regulation 25 and 26. | Following the preparation of a consultation statement and adoption statement, an SPD can be adopted by the LPA in line with regulation 14. | If the Neighbourhood plan referendum receives a simple majority in favour, the LPA will 'make' (adopt) the Plan promptly.  |

## 5. Community Involvement in the Local Plan

5.1 NPPF paragraph 16 states that plans should ‘be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees; [and] be accessible through the use of digital tools to assist public involvement and policy presentation;’

5.2 The Council intends to maintain a process of ongoing community involvement and aims to encourage early involvement in the preparation of each document so that everybody feels that they have had a chance to influence local policy decisions that are made. The Council intends to let people know about what it is doing, what stage it has reached in the preparation of documents, where documents can be inspected, how people can be involved and the results of consultations. This information will be continually updated.

5.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the minimum requirements for public participation in the preparation of a DPD. It is proposed to go beyond these requirements, to fully engage the wider community.

### Methods of Community Involvement

5.4 A number of different methods will be used depending on the nature of the subject involved, audience and Council resources to ensure effective and wide ranging community involvement.

5.5 The following table details some of the methods and activities the Council will consider using. It is not exhaustive, nor does it represent a list of activities that will be used in every instance. All engagement activities will be published on the Council’s website.

| Consultation Method/Activity | How it will be used  |
|------------------------------|--|
| Council’s Website            | <ul style="list-style-type: none"><li>• Council’s website – <a href="http://www.braintree.gov.uk">www.braintree.gov.uk</a></li><li>• Interactive Publication of DPDs through the Council’s Consultation Portal - <a href="http://braintree-consult.limehouse.co.uk/portal">braintree-consult.limehouse.co.uk/portal</a></li><li>• Host information on the timescales and progress of the Local Plan.</li><li>• Viewing and downloading of Local Plan documents.</li><li>• Information on the Examination in Public (where applicable) including location and time of hearings, matter statements, correspondence from the Inspector.</li></ul> |
| Social Media                 | <ul style="list-style-type: none"><li>• BDC corporate social media presence on Facebook, Twitter and Instagram</li></ul>   |
| Press Release                | <ul style="list-style-type: none"><li>• Issuing new releases and arranging briefings for the local media at key stages in the plan-making process.</li></ul>   |

Field Code Changed

|   |  |
|---|--|
| <b>Posters, leaflets and displays in public locations</b> | <ul style="list-style-type: none"> <li>• Can be used to summarise detailed information and capture a wider audience.</li> <li>• Leaflets and flyers could be distributed in public places.</li> <li>• Posters, leaflets and forms could be circulated to Parish/Town Councils for local community boards and deposit at village halls.</li> </ul>  |
| <b>Council Meetings</b>                                   | <ul style="list-style-type: none"> <li>• Where appropriate feedback from Councillors will be sought by taking the documents to relevant committee meetings.</li> </ul>   |
| <b>Public Exhibitions and Roadshows</b>                   | <ul style="list-style-type: none"> <li>• Either unstaffed exhibitions in public places e.g. libraries, council offices; or</li> <li>• Staffed events at town and village public halls and other venues.</li> <li>• Venues need to be accessible.</li> <li>• Participatory methods could be used to record comments however majority of comments are expected to be submitted on a proforma or online.</li> <li>• The Council have a duty to safeguard vulnerable adults and ensure they have regard to the welfare of children at this event.</li> </ul> |
| <b>Public Meetings</b>                                    | <ul style="list-style-type: none"> <li>• An opportunity for face to face discussion.</li> <li>• It will remain the responsibility of the individual, group or organisation to submit written comments after the meeting.</li> <li>• The Council have a duty to safeguard vulnerable adults and ensure they have regard to the welfare of children at this event.</li> </ul>  |
| <b>Questionnaires</b>                                     | <ul style="list-style-type: none"> <li>• Can be sent by post or email to large numbers of people. Useful in gauging opinion on specific issues.</li> </ul>   |
| <b>Site notices</b>                                       | <ul style="list-style-type: none"> <li>• Used to promote the consultation process and reach individuals or groups who are not on the Council's planning policy mailing list.</li> <li>• This method can be used to notify residents about proposed development land allocations.</li> </ul>  |
| <b>Workshops</b>  | <ul style="list-style-type: none"> <li>• Interactive sessions to focus discussion around difficult issues and key themes. This method could capture an audience who may respond to this kind of contact.</li> </ul>  |
| <b>Inspection points</b>                                  | <ul style="list-style-type: none"> <li>• Documents will be put on deposit at the Council offices and will be available for inspection during normal office hours.</li> </ul>   |



- Deposits may also be made in public libraries.
- Documents will be available online at all times.

## 6. Who is involved?

6.1 There are various types of bodies, groups and organisations that the council, where appropriate, will involve and consult during the preparation and development of the Local Plan. These lists are not exhaustive and also relate to successor bodies where re-organisations occur.

6.2 Regulation 18 (2) of the *Town and Country Planning (Local Planning) (England) Regulations 2012* (as amended) state that the local planning authority must notify and invite to make representations on the Local Plan, the following bodies:

(a) specific consultation bodies (statutory consultees)

- Historic England
- Environment Agency
- Highways England
- Homes England
- Natural England
- Network Rail
- Mid Essex Clinical Commissioning Group
- Essex Police
- Essex County Council

Relevant authorities adjacent to the district:

- Babergh DC, Colchester BC, Maldon DC, Chelmsford CC, Uttlesford DC, South Cambridgeshire DC, St. Edmondsbury BC, Cambridgeshire CC, Suffolk CC.
- Town and Parish Councils
- Telecommunications companies
- Electricity and gas companies
- Sewerage and water companies

(b) general consultation bodies

The Council will seek to engage and consult, where appropriate, with the general public, the wider community, neighbourhood forums and hard to reach groups. These may include:

Community and voluntary bodies:

- Residents and tenants groups
- Registered social landlords
- Wildlife groups
- Environmental organisations
- Historical/Archeological organisations
- Sports organisations
- Arts organisations
- Citizens advice bureau
- Town and village societies and associations
- Local amenity societies

Special interest groups:

- Disability groups
- Older peoples groups
- Youth groups
- Mental health groups
- Local trusts
- Ethnic minority organisations
- Faith groups and churches
- Local trusts
- Gay, lesbian and transgender groups
- Gypsies and travelers
- Showman's Guild

Other Bodies:

- Schools, colleges and other education and training providers
- Developers and planning consultants/agents
- Health organisations
- Environmental groups
- Rail and bus groups
- Community transport providers
- House builders
- Housing Associations
- Sport and cultural organisations
- Essex Fire and Rescue
- East of England Ambulance Service
- Local branches of professional institutions

(c) residents or other persons carrying on business

These may include:

Business Groups:

- Chambers of trade and commerce
- Town centre strategy groups
- Business groups
- Landowner and farming organisations
- Haven Gateway
- South East Local Enterprise Partnership (SELEP)

Others:

- Anyone that has previously made a representation on the Local Plan (and have not opted out)
- Anyone who has asked to be placed on the Council's planning policy mailing list.

### **Voluntary Sector Involvement**

6.3 The Council will consult with the voluntary and community sector on all major planning consultations and any proposals that may have a significant effect on their services. The Council will endeavor to make documents available to view prior to the statutory consultation period but this may not always be possible.

### **Consultation with hard to reach groups**

6.4 The Council will make efforts to include the views of people with sensory, physical and learning disabilities for whom written or typed representation may not be appropriate.

6.5 It is recognised that some parts of the community often have less chance to be involved than others and are therefore under-represented in the planning process. Examples of these hard to reach groups include young people, older people, people with disabilities and ethnic minorities. Therefore positive action will be taken to ensure that they have every opportunity to be involved and encourage their participation by following the basic principles in consulting with hard to reach groups:

- Ensuring, as far as possible, that documents are produced in a clear, concise and understandable manner;
- Hold meetings and exhibitions in locations which will include accessibility for people with disabilities, access to public transport and locations within the more rural parts of the District.

6.6 Where people are invited to attend a consultation events in a specific place we will:

- Make sure the venue is accessible,
- Offer a range of contact methods,
- Offer assistance in completing written consultations documents; and
- Be sensitive to the cultural needs of the people we are talking to.

### **The Duty to Co-operate**

6.7 The *Localism Act 2011* and NPPF places a duty on LPAs and other prescribed bodies to cooperate with each other to address strategic matters that cross administrative boundaries. Whilst the Council has always consulted with neighbouring District and County Councils, this has added a formal duty to engage constructively, actively and on an ongoing basis in the preparation of the Local Plan and on strategic matters such as infrastructure. The Council's compliance with the duty to cooperate will be demonstrated by through Statements of Common Ground which will be hosted on the Council's website.

### **Feedback and response to Consultation Results**

6.8 All representations on DPDs will be made available to view online. Comments can be made through the Council's consultation portal, by post or email. Comments which are received using the latter two methods will be transcribed onto the consultation portal to enable the public to view all of the comments that have been made.

