

# Minutes

## Local Development Framework Sub- Committee

13<sup>th</sup> February 2013

Present:

Councillors	Present	Councillors	Present
D L Bebb	Yes	Lady Newton	Yes (until 7.05pm)
G Butland	Yes	W D Scattergood	Yes
A V E Everard	Yes	C Siddall	Yes
M C M Lager	Yes	M Thorogood	Yes
J M Money	Yes	R G Walters	Yes (until 6.30pm)

Councillors J E Abbott and P R Barlow were also in attendance.

### 58 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:

Councillor J E Abbott declared a non-pecuniary interest in Agenda Item 5 – Essex County Council Minerals Local Plan Submission Document – Response and Item 6 - Draft Revised Local Development Scheme as District Council Ward Councillor for Bradwell, Silver End and Rivenhall and Chairman of Rivenhall Parish Council.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 5 – Essex County Council Minerals Local Plan Submission Document – Response as a Member of Essex County Council.

Councillor M C M Lager declared a non-pecuniary interest in Agenda Item 5 - Essex County Council Minerals Local Plan Submission Document – Response as a Member of both Essex County Council and Witham Town Council.

Councillor J M Money declared a non-pecuniary interest in Agenda Item 5 - Essex County Council Minerals Local Plan Submission Document – Response as a Member of Witham Town Council.

Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 5 – Essex County Council Minerals Local Plan Submission Document – Response as District Council Ward Councillor for Coggeshall and North Feering.

Councillor R G Walters declared a non-pecuniary interest in Agenda Item 5 – Essex County Council Minerals Local Plan Submission Document – Response as a Member of Essex County Council and having expressed a view to both Essex County Council and

Braintree District Council, in particular, against site A9 Broadfield Farm, Rayne. Having taken advice in advance, Councillor Walters left the meeting for the consideration of and vote on this Item.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the respective items were considered.

59 **MINUTES**

**DECISION:** The Minutes of the meeting of the Local Development Framework Sub-Committee held on 13<sup>th</sup> December 2012 were confirmed as a correct record and signed by the Chairman.

60 **QUESTION TIME**

**INFORMATION:** There were no questions asked, or statements made.

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

61 **ESSEX COUNTY COUNCIL MINERALS LOCAL PLAN SUBMISSION DOCUMENT – RESPONSE**

Councillor W D Scattergood, Vice-Chairman of the Local Development Framework Sub-Committee, took the Chair for the consideration of this item.

(Councillor J E Abbott (District Council Ward Councillor for Bradwell, Silver End and Rivenhall and Chairman of Rivenhall Parish Council) attended the meeting and spoke on this item).

(Councillor P R Barlow (District Council Ward Councillor for Witham North) attended the meeting and spoke on this item).

**INFORMATION:** Consideration was given to a report on Essex County Council's Minerals Local Plan Pre-Submission Draft which had been published on 17th January 2013 for a six week period of public consultation ending on 28th February 2013.

Responses to the document had to be based on whether the Plan met the tests of soundness set out in the National Planning Policy Framework. An independent Planning Inspector would be appointed to examine the Plan and it was anticipated that a public Hearing would take place in October/November 2013.

The Plan covered an 18 year period between 1st January 2012 and 31st December 2029. Taking into account existing planning permissions, the Plan set a target to identify sites for the extraction of 40.67 million tonnes of sand and gravel over the Plan period. The actual provision identified in the Plan amounted to 40.824 million tonnes.

A total of 16 sites in Essex had been selected. Seven of these were located in the Braintree District and included five separate extensions to Bradwell Quarry/Rivenhall Airfield and two new sites at Broadfield Farm, Rayne and Colemans Farm, Rivenhall. Together, these sites would provide 22.78 million tonnes of sand and gravel which equated to approximately 56% of the total for the whole of Essex.

The report proposed that the District Council should object to the Plan, in particular on the ground that the proposed sites failed to meet the strategy for a geographic dispersal of sites and therefore failed to minimise mineral miles. It was also considered that the Plan inadequately assessed the cumulative impact of sand and gravel extraction within a small area. Specific objections to sites A5, A6 and A7 Bradwell Quarry/Rivenhall Airfield, site A9 Broadfield Farm, Rayne and site A46 Colemans Farm, Rivenhall were also set out in the report.

In discussing this matter, Councillors agreed that paragraphs 4.19 and 4.35 of the report should be deleted. It was also agreed that the decision should refer to the impact of sites A5, A6, A7, A9 and A46 on public rights of way; that the references to 'Little Braxted Road' and 'Braxted Park Road' in paragraph (iv) of the decision should be amended to 'Little Braxted Lane' and 'Braxted Road' respectively; that paragraph (iv) of the decision should be amended to refer to the impact of the proposal on residents of Rivenhall End; that paragraph (v) of the decision should be amended to refer to the impact of the proposal on residents of Coggeshall Hamlet and Silver End, and amended to refer to the cumulative impact of all development proposals for the area, in particular, those relating to waste disposal; and that paragraph (vi) of the decision should be amended to refer to the impact of the proposal on the local population of Coggeshall Hamlet. In addition, the Sub-Committee agreed that the District Council should draw the Highway Agency's attention to the impact of additional HGV traffic on junctions with the A12 around Witham, particularly the southbound on-slip, and the wider road network.