6.9 After the consultation has concluded, all representations will be published on the Council's website. Representations will be carefully reviewed by officers and a summary report will be

reported to the relevant committee. This report will summarise the representations received, provide officer comment on the matters raised, make recommendations with reasons, and be used to inform future stages of plan preparation. The report and minutes of these committee meetings will be made available online, and at the council offices.

6.10 The Council holds details of responses in order to undertake its public task and a mailing list will also be created featuring only individuals, groups or businesses who have opted in. Acknowledgement by e-mail or letter will be sent to all representations and to provide further information. All those on our mailing list will be notified by letter or e-mail when documents are submitted to the Secretary of State for consideration, when the Inspector's main modifications is published (if required) and when a document is adopted.

6.11 All DPDs submitted to the Secretary of State will be accompanied by a Consultation Statement which sets out compliance with the SCI in the preparation of the document, the main issues raised and how these have been addressed. A duty to cooperate statement will also be prepared to demonstrate how the LPA has complied with the duty in the preparation of the DPD.

## 7. Planning Applications

7.1 For many people their main contact with the planning system is through planning applications, either as an applicant, or as someone who might be affected by the proposed development. This section of the SCI therefore sets out the Council's proposed approach for involving statutory bodies and the community in pre-applications consultations and planning applications.

### Pre-Application Stage

7.2 Consultation and local community involvement can identify many potential issues early, particularly for applications of significant or sensitive development. The planning application process is not a substitute for proper pre-application community involvement - there may be issues that arise during the consideration of the application that could have been addressed and will warrant refusal. The aim of consultation is to encourage discussion and enable adjustments to the proposals to be made, in line with the aspirations of the local community where practicable and to avoid unnecessary objections at a later stage.

7.3 As a result of the *Localism Act 2011*, pre-application consultation is now a requirement for all large scale major applications. The Council will also encourage pre-application discussions for all development. Although the Council will advise on the consultation process, to enable the Council to maintain an impartial position, at this stage it will not be directly involved in the consultation itself. Developers will be expected to submit a Consultation Statement with their planning application that outlines the methods used, the views expressed and how these have been addressed in the application.

7.4 The objective of pre-application discussions is to establish whether the principle of the development is acceptable and to clarify the format, type and level of detail required to enable the Council to determine the application. In most cases, there is a charge for pre-application advice. Pre-application discussions with officers will offer the opportunity to:-

- Appropriately agree matters associated with the disclosure of information provided by the prospective applicants;
- Advise on engagement methods, venues and techniques;
- Discuss the outcome of any pre-application consultation, if this was held.

7.5 The Council will offer constructive feedback on the proposal whenever possible, although any views expressed by officers at pre-application stage cannot be binding on a subsequent decision. Developers should note that discussions will take place in the context of the requirements contained within the *Freedom of Information Act 2000* and the *Environment Information Regulations 2004*.

7.6 Types of application and suggested methods of involvement are set out as follows, subject to the site's circumstances. For example, a small development may have a much bigger impact in a rural area than in an urban area and may therefore require more consultation.

| Application Type   | Suggested consultation methods  |
|--|---|
| Major applications (i.e. housing sites of 1 hectare, or 30 dwellings or more, retail and leisure uses of 1000sq.m or more, business uses, higher and further education uses of | <ul style="list-style-type: none"><li>• Public Meetings/Exhibitions</li><li>• Workshops/consultation panel/Surgeries.</li></ul> |

|   |  |
|---|--|
| 2500sq.m or more), or applications which are contrary to or out of line with the Development Plan.  | <ul style="list-style-type: none"> <li>• Town/Parish Council engagement</li> <li>• Development Briefs</li> <li>• Social and published media</li> <li>• Website</li> <li>• 3D modelling/augmented reality</li> <li>• Individual letters</li> <li>• Surveys/questionnaires</li> <li>• Pre-existing panels/forums/citizen panel and design panels.</li> </ul> |
| Applications broadly in accordance with the Development Plan but raising controversial issues of detail. Reserved matter applications raising issues not addressed at the outline stage.  | <ul style="list-style-type: none"> <li>• Exhibitions</li> <li>• Website</li> <li>• Surgeries</li> <li>• Social and published media</li> <li>• Town and Parish Council engagement</li> <li>• Individual letter</li> </ul>   |
| Other applications for sites where wider community involvement may be beneficial including those on sites that are sensitive to development pressures for example within a conservation area or affecting a listed building or its setting. | <ul style="list-style-type: none"> <li>• Town/Parish Council engagement</li> <li>• Website</li> <li>• Social and published media</li> <li>• Individual letters</li> <li>• Surveys/questionnaires</li> </ul>  |
| Minor and householder applications  | <ul style="list-style-type: none"> <li>• Neighbour Consultation</li> </ul>   |

### Application Stage

7.7 The statutory requirements for publicity for applications for planning permission are laid down in Article 15 of the *Town and Country Planning (Development Management Procedure) Order (2015)*. This requires the LPA to publicise planning applications either by site notice or by notification to adjoining landowner or occupier and sometimes by press advertisement. Other regulations set out the requirements for applications for listed building and conservation area consent and for applications for planning permission affecting the setting of a listed building, or demolition within a conservation area. In deciding what constitutes a significant or controversial application, the LPA will use its discretion.

7.8 For all applications, a proportionate level of publicity will be in line with statutory requirements as a minimum, and could include:

- Making the application viewable on Council's Website
- Posting a Site Notice
- Sending consultation letter to neighbours
- Displaying an advert in a local newspaper
- Appropriate Town or Parish Councils consulted by Email
- Ward Members notified by E-mail

7.9 The level of publicity will vary depending what the application is, for example minor, major, significant or controversial applications, or an appeal. Some statutory bodies such as Natural

England will be allowed a longer period of time to comment on applications where this is prescribed by legislation.

#### **Decision Stage**

7.10 Generally, where applications are in accordance with planning policy and no objections have been made, the decision will be made under delegated powers. Some applications such as those which receive significant objections will be referred to the chair's briefing for consideration to bring to Committee at the discretion of the LPA.

7.11 There will be an officer report which describes the site and application, sets out the policy considerations, summarises the representations received, comments on them and makes a recommendation for approval or refusal. If the application goes to Committee, all respondents will be notified before the meeting is held. The Committee agenda and officer's report will be made available before the meeting at the Council offices and online. Time is set aside at the start of Committee meetings for public statements and questions. A Parish Council representative may be invited to speak but cannot vote on the application.

7.12 A weekly list of decisions is posted on the Council's website and a full copy of the decision notice is retained on the statutory planning register which is available for inspection at the Council's main office at Causeway House.

7.13 In order to comply with the NPPF, all the planning decisions issued by Braintree District Council will include a proactive and positivity statement, tailored to reflect the circumstances of the particular case.

#### **Appeals**

7.14 If an application is refused by the Council, or not determined within the statutory timeframe, the applicant can apply for appeal in accordance with section 78 of the Town and Country Planning Act 1990. The Council will provide a copy of the comments made on the application to the Planning Inspectorate and notify these participants on how they can participate in the appeal process, including venue and time of any informal hearing or public inquiry. Further representations can be made to PINS in accordance with the Planning Inspectorate's procedural practice guidance.

#### **Implementation Stage**

7.15 For major developments, the Council is keen for there to be continuing community involvement during the implementation of the development. This ensures a continuing dialogue with the Council and the developers and enables matters of detail to be considered further and problems during implementation to be discussed.



## **8. Monitoring and Review**

8.1 Changes to national legislation, regulations and policies on the preparation of SCIs, DPDs, SPDs and Neighbourhood Plans will be monitored and any significant changes may require a review of this document. The SCI will also need to be compliant with any legal requirements for the processing of data or changes to anti-discrimination laws, and respond to changes in corporate policy.

8.2 The database of people and organisations to be consulted will be kept up-to-date and managed to comply with the General Data Protection Regulations 2016.

8.3 The community involvement process will be kept under review, as measured through comments, customer satisfaction surveys, complaints and consultation feedback, to ensure that they are effective. This SCI will be reviewed no later than five years after adoption as required by the Town and Country Planning Regulations 2017.

## 9. Glossary

| Term Used  | Explanation  |
|--|--|
| Authorities Monitoring Report (AMR)                                      | Sets out the principal characteristics of the District, assesses progress in preparing Local Development Documents and monitors progress in housing, employment and other development. |
| Development Plan Document (DPD)  | Spatial Planning Document that are subject to independent examination. This includes the Local Plan and Policies Map.  |
| Duty to Co-operate (DTC)   | Requirement to co-operate with relevant authorities and other bodies on the preparation of policies that address strategic planning matters.   |
| Local Development Scheme (LDS)   | This sets out the programme for the preparation of DPDs and SPDs.  |
| Major Planning Applications  | A housing site of 1 hectare, or 30 dwellings or more, retail and leisure uses of 1000sq.m or more, business uses, higher and further education uses of 2500sq.m or more.               |
| National Planning Policy Framework (NPPF)                                | Sets out Government's planning policies for England and how these are expected to be applied.  |
| National Planning Policy Guidance (NPPG)                                 | Supports the NPPF; the guidance is published online and regularly updated.   |
| Supplementary Planning Document (SPD)                                    | These documents are supplementary to the Development Plan and are used to provide additional detail as deemed necessary.   |
| Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) | Assessments required by European and national law into how the plan will impact on the District's environment in the long term and contribute towards sustainable development.         |

# Equality Impact Assessment

## Basic



This basic impact assessment is an initial screening process to help identify if a full Equality Impact Assessment is required and, if it isn't, to record the reasons why.

It considers positive, negative or no impact on each of the 9 protected characteristics in relation to addressing the 3 aims of the Equality Duty that we as a public body must give due regard to;

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

|   |                                    |
|---|------------------------------------|
| Directorate                                   | Sustainable Development            |
| Service                                       | Planning Policy                    |
| Title of policy, strategy, project or service | Statement of Community Involvement |

Is the policy, strategy, project or service;

Existing ☐ New/proposed ☐ Changed/Reviewed ☒

Q 1. Aim of the policy, strategy, project or service

The SCI sets out how communities and stakeholders will be consulted for Local Plan documents and related documents.

Q 2. Who is this policy, strategy, project or service going to benefit or have a detrimental impact on & how?

The SCI will benefit individuals with protected characteristics by promising to engage and consult, when appropriate, special interest groups and the voluntary sector. The Council also promises to make efforts to include the views of people with disabilities and hard to reach groups such as young people, old people, ethnic minorities and people with disabilities.

Q 3. Is this policy, strategy, project or service aimed at one of the protected characteristics?  
If so, what justification is there for this?

No. The SCI outlines how the Council will engage with all stakeholders.

Q 4. Thinking about each of the protected characteristics does or could the policy, strategy, project or service have a negative or positive impact?

| Group  | Negative                 | Positive/<br>No impact              | Unclear                  |
|--|--------------------------|-------------------------------------|--------------------------|
| Age  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Disability   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Gender reassignment  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Marriage & civil partnership (only in respect of eliminating unlawful discrimination). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Pregnancy & maternity  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Race   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Religion or belief   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sex  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sexual orientation   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**If the answer for any group is 'negative' or 'unclear' do a full EIA**

Q5. Thinking about each of the protected characteristics does or could the policy, strategy, project or service help to support the 3 aims of the Equality Duty?

| Group  | Yes                                 | No                       | Unclear                  |
|--|-------------------------------------|--------------------------|--------------------------|
| Age  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Disability   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gender reassignment  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marriage & civil partnership (only in respect of eliminating unlawful discrimination). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Pregnancy & maternity  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Race   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Religion or belief   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sex  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sexual orientation   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**If the answer for any group is 'no' do a full EIA**

Q 6. What evidence has been used (e.g. data, feedback, consultation & engagement, surveys) that may influence the policy, strategy, project or service?

| Group                 | Evidence   |
|-----------------------|--|
| Age                   | Government legislation and national and local policy |
| Disability            | Government legislation and national and local policy |
| Gender reassignment   | Government legislation and national and local policy |
| Pregnancy & maternity | Government legislation and national and local policy |
| Race                  | Government legislation and national and local policy |
| Religion or belief    | Government legislation and national and local policy |
| Sex                   | Government legislation and national and local policy |
| Sexual orientation    | Government legislation and national and local policy |

Q 7. Using the responses to questions 4 & 5 should a full EIA be carried out on this policy, strategy, project or service?

Yes ☐ No ☒

Provide your reasons for your response showing how you have considered due regard

No negative or unclear impacts have been identified.

Completed by (Print name):

Gary Sung

Signature :

Approved by Head of Service (print name):

Emma Goodings

Signature :

Date:

|  |  |                           |
|--|--|---------------------------|
| <b>Local Development Scheme 2019 - 2021</b>  |  | <b>Agenda No: 6</b>       |
| <b>Portfolio:</b> Planning and Housing<br><b>Corporate Outcome:</b> Securing appropriate infrastructure and housing growth<br><b>Report Presented by:</b> Emma Goodings, Head of Planning Policy and Economic Development<br><b>Report Prepared by:</b> Alex Evans, Planning Policy Officer  |  |                           |
| <b>Background Papers:</b>  |  | <b>Public Report:</b> Yes |
| National Planning Policy Framework 2018 (NPPF)<br>Local Development Scheme 2018 – 2020   |  | <b>Key Decision:</b> No   |
| <b>Executive Summary:</b><br><br><p>The Local Development Scheme (LDS) is a project management document, which sets out the planning documents that the Council will produce and the timetable for their production. A copy of the revised LDS is attached at <b>Appendix 1</b>.</p> <p>This report is asking that Members approve the revised version of the LDS.</p> <p>The main changes include:</p> <ul style="list-style-type: none"> <li>• Updated Local Plan timetable following the Section 1 examination;</li> <li>• Update on Strategic Growth Development Plan Document(s);</li> <li>• Updated Supplementary Planning Documents (SPDs) timetable;</li> <li>• Information on evidence base documents has been updated to reflect a review of an existing document, or a new document which are being produced / been completed to aid the production of the Development Plan;</li> <li>• An update on Neighbourhood Planning activities;</li> <li>• General updates to the wording of the LDS to reflect the current situation; and</li> <li>• Updates to reflect the new National Planning Policy Framework release in July 2018</li> </ul> |  |                           |
| <b>Recommendation</b><br><br><p><b>It is RECOMMENDED that the Local Development Scheme 2019 – 2021 be approved.</b></p>  |  |                           |
| <b>Purpose of Decision:</b><br><br><p>To set out the programme for the preparation of Local Development documents and Supplementary Planning Documents in the District.</p>  |  |                           |

| <b>Corporate Implications</b>             |   |
|---|---|
| <b>Financial:</b>                         | Cost of plan preparation is being met from base budget  |
| <b>Legal:</b>                             | Must comply with Government's legislation and guidance on planning policy   |
| <b>Equalities/Diversity</b>               | Equality Impact Assessments of plans produced through the LDS will be required.   |
| <b>Safeguarding</b>                       | None  |
| <b>Customer Impact:</b>                   | Sets out plan preparation timetable.  |
| <b>Environment and Climate Change:</b>    | Policies in plans that are proposed to be prepared will need to have regard to the environment and climate change issues. |
| <b>Consultation/Community Engagement:</b> | Proposed consultation for planning documents is set out in the Local Development Scheme.                                  |
| <b>Risks:</b>                             | Delay in the timetable for plan production.   |
|   |   |
| <b>Officer Contact:</b>                   | Alex Evans  |
| <b>Designation:</b>                       | Planning Policy Officer   |
| <b>Ext. No.</b>                           | 2556  |
| <b>E-mail:</b>                            | alex.evans@braintree.gov.uk   |

## 1. Background

- 1.1 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a Local Development Scheme (LDS). The main purpose of the LDS is to set out the rolling programme for the preparation of planning documents that will form Braintree District Council's Development Plan and planning guidance. It identifies the key stages and timescales in the preparation of planning documents. This will provide the public and other relevant stakeholders with information on what documents are being produced and the predicted timescales involved. The proposed updated LDS will cover the period from 2019 to 2021.
- 1.2 The LDS is split into a number of different sections. The first section sets out the current national, regional and local planning policy context relevant to the Braintree District. The second part of the document provides the timetable for the preparation of planning documents as well as an update on neighbourhood planning activities within the District. This is followed by an updated list of key evidence base documents which support the Braintree Development Plan. The final section of the document provides information monitoring and reviewing as well as resources required and an analysis of the risks involved. A diagram is provided at the end of the document which visually shows the predicted timetable for the production of planning documents.
- 1.3 It is important to keep the LDS up-to-date to provide accurate information to stakeholders using the document as well as meeting legislative requirements. The previous version of the LDS was published in May 2018. Since then, the

Planning Inspector conducting the examination for Section 1 of the Local Plan has decided that more evidence is needed to make the plans for three garden communities in North Essex sound. The LDS therefore needs to be updated to reflect the time needed to conduct the additional work and its impact on the Local Plan and other documents. Further details of changes are provided in the section below.

## **2 Changes to the Previous Local Development Scheme**

- 2.1 The last version of the LDS, which was published in May 2018, has been updated as follows;

### ***Updated Local Plan Timetable***

- 2.2 As stated above, additional evidence is being produced in order to make the garden community plans contained within Section 1 of the Plan sound. The additional evidence largely evolves around three areas: transport infrastructure, viability and the Sustainability Appraisal. It is expected that the examination of the Section 1 Plan will resume in Autumn 2019. The delay to the Section 1 Plan timetable will result in other work programmes being pushed back including: Section 2 of the Local Plan, Strategic Growth Development Plan Document(s) and Supplementary Planning Documents.