It was reported that the Cabinet Member - Planning and Property would be recommended to take account of the Sub-Committee's decision in responding to Essex County Council.

The Sub-Committee thanked Emma Goodings and Eleanor Dash for their excellent report.

**DECISION:** That it be Recommended that the Cabinet Member - Planning and Property takes account of the following in her response to Essex County Council's consultation:-

A. That the objections set out in the report considered by the Local Development Framework Sub-Committee and amended as agreed at that meeting be submitted to Essex County Council in response to its Replacement Minerals Local Plan Pre-Submission Draft Document, which are summarised as follows, subject to Braintree District Council drawing the Highway Agency's attention to the impact of additional HGV traffic on junctions with the A12 around Witham, particularly the southbound on-slip, and the wider road network; to the deletion of paragraphs 4.19 and 4.35, and changes to refer to impacts on public rights of way and cumulative impacts including impacts of waste proposals.

- i) That the allocation of sites for sand and gravel extraction fails to meet the Plan's strategy for a geographic dispersal of sites across the County and therefore fails in its target to minimise mineral miles.
- ii) That the Plan is not justified as it has failed to adequately assess the cumulative impact of such a high proportion of extraction sites within a small area of Essex.

- iii) That the Council strongly objects to the inclusion of site A9 Broadfield Farm, Rayne due to the impacts on: -
  - The local population
  - The local landscape
  - The Protected Lane at Pods Lane and two Local Wildlife Sites
  - The B1256 and other roads in the vicinity
  - Historic Environment
  - Agricultural Land
  - Public rights of way
- iv) That the Council strongly objects to the inclusion of site A46 Colemans Farm, Rivenhall due to the impacts on:-
  - Little Braxted Lane and A12 from the access
  - Residents in Braxted Road and Rivenhall End
  - The local landscape and including on the river valley and the reservoir
  - Impact on the local environment
  - Public rights of way
- v) That the Council strongly objects to the inclusion of sites A5 and A6 Bradwell Quarry, Rivenhall Airfield due to the impacts on:-
  - The local population including residents of Coggeshall Hamlet and Silver End garden village.
  - The local landscape including Storeys Wood Local Wildlife Site
  - The historic environment
  - The businesses at the Former Polish Camp Site
  - Agriculture
  - Public rights of way
  - The cumulative impact of all development proposals for the area, in particular, the existing planning permission for a waste site
- vi) That the Council strongly objects to the inclusion of site A7 at Bradwell Quarry, Rivenhall Airfield due to the impacts on:-
  - The local population including residents of Coggeshall Hamlet
  - The landscape including the Protected Lane and bridleway
  - The size of the site
  - Agriculture
  - The historic environment
  - Public rights of way

B. That the Council should not object to sites A3 and A4 at Bradwell Quarry, Rivenhall Airfield.

## 62 **DRAFT REVISED LOCAL DEVELOPMENT SCHEME**

(Councillor J E Abbott (District Council Ward Councillor for Bradwell, Silver End and Rivenhall and Chairman of Rivenhall Parish Council) attended the meeting and spoke on this item).

**INFORMATION:** Members were reminded, that in accordance with the Planning and Compulsory Purchase Act 2004 the Council was required to prepare a Local Development Scheme. This set out a rolling programme for the preparation of planning documents for Braintree District's Local Development Framework.

The Local Development Scheme included a timetable for the production and adoption for all Development Plan Documents; identified background studies and documents which would form an evidence base; a list of current, adopted Supplementary Planning Documents, Material Planning Guidance and Development Briefs; and set out arrangements for monitoring and review.

In discussing the new Supplementary Planning Documents and, in particular, the proposed Master Plan for the strategic growth location to the North-East of Witham off Forest Road in Rivenhall Parish, it was noted that the report contained an error and that the document would be produced by both Braintree District Council and the developer of the site.

**DECISION:** That the Local Development Scheme 2013 be approved, subject to the words 'and developer' being added to paragraph 4.6 Supplementary Planning Documents - Forest Road Master Plan.

63 **RECORD OF DELEGATED DECISION RELATING TO THE SUSTAINABILITY APPRAISAL/STRATEGIC ENVIRONMENTAL ASSESSMENT AND THE SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN**

**INFORMATION:** Members were advised that the following decision had been made by the Chairman of the Local Development Framework Sub-Committee under delegated powers:-

Councillor R G Walters – Chairman of the Local Development Framework Sub-Committee  
10<sup>th</sup> January 2013

To approve the Sustainability Appraisal and Strategic Environmental Assessment and the Introductory Section and Appendices of the draft Site Allocations and Development Management Plan, for the purpose of public consultation.

**DECISION:** That the delegated decision set out in the report be noted.

Site Visit

It was reported that arrangements were being made for Members of the Local Development Framework Sub-Committee to attend an accompanied site visit to particular sites referred to in the draft Site Allocations and Development Management Plan. It was agreed that the site visit should take place on Thursday, 7<sup>th</sup> March 2013 starting at 9.30am from Causeway House, Braintree.

The meeting commenced at 6.00pm and closed at 7.09pm.

Councillor R G Walters  
(Chairman)