### ***Update on Strategic Growth Development Plan Document(s)***

- 2.3 The Strategic Growth Development Plan Documents (DPD) are those which will guide the garden communities. Braintree will be working with partners to develop the garden communities. The timetable for the DPDs has been updated to reflect the time required to complete the additional evidence for Section 1 of the Local Plan.

### ***Updated Supplementary Planning Documents (SPDs) Timetables***

- 2.4 The SPD timetables have been revised in response to the changed Local Plan timetable.

### ***Update on Neighbourhood Development Plans***

- 2.5 The LDS has been updated to reflect the progress made by Neighbourhood Planning Groups on their plans including: Bradwell & Pattiswick and Cressing Neighbourhood Plans.

### ***National Planning Policy Framework July 2018***

- 2.6 The LDS has been updated to reflect the revised National Planning Policy Framework (NPPF) which was published in July 2018. This has included edits to the 'planning context' section of the LDS. Among other changes, the revised NPPF also introduced the 'Housing Delivery Test' and 'Standard Methodology' when calculating local housing need. These requirements have been added to the evidence based section of the LDS.



### ***Additional Minor Changes***

- 2.7 Other minor factual updates have been made throughout the document to reflect updated evidence and legislative changes.

### **3 Next Steps**

- 3.1 If approved, the updated LDS will be published on the Braintree District Council website and made available to stakeholders.
- 3.2 The LDS is required to be kept up-to-date. Therefore, further updated versions will need to be published in the future to reflect changes and progress made on the Development Plan and other planning documents.

### **Recommendation**

**It is RECOMMENDED that the Local Development Scheme 2019 – 2021 be approved.**



# LOCAL PLAN | LOCAL DEVELOPMENT SCHEME

2019- 2021

January 2019

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# 1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a Local Development Scheme (LDS). This sets out the rolling programme for preparation of planning documents that together will form Braintree District's Development Plan. It identifies the key stages in the preparation of the Council's Local Development Plan Documents.
- 1.2 It also sets out what resources will be required in order to ensure that the work will be completed in accordance with the timetable and identifies the risks that could result in delay.
- 1.3 The first LDS was published in September 2005 and the last review was published in May 2018. Progress on the Local Development Scheme has been monitored and the extent to which the milestones identified have been achieved is set out in the Council's Annual Monitoring Reports.
- 1.4 The Braintree Local Development Scheme is therefore a project management document, which informs the public and stakeholders of the planning documents that the Council will produce and the timescale for their production. It includes;
  - A timetable for the production and adoption for all Development Plan Documents within the Local Development Scheme time period (3 years).
  - Identifying background studies and documents, which form the evidence base for the Local Plan.
  - A list of current adopted Supplementary Planning Documents, Material Planning Guidance and Development Briefs.
  - Arrangements for monitoring and review.

## 2. Planning Context

### National Planning Guidance

- 2.1 The National Planning Policy Framework (July 2018) *‘sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.’* Regarding plan-making, paragraph 15 of the framework describes how *‘the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings’.*

### County Planning Policy

- 2.2 Essex County Council is the authority responsible for production of the Waste and Minerals Local Plans, which form part of the Development Plan. At present the adopted plan for Essex is;
- The Essex Minerals Local Plan (2014)
  - Essex and Southend-on-Sea Waste Local Plan (2017)
- 2.3 More details on the waste and minerals development document can be found on the Essex County Council website [www.essex.gov.uk](http://www.essex.gov.uk) following the links from planning to minerals and waste policy.

### Adopted Local Planning Policy

- 2.4 The Development Plan for Braintree District is made up of the Core Strategy, adopted in September 2011 and the Braintree District Local Plan Review, which was adopted in July 2005.
- 2.5 The Braintree District Local Plan Review was adopted in July 2005. In July 2008 the Secretary of State for Communities and Local Government decided that the majority of the Braintree District Local Plan Review policies would remain in force with the exception of the following 11 policies, which have either already been implemented or superseded by more recent Government policy guidance;
- RLP23 Provision for Gypsies and Travelling Showpersons
  - RLP43 Atlas Works Site, Earls Colne
  - RLP57 Freeport Special Policy Area
  - RLP66 Flood Risk in Developed and Urban Areas
  - RLP66 Flood Risk in Undeveloped Areas
  - RLP68 Functional Floodplains
  - RLP130 Indoor Sport and Leisure Site, Braintree Retail Park
  - RLP131 Swimming Pool, Millennium Way, Braintree
  - RLP132 Community Swimming Pool, Ramsey School, Halstead
  - RLP156 Community Uses Site, Colchester Road, Halstead
  - RLP165 Monitoring

2.6 When the Core Strategy was adopted in 2011, it superseded the following additional policies in the Braintree Local Plan Review 2005;

- RLP1 Housing Provision
- RLP5 Affordable Housing in New Developments
- RLP60 Braintree Branch Line Improvement
- RLP61 New Road Schemes
- RLP78 Countryside
- RLP79 Special Landscape Areas
- RLP88 Agricultural land
- RLP110 Retail and Town Centre Development
- RLP111 Retail Development
- RLP137 Open Space Standards
- RLP139 Allotments
- RLP163 Infrastructure and Community Facilities

2.7 It was the intention that the remaining policies in the Local Plan Review 2005 would be used, until they were superseded by the adoption of new policies in the Site Allocations and Development Management Plan Document. The National Planning Practise guidance plan-making section at Paragraph 042, Reference ID: 61-042-20180913 states:

*‘Due weight should be given to relevant policies in existing plans according to their consistency with the National Planning Policy Framework. It will be up to the decision-maker to decide the weight to give to the policies.’*

2.8 This means that policies in the Core Strategy and remaining policies in the Local Plan Review will have different weight depending on their compatibility with the NPPF and the presumption in favour of sustainable development.

2.9 The NPPF paragraph 48 describes how *‘Local planning authorities may give weight to relevant policies in emerging plans according to:*

- a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).’*

2.10 The Council progressed a Site Allocations and Development Management Plan in 2013/2014 however, this was not submitted for examination and has now been superseded by the Draft Local Plan. Both sections of the Draft Local Plan have been submitted to the Secretary of State. Section 1 of the Plan is currently undergoing public examination and Section 2 of the plan is expected to be examined spring / summer 2020.

## 3. Local Plan

- 3.1 The Planning and Compulsory Purchase Act 2004 required the preparation of new planning documents to replace the previous planning system. This new suite of documents was part of the Local Development Framework (LDF). However, following the change of government in 2010, a new set of Town and County Planning (Local Planning) (England) Regulations came into force in April 2012 (And amended in November 2012) and these revert to the former terminology of a 'Local Plan'.
- 3.2 The Local Plan will set out how the Council plans for, and makes decisions about, the future of towns, villages and countryside and will set out a strategy for the future development of the District, which is based on a clear and locally distinct vision. This vision will be developed with the involvement of the local community and there should be commitment by all relevant agencies to its delivery.
- 3.3 The Local Plan consists of a number of documents, including Development Plan Documents (DPDs) such as the Local Plan, Supplementary Planning Documents (SPDs), a Local Development Scheme (LDS), the Authorities Monitoring Report (AMR) and a Statement of Community Involvement (SCI). Further details about each document and their progress in Braintree District are given as follows:-

### 3.4 The Statement of Community Involvement (SCI)

- 3.5 **Purpose:** This document sets out the standards and approach to involving the community and stakeholders in the production of the Local Plan.
- 3.6 **Status:** The last version of the SCI was approved by Full Council on the 23rd September 2013. The Council is currently updating its SCI and is expecting to carry out a public consultation during winter 2018/19.

### 3.7 The Core Strategy Development Plan Document

- 3.8 **Purpose:** The key document in the Local Development Framework, which sets out the key strategic vision and objectives for the District and contains strategic sites, which are essential to the delivery of the plan.
- 3.9 **Status:** The Council adopted its Core Strategy in September 2011, following examination of soundness by an independent planning inspector. It will be replaced by the Local Plan when approved.

### 3.10 The Site Allocations and Development Management Plan

- 3.11 **Purpose:** A development plan document, which is in conformity with the Core Strategy. This allocates sites for new housing, employment, retail and other land uses and sets out non-strategic planning policies, by which planning applications are judged, to ensure that they will meet the vision set out in the Core Strategy.

- 3.12 **Status:** The Site Allocations and Development Management Plan was withdrawn on the 30th June 2014. At a Full Council meeting on the 15th September 2014 the Council agreed that the document would be considered as a material consideration in the determination of planning applications. It has now been superseded by the Draft Local Plan.

### 3.13 Local Plan

- 3.14 **Purpose:** Sets out strategic and non-strategic allocations for land use, and policies for the determination of planning applications.
- 3.15 **Status:** Section 1 of the Draft Local Plan is currently being examined with further hearing sessions expected to take place in autumn 2019. Section 2 of the Draft Local Plan will be examined once the examination for Section 1 has been concluded.

### 3.16 Strategic Growth Development Plan Document(s)

- 3.17 **Purpose:** For Braintree District these will take the form of area plans for the development of Garden Communities. Each Garden Community; if progressed through the Local Plan process, will require a Plan.
- 3.18 **Status:** The West of Braintree and Colchester Braintree Borders Garden Community Issues and Options Consultations took place during winter 2017/18.

### 3.19 The Authority Monitoring Report (AMR)

- 3.20 **Purpose:** To set out the principal characteristics of the District and assess progress in preparing Local Development Documents and monitor progress in housing, employment and other development.
- 3.21 **Status:** The AMR is published in December of each year and assesses the year from the 1<sup>st</sup> of April to the 31<sup>st</sup> of March. The latest report is available on the council's website.

### 3.22 Local Development Scheme (LDS)

- 3.23 **Purpose:** A project management document to inform stakeholders of the timetable for production of documents.
- 3.24 **Status:** This LDS will replace the 2018 - 2020 document.

### 3.25 Supplementary Planning Documents (SPDs)

- 3.26 These are supplementary to the Local Development Documents. Further detail is set out in Section 4.

### 3.27 Community Infrastructure Levy (CIL) Charging Schedule

- 3.28 **Purpose:** To set out the standard levy which the local authority will be applying to some developments and to define the infrastructure projects, which it is intended to fund.



- 3.29 **Status:** Braintree District Council will consider implementation of the Community Infrastructure Levy if it considers it the best approach to gather developer contributions from new development.

### 3.30 Local Plan – Timetable for Production

|                     |  |
|---------------------|--|
| Role and Content    | Sets out the detailed allocations of land for housing, employment, retail and other major land uses. Sets out strategic and non-strategic development management policies. |
| Status              | Development Plan Document  |
| Chain of Conformity | Must be consistent with National Policy as set out in the National Planning Policy Framework.  |
| Geographic Coverage | Whole of Braintree District  |

| Timetables and Milestones   |   |
|---|---|
| Evidence Base Update; Update of strategic level evidence base                 | September 2014 – Summer 2016  |
| Issues and Scoping Consultation   | Jan to March 2015   |
| Member Approval of Consultation Document                                      | June 2016   |
| Public Participation of preferred options                                     | Summer 2016   |
| Consideration of Representations and amendment of document                    | Winter 2016 / spring 2017   |
| Council Approval of Pre Submission Document and Submission Draft Consultation | Summer 2017   |
| Submission to Secretary of State  | October 2017  |
| Hearing   | Shared Strategic Plan (Section 1) – Autumn 2019<br>Braintree District Specific Local Plan (Section 2) – Spring / Summer 2020                      |
| Receipt of Inspectors Report  | Shared Strategic Plan (Section 1) – Winter 2019/20<br>Braintree District Specific Local Plan (Section 2) – Autumn 2020                            |
| Date of Adoption  | Shared Strategic Plan (Section 1) – Spring 2020 (if adopted independently)<br>Braintree District Specific Local Plan (Section 2) – Winter 2020/21 |
| Arrangements for Production   |   |
| Lead Department   | Braintree District Council Sustainable Development  |
| Management Arrangements   | To be managed by Departmental Management Team and Sub Committee of Council Members  |
| Resources   | To be prepared by Planning Policy Team involving other services as appropriate. To be funded from base budgets.                                   |
| Involvement of Stakeholders and Community                                     | As set out in the Statement of Community Involvement  |
| Post Production Monitoring and Review Mechanisms                              | Document to be monitored on an annual basis and will need to be subject to review, if monitoring highlights a need, or as required.               |

### 3.31 Strategic Growth Development Plan Documents – Timetable for Production

|                  |  |
|------------------|--|
| Role and Content | The Strategic Growth Development Plan Document will set out planning policies, masterplans and maps to show how they will be developed. Planning applications in the area will need to conform to the DPD. |
| Status           | Development Plan Document  |

|                     |  |
|---------------------|--|
| Chain of Conformity | Must be consistent with National Policy as set out in the National Planning Policy Framework. The document will also be consistent with the Local Plan.  |
| Geographic Coverage | To be confirmed through further studies. The geographical coverage of the Garden Communities was also explored through the Issues and Options Consultation took place for Colchester Braintree Borders and West of Braintree Garden Communities which took place late 2017 / early 2018. |

| Timetables and Milestones                        |   |
|--|---|
| Document preparation                             | Summer 2017 – Autumn 2017   |
| Member approval of issues and options DPD        | Autumn 2017   |
| Issues and options consultation                  | Winter 2017/18  |
| Document preparation                             | Winter 2019/20 – Winter 2020/21   |
| Member approval of draft DPD                     | Winter 2020/21  |
| Draft DPD consultation                           | Winter 2020/21  |
| Document preparation                             | Spring 2021 – Winter 2021/22  |
| Member approval of submission DPD                | Winter 2021/22  |
| Submission DPD consultation                      | Winter 2021/22  |
| Submission to Secretary of State                 | Spring 2022   |
| Examination                                      | Summer 2022   |
| Inspector's report                               | Autumn 2022   |
| DPD adoption                                     | Winter 2022/23  |
| Arrangements for Production                      |   |
| Lead Department                                  | Braintree District Council Planning Policy along with partners from Colchester Borough Council and potentially Uttlesford District Council. |
| Management Arrangements                          | To be managed by Departmental Management Team and Sub Committee of Council Members  |
| Resources  | To be prepared by Planning Policy Team involving other services as appropriate. To be funded from project budget.                           |
| Involvement of Stakeholders and Community        | As set out in the Statement of Community Involvement  |
| Post Production Monitoring and Review Mechanisms | Document to be monitored on an annual basis and will need to be subject to review, if monitoring highlights a need, or as required.         |

## 4. Supplementary Documents

- 4.1 Supplementary Planning Documents (SPD's) and other guidance documents can provide further detail on particular policies or local issues. SPD's can take a number of forms, but can normally be broken down into 2 categories;
- Area based including masterplans and development briefs, which deal with specific parcels of land; and
  - Topic based which provide additional information on local issues, or policies, such as design guides.
- 4.2 Although supplementary documents are not subject to examination, they are produced in consultation with the community and other interested parties and are still subject to regulations regarding their consultations. Supplementary documents are not required to be listed within the Local Development Scheme, but it is considered appropriate to inform the public of the Council's proposals to produce new documents.
- 4.3 The Council also has a number of approved planning guidance documents and development briefs. These are documents, which have been either produced or consulted upon by another authority, or whilst the public and stakeholders have been involved in their production have not undergone the same strict levels of consultation as is required for an SPD.
- 4.4 A list of the current adopted SPD's, guidance and development briefs are included in the table below;

| Title and Subject   | Produced by   | Status   | Date Approved                        |
|---|---|----------|--------------------------------------|
| <b>Affordable Housing. The document sets out the process and mechanisms for the delivery of affordable housing in Braintree District.</b>                       | Braintree District Council                                      | SPD      | May 2006                             |
| <b>External Artificial Lighting. It provides advice and guidance on what factors the Council will take into account when determining planning applications.</b> | Braintree District Council                                      | SPD      | September 2009                       |
| <b>Open Space. The document sets out the processes and mechanisms for the delivery of open space in Braintree District</b>                                      | Braintree District Council                                      | SPD      | Updated in 2014                      |
| <b>NW Braintree Masterplan. The masterplan to guide development for the strategic growth location off Panfield Lane in NW Braintree</b>                         | Mersea Homes and Hills Residential & Braintree District Council | SPD      | August 2013                          |
| <b>Masterplan Land west of the A131, Great Notley To guide commercial development on the strategic employment site</b>  | Braintree District Council and Countryside Properties           | Guidance | December 2012 subject to amendments. |
| <b>Premdor/Rockways site Masterplan. The masterplan to guide development on the regeneration site at Sible Hedingham</b>  | Braintree District Council and Bloor Homes                      | Guidance | August 2012                          |

| <b>Title and Subject</b>   | <b>Produced by</b>  | <b>Status</b>     | <b>Date Approved</b> |
|--|---|-------------------|----------------------|
| <b>Parking Standards – Design and Good Practice Guidance Provides car and cycle parking standards together with design guidance on accommodating parking within various types of residential and commercial development.</b>   | Essex County Council working in partnership with Essex Planning Officers Association.   | Guidance          | Nov-09               |
| <b>Urban Place Supplement. To build on the Essex Design Guide to provide guidance on producing high quality, attractive developments which are sustainable and reflect the local area. (Braintree District Council did not adopt sections 5.8, 6.2, 7.0, 7.1, 7.2 and 7.3 of the document)</b> | Essex County Council in partnership with Essex Planning Officers Association, East of England Development Agency, Environment Agency and Inspire East | Guidance          | Jun-07               |
| <b>Essex Design Guide 2005 Provides guidance on design and layout principles including specific information relating to structure and layout of new developments, garden sizes, building design and form, parking design and road layouts.</b>   | Essex County Council working in partnership with Essex Planning Officers Association  | Guidance          | 2005                 |
| <b>Land East of the High Street, Halstead Guide to development and regeneration on a site in Halstead</b>  | Built Environment Branch of Essex County Council commissioned by Braintree District Council   | Development Brief | Jan-05               |
| <b>Riskstones Neighbourhood Centre, Witham</b>   | Braintree District Council  | Development Brief | Sep-10               |
| <b>Silver End Shops Site Guide to development and regeneration on a site in Silver End village.</b>  | Stephen Claydon and Michael Munt approved by Braintree District Council   | Development Brief | Jun-06               |

- 4.5 The Council intends to review and update the 4 topic based SPD's (Essex Coast RAMS, Affordable Housing, Open Space and External Lighting) following the adoption of the new Local Plan. The level of review will vary from document to document.

#### 4.6 Timetable for Essex Coast RAMS

The SPD is to be a single document suitable for adoption by all 11 partner authorities.

| <b>Essex Coast RAMS Supplementary Document</b> |                      |
|--|----------------------|
| Preparation of draft document                  | Spring – Autumn 2018 |
| Public Consultation                            | winter 2018/19       |
| Adoption                                       | Spring / Summer 2019 |

#### 4.7 Timetable for Affordable Housing SPD production

| <b>Affordable Housing Supplementary Document</b> |             |
|--|-------------|
| Preparation of draft document                    | 2019/20     |
| Public Consultation                              | Spring 2021 |
| Adoption   | Summer 2021 |

## 4.8 Timetable for Open Spaces Strategy SPD Production

| Open Spaces Strategy Supplementary Document |             |
|---|-------------|
| Preparation of draft document               | 2019/20     |
| Public Consultation                         | Spring 2021 |
| Adoption                                    | Summer 2021 |

## 4.9 Timetable for External Lighting production

| External Lighting Supplementary Document |             |
|--|-------------|
| Preparation of draft document            | 2019/20     |
| Public Consultation                      | Spring 2021 |
| Adoption                                 | Summer 2021 |

## 5. Neighbourhood Planning

- 5.1 The Localism Act 2011 introduced neighbourhood developments plans which help communities with or without Parish or Town Councils to establish general planning policies for the development and use of land in a neighbourhood. Once 'made', these plans will form part of the statutory development plan for the area and will be used in the determination of planning applications.
- 5.2 The first stage of developing a neighbourhood plan is to designate a neighbourhood area. The District has agreed 10 Neighbourhood Areas. Other parish councils are considering developing a neighbourhood plan.
- 5.3 Once a neighbourhood area has been agreed preparation of a neighbourhood plan can be carried out by a parish or town council or in the case of unparished areas a neighbourhood forum.

| Area                         | Stage  |
|------------------------------|--|
| Bradwell & Pattiswick        | Regulation 16 – 2018 – examination 2019                    |
| Coggeshall                   | Regulation 14 – first quarter 2019                         |
| Cressing                     | Regulation 14 complete – awaiting regulation 15 submission |
| Feering                      | Preparation of draft plan                                  |
| Hatfield Peverel             | Ongoing examination  |
| Kelvedon                     | Regulation 15 – first quarter 2019                         |
| Gt Saling & Bardfield Saling | Preparation of draft plan                                  |
| Great Yeldham                | Preparation of draft plan                                  |
| Stisted                      | Preparation of draft plan                                  |
| Steeple Bumpstead            | Preparation of draft plan                                  |

## 6. Evidence Base

- 6.1 The Development Plan Documents will establish the Council's planning policies. In preparing these documents and to ensure that the proposals and policies contained within them are soundly based, a number of specialist studies and other research projects have been, or will be undertaken.
- 6.2 The following table illustrates the reports and studies that will be used to provide a robust and credible evidence base for the Local Development Framework. This list will be added to, if additional work is required.

| Name   | Description  | Date   |
|--|--|--|
| <b>General</b>   |  |  |
| <b>Authority Monitoring Report</b>   | The monitoring report aims to assess progress in meeting policy targets and milestones, and to present information on housing trajectories demonstrating the delivery of the provision of new homes.   | The document pertains to the period 1st of April through to the 31st of March each year. |
| <b>Economic</b>  |  |  |
| <b>Braintree District Retail Study Update 2015 (reviewed 2018)</b>                             | An update to the previous retail study to enable robust and up to date evidence to support the retail boundaries, allocations and policies in the new Local Plan. An update is being produced.   | Update 2015 and reviewed 2018  |
| <b>Braintree Plan For Growth 2017 - 2022</b>   | The Prospectus sets out how the council intends to create the conditions for economic growth and deliver a prosperous Braintree District from 2017 to 2022   |  |
| <b>Employment Land Needs Assessment 2015</b>   | The assessment considers projected Employment Land Needs   | August 2015  |
| <b>Rural Services Survey</b>   | The survey updates previous work done in 2005 to assess the provision of services within rural parishes.   | Completed in 2011.   |
| <b>Environmental</b>   |  |  |
| <b>Braintree Green Spaces Strategy</b>   | Builds on the results of the 2006 Open Space Audit to set standards for the quality, quantity and accessibility of open space together with specific needs, surpluses or deficiencies.   | Completed in September 2008.   |
| <b>Conservation Area Appraisals &amp; Management Plans</b>                                     | A programme of conservation area appraisals has been undertaken. The process provides further detail about the character of the areas as an update to the original conservation area designations. Four Conservation Areas are currently being reviewed: Great Bardfield, Wethersfield, Kelvedon and Feering. It is expected that the majority of the work will be completed by the end of March 2019. | 2009 onwards   |
| <b>Dedham Vale - Proposed Search Area for AONB Review</b>                                      | The map shows the current Dedham Vale AONB and the maximum potential extension proposed  | Ongoing  |
| <b>Habitats Regulation Assessment and if necessary an Appropriate Assessment - In Progress</b> | The report is to identify any effects the proposed development in this District will have on European Sites of Importance for nature conservation and to suggest ways to mitigate this impact.   | Being completed alongside the Local Plan process.  |
| <b>Heritage Assets Impact Assessment</b>   | Heritage Assets Impact Assessment for Potential Growth Locations within Braintree District   | May 2016   |

| <b>Name</b>  | <b>Description</b>   | <b>Date</b>   |
|--|--|---|
| <b>Historic Environment Characterisation Project</b>                               | Report characterising the historic environment of the district.  | 2010  |
| <b>Mid Essex Strategic Flood Risk Assessment</b>                                   | The document identifies in more detail areas of existing or proposed development which are at risk from flooding.  | Completed in October 2007; review completed in 2017                                       |
| <b>Open spaces Sport Recreation Strategy (Playing Pitch Strategy)</b>              | The open space strategy will set out the Councils strategy with regards to open space including the strategy for the Sports, Leisure and Recreation.   | Drafts published / in progress  |
| <b>Protected Lanes Study</b>   | Commissioned by Braintree District Council to assess the protected lanes within the district   | 2013  |
| <b>Strategic Environmental Assessment and Sustainability Appraisal</b>             | Makes an environmental and sustainability appraisal of each document to report on likely impacts of the proposed policies and plans.   | Completed during the Local Plan process and any future DPDs                               |
| <b>Strategic Flood Risk Assessment</b>   | An assessment of the flood risk within the district; in progress to be completed late 2016.  | Level 1 update November 2016, Level 2 January 2017  |
| <b>Water Cycle Study Update</b>  | Stage 1 also includes the water system around Haverhill and Clare within the St Edmundsbury District. The study looks at the provision of water and waste water infrastructure to serve proposed LDF growth and highlights any constraints and possible solutions. | March 2017  |
| <b>Residential</b>   |  |   |
| <b>Affordable Housing Viability Study</b>  | Assesses whether the proposed affordable housing policies are viable and achievable in terms of dwelling threshold and percentage of affordable housing that is required by development.   | Completed in 2009. Review completed 2015.   |
| <b>Brownfield land Register</b>  | The Brownfield Land Register provides a list of brownfield site which are suitable for housing-led development.  | Annually  |
| <b>Demographic projections 2013-2037 Phase 7 Main Report May 2015</b>              | Considers the Demographic projections for 2013-2037  | May 2015  |
| <b>Demographic projections 2013-2037 Phase 7 Macro Areas accompanying Profiles</b> |  |   |
| <b>Essex Design Guide, 2005</b>  | Provides guidance on design and layout principles including specific information relating to structure and layout of new developments, garden sizes, building design and form, parking design and road layouts.  | 2005  |
| <b>Essex Wide Gypsy and Traveller Accommodation Needs Assessment</b>               | An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided   | The current assessment (2014) will be reviewed to be completed in 2016.                   |
| <b>Gypsy and Traveller and Travelling Showpersons Accommodation Assessment</b>     | An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided.  | Completed. A further study on is in progress on transit pitches.                          |
| <b>Objectively Assessed Housing Need Study</b>                                     | Commissioned by Braintree, Chelmsford, Colchester and Tendring. Determines the Housing Market Area and OAN.  | Completed July 2015. Further update 2016 completed.                                       |
| <b>Strategic Housing Land Availability Assessment (SHLAA) 2016</b>                 | This document builds on the work completed in the Urban Capacity Study but includes an assessment of a sites viability and likely timescale for the site to be developed.  | Ongoing process. To be undertaken as part of the production of Development Plan Documents |



| Name  | Description  | Date   |
|---|--|--|
| <b>Strategic Housing Market Assessment (SHMA) and Housing Needs Study</b> | Was commissioned jointly by Braintree, Colchester and Chelmsford Councils. Includes an assessment of the local housing market and recommends a level of affordable housing, along with tenure splits and the situation in the private rental market.   | Completed in 2015. Update completed December 2015  |
| <b>Housing Delivery Test</b>  | The Housing Delivery Test is an annual measurement of housing delivery in the area of relevant plan-making authorities (non-metropolitan districts, metropolitan boroughs, London boroughs and development corporations with plan-making and decision making powers). National Planning Policy Framework Paragraphs 73 & 75 set out the policy consequences of not meeting the Housing Delivery Test | Annual   |
| <b>Standard Methodology</b>   | The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.  | Updated every 2 years to take into account official population and household projections |
| <b>Self-build and Custom Housebuilding Register</b>                       | The Council keep a register of people who are interested in building self-build or custom build homes within the Braintree District.   | Ongoing  |
| <b>Transport and Infrastructure</b>                                       |  |  |
| <b>Community Halls Consultation Report March 2016</b>                     | Report on the consultation undertaken for Braintree District Council with community halls in Braintree, Halstead and Witham  | March 2016   |
| <b>Cycling Strategy</b>   | Strategy for cycling in Essex  | Essex - Completed November 2017; Braintree Draft 2018                                    |
| <b>Development Boundaries Review Methodology</b>                          | Proposes a methodology and a series of criteria that will be used in reviewing the development boundaries for the settlements in the District for the emerging Local Plan  | June 2015  |
| <b>Garden Communities - Charter</b>                                       | Evidence base documents that scope the development of the Garden Communities   | 2016 - 2018  |
| <b>Garden Communities - Baseline Compendium</b>                           |  |  |
| <b>Garden Communities - Opportunities and Constraints</b>                 |  |  |
| <b>Garden Community Issues and Options DPD</b>                            |  |  |
| <b>Garden Communities - Options and Evaluation</b>                        |  |  |
| <b>Highways and Transport Assessment</b>                                  | Identifies key issues with the highways and transportation network, in order to determine capacity and any improvement required to transport networks.   | Further reports completed 2017   |
| <b>Infrastructure Plan</b>  | A study of key infrastructure capacity, constraints and future improvements.   | Completed October 2017   |
| <b>Local Transport Plan - Essex County Council</b>                        | Published by Essex County Council  | 2011   |
| <b>Parking Standards</b>  | The document sets out the required parking standards for the District.   | 2009   |
| <b>Viability Assessments</b>  | This document will seek to demonstrate that the Local Plan is viable.  | Completed 2017   |

- 6.3 In addition an Equality Impact Assessment was undertaken as part of the production of the Local Plan to ensure that all policies and documents are free from discrimination and promote equality of opportunity.
- 6.4 A full list of up-to-date evidence base documents can be found via the Planning Policy webpage link: [https://www.braintree.gov.uk/info/200230/planning\\_policy](https://www.braintree.gov.uk/info/200230/planning_policy)
- 6.5 The Local Plan must also have regard to a number of other strategies and policies produced both by the Council and by partners. These include;
- Braintree District Climate Change Strategy and Action Plan 2014-2018
  - Braintree Plan For Growth 2017 - 2022
  - Essex Biodiversity Action Plan 2011
  - Essex Local Transport Plan 2011
  - Essex Minerals Local Plan 2014
  - Essex and Southend-on-Sea Waste Local Plan 2017

# 7. Monitoring and Review

## Monitoring

- 7.1 The LDS and the development plan documents that it includes will be monitored on an annual basis, in the Monitoring Report with a reporting period of 1st April – 31st March.
- 7.2 Each year the report will set out;
- How the Council is performing against the timescales set out within the previous year's Local Development Scheme.
  - Provide information on housing and employment completions and land availability.
  - Provides a housing trajectory and shows the Council's 5 year supply of housing land.
  - Any required update to the Local Development Scheme as appropriate.
- 7.3 The Local Plan programme will be managed through the Sustainable Development Service reporting to the Cabinet Member for Planning and Housing and the Local Plan Sub-Committee. This will include considering progress on the preparation of Local Development Documents and identifying action to be taken if there are variations from the project programme.

## Review

- 7.4 Following the initial adoption of each Local Plan as set out in the Local Development Scheme, it is anticipated that any subsequent reviews will be in the form of a rolling programme. Reviews may also be necessary as a result of changes in national guidance, as an outcome of the monitoring in the Monitoring Report, or pressures for development or regeneration.

## 8. Resources and Risk

### Resources

- 8.1 The Local Plan process will be led by the Planning Policy team, part of the Sustainable Development Service at Braintree District Council.
- 8.2 The timetable contained within this document is based on using the full resources of the Planning Policy team at the Council, which consists of a team manager who will be responsible for the overall project, planning policy officers, technical and administration staff. The Council will also be working with other partners including neighbouring authorities on specific DPDs.
- 8.3 Additional resources, particularly to provide specialist input on various technical matters will be sought from time to time as required from other teams within the Council including Housing Policy and Economic Development, and other organisations including Essex County Council and the Highways Agency. In addition, external consultants may be commissioned to develop elements of the evidence base, or supplementary planning documents.

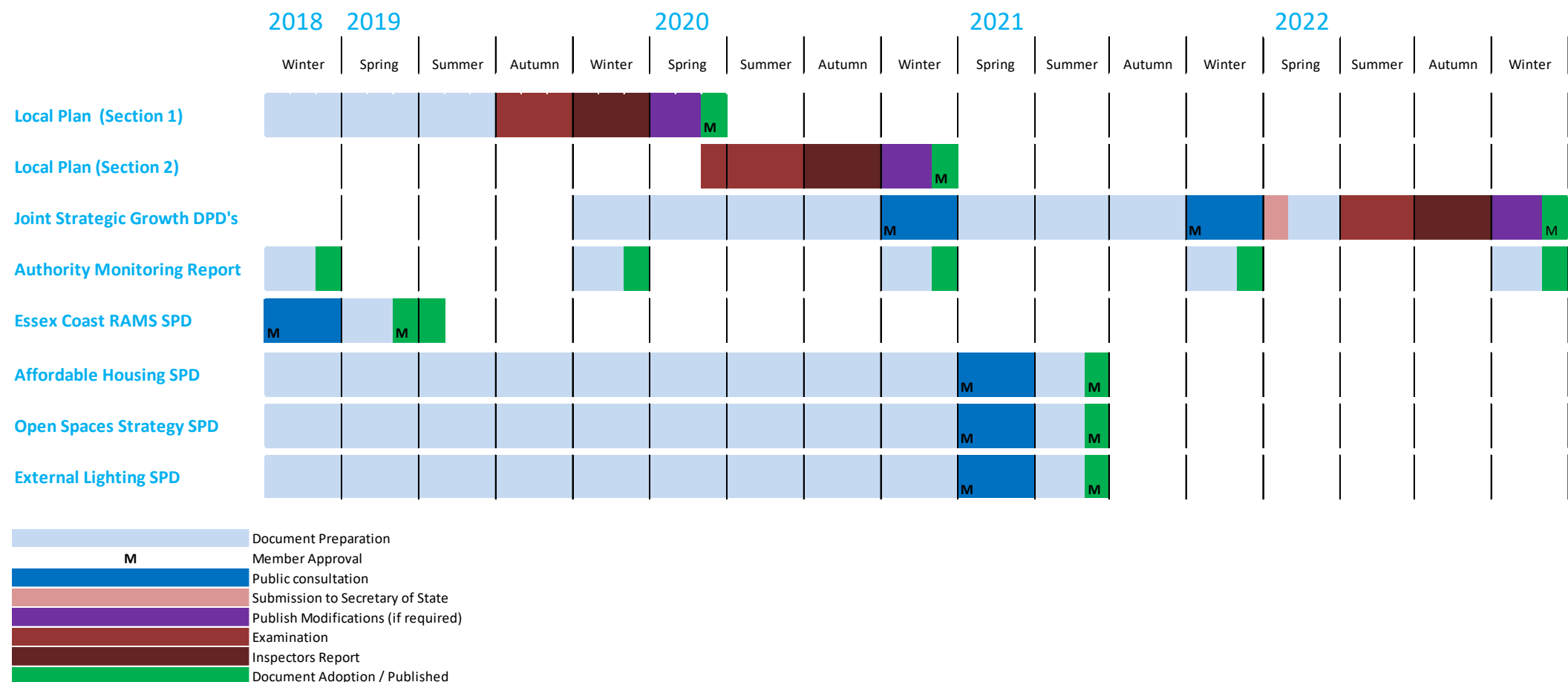
### Risk

- 8.4 There are several factors which may impact on the achievement of this timetable. The table below considers and deals with the main risks.

| Issue  | Level of Risk | Impact and Mitigation   |
|--|---------------|---|
| Delays to the production of background studies   | Medium        | Would delay the preparation of development plan documents. The resources for any further studies should be in place to ensure they are commissioned at an early stage   |
| Changes to national guidance in relation to Braintree. The new NPPF was published July 2018. The Government is currently consulting on changes to planning policy and guidance | Medium        | Could delay the preparation of development plan documents or require an early review of those documents already produced. Review the time table for the preparation and review of documents within the Annual Monitoring Report and review of the LDS if necessary.   |
| Supporting Neighbourhood Planning  | Medium        | Staff time and other resources being diverted to support neighbourhood planning. Resource and timetable planning with neighbourhood plan groups needed.   |
| Problems or difficulties engaging with stakeholders and the community  | Low           | May delay the preparation of development plan documents. Ensure stakeholders and the community are involved at an early stage of the process, as outlined in the Statement of Community Involvement.<br>Lack of agreement with other Local Authorities regarding the duty to co-operate. Need to maintain a close working relationship with neighbouring authorities. |

|   |        |   |
|---|--------|---|
| Inability of the Planning Inspectorate to deliver hearings/ reports to the timetable.         | Medium | Would delay the adoption of development plan documents. Agree early with the Planning Inspectorate that the timetable laid out for each document is acceptable. If slippage occurs this should be identified in the Monitoring Report and amendments made to the timetable.   |
| Insufficient staff resources due to staff turnover or volume of work greater than anticipated | Medium | Would delay the production of development plan documents. Consider use of consultants if financial resources allow. Revise timetable for the production of documents through the Monitoring Report and review of the LDS if necessary.  |
| Government New Homes Bonus, neighbourhood planning funds insufficient or no longer available. | Medium | Would delay the production of evidence base and development plan documents which need specialist advice from consultants. Increased budget bids may need to be made if Government New Homes Bonus or neighbourhood planning funds are insufficient or no longer available. Revise timetable for the preparation of documents through the annual monitoring report and review of the LDS if necessary. |
| Local Plan is found unsound   | Low    | Would delay the adoption of development plan documents as they would need further work and then resubmission. Undertake self-soundness test and maintain a close working relationship with key stakeholders.  |

## 9. Timetable of documents for production



|   |  |  |
|---|--|--|
| <b>Braintree Publication Draft Local Plan - Update</b>  |  | <b>Agenda No: 7</b>                                      |
| <b>Portfolio:</b> Planning and Housing<br><b>Corporate Outcome:</b> Securing appropriate infrastructure and housing growth<br><b>Report Presented by:</b> Alan Massow, Principal Planning Policy Officer<br><b>Report Prepared by:</b> Emma Goodings, Head of Planning Policy and Economic Development  |  |  |
| <b>Background Papers:</b> <ul style="list-style-type: none"> <li>• Submission draft Local Plan 2017</li> <li>• Correspondence from the Planning Inspector to the North Essex Authorities</li> <li>• Correspondence from the North Essex Authorities to the Planning Inspector</li> </ul>  |  | <b>Public Report:</b> Yes<br><br><b>Key Decision:</b> No |
| <b>Executive Summary:</b><br><br><p>Since the last update report to the Local Plan Sub-Committee on 15th November 2018, the North Essex Authorities have exchanged a series of letters with the Planning Inspector and the Section 1 examination is now formally paused as additional evidence base work is completed.</p> <p>Consultation on the North Essex Section 1 Sustainability Appraisal (SA) methodology, one of the additional pieces of work required by the Inspector, has begun and closes on 1st February 2019.</p> |  |  |
| <b>Recommendation: To note the contents of this report.</b>   |  |  |
| <b>Purpose of Decision:</b> To note the position on the Local Plan examination.   |  |  |
| <b>Corporate Implications</b>   |  |  |
| <b>Financial:</b>   | Cost of plan preparation is being met from base budget                                   |  |
| <b>Legal:</b>   | Must comply with Government's legislation and guidance on planning policy                |  |
| <b>Equalities/Diversity</b>   | Equality Impact Assessment of the Local Plan was produced                                |  |
| <b>Safeguarding</b>   | None   |  |
| <b>Customer Impact:</b>   | There will be further opportunities for public involvement during the Local Plan process |  |
| <b>Environment and</b>  | Policies will need to have regard to the environment and                                 |  |

|   |  |
|---|--|
| <b>Climate Change:</b>                    | climate change issues.   |
| <b>Consultation/Community Engagement:</b> | Proposed consultation for planning documents is set out in the Local Development Scheme. |
| <b>Risks:</b>                             | Delay in the timetable for plan production.  |
|   |  |
| <b>Officer Contact:</b>                   | Emma Goodings  |
| <b>Designation:</b>                       | Head of Planning Policy and Economic Development   |
| <b>Ext. No.</b>                           | 2551   |
| <b>E-mail:</b>                            | Emma.goodings@braintree.gov.uk   |

## 1 Background

- 1.1 Braintree submitted its Local Plan to the Government for examination in October 2017. This included a Section 1 to the Plan which deals with cross boundary strategic issues and proposals for the Garden Communities. This was submitted alongside our North Essex Authority partners, Colchester Borough Council and Tendring District Council.
- 1.2 The Councils have been in correspondence with the Inspector on the way forward since his initial letter of 8th June 2018. All correspondence is recorded on the examination website, hosted by Braintree District Council and available to the public at the following address.  
[https://www.braintree.gov.uk/info/200643/section\\_1/1065/section\\_1\\_examination\\_publication\\_local\\_plan/4](https://www.braintree.gov.uk/info/200643/section_1/1065/section_1_examination_publication_local_plan/4)
- 1.3 This report provides a further update to the position which was reported to 15th November 2018 Local Plan Sub-Committee meeting.

## 2 Latest Position

- 2.1 Following the letter sent to the Planning Inspector from the Local Authorities a response was received from the Inspector on 21st November 2018. In this letter the Inspector welcomed the Authorities constructive proposals for a way forward and asked a small number of questions on the proposed arrangements for the sustainability appraisal, as well as providing commentary on a number of other issues. These included the programming of the Local Plan examination and the potential for the adoption of Section 1 of the Local Plan in advance of the adoption of Section 2. The Inspector also agreed that the Authorities provide a monthly update of the programme to ensure the Inspector is kept informed and the programme can be adjusted if necessary.
- 2.2 The Authorities responded to this letter on 30th November 2018 and provided the clarifications sought on the evidence gathering. Within this letter the Authorities also took the opportunity to provide the first of the Inspector's monthly timetable updates and advised the Inspector that the evidence base and Sustainability Appraisal for the Local Plan would be completed and subject to consultation in the Summer, with likely examination sessions to take place in the Autumn.



- 2.3 The Inspector wrote back to the Authorities on 10th December 2018, confirming he was happy with our responses and timetable and formally pausing the examination whilst this further work is undertaken.

### **3 Sustainability Appraisal**

- 3.1 Following the approval of the Planning Inspector, the Local Authorities have begun a seven week public consultation period on the North Essex Section 1 Sustainability Appraisal (SA) methodology.
- 3.2 Regulation 12(5) of the Environmental Assessment of Plans and Programmes Regulations 2004 sets out that when deciding on the scope and level of detail of the information that must be included in the environmental report, the responsible authority shall consult the consultation bodies. Those bodies are the Environment Agency, Natural England and Historic England. Although the additional work undertaken at this stage is unlikely to materially change the scope and level of detail of the information that will be included in the SA, it is considered appropriate good practice to carry out an additional consultation period.
- 3.3 As agreed with the Inspector, the consultation bodies and participants in the Section 1 examination have been specifically invited to respond to the consultation, although any member of the public may comment if they wish to. The consultation period has also been extended to seven weeks, ending on 1st February 2019 to account for the Christmas period. The consultation period is specifically to comment on the proposed methodology of the additional SA and not for more general comments which would be dealt with through other consultation opportunities.
- 3.4 After the close of the consultation, representations will be both published for public viewing and reviewed by the Local Authorities and their consultants. Comments may lead to changes in the methodology of the additional SA work.

### **4 Next Steps and Timetable**

- 4.1 A revised Local Development Scheme setting out the updated timetable for the Section 1 Local Plan and subsequent Plans is part of the Agenda pack for tonight's meeting. This will be kept under review as appropriate.
- 4.2 The North Essex Authorities will produce a monthly update for the Planning Inspector at the end of each month which will be published on the examination website.

**Recommendation: To note the contents of this report.**