

Local Development Framework Sub- Committee AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be audio recorded.

Date: Thursday, 06 March 2014

Time: 18:00

Venue: Council Chamber, Causeway House, Bocking End, Braintree, Essex, CM7 9HB

Membership:

Councillor D L Bebb

Councillor G Butland

Councillor A V E Everard

Councillor M C M Lager

Councillor J M Money

Councillor Lady P Newton

Councillor W D Scattergood

Councillor C Siddall

Councillor M Thorogood

Councillor R G Walters (Chairman)

Members are requested to attend this meeting, to transact the following business:-

Page

PUBLIC SESSION

1 Apologies for Absence.

2 Declarations of Interest.

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of Last Meeting

To approve as a correct record the Minutes of the meeting of the Local Development Framework Sub-Committee held on 6th November 2013 (copy previously circulated).

- 4 Public Question Time**
(See paragraph below).
- 5 Open Spaces Action Plan** **5 - 8**
- 6 Maldon District Local Development Plan** **9 - 16**
- 7 Local Development Scheme** **17 - 38**
- 8 Urgent Business - Public Session**
To consider any matter which, in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.
- 9 Exclusion of the Public and Press**
To agree the exclusion of the public and press for the consideration of any items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.
At the time of compiling the Agenda there were none.

PRIVATE SESSION

- 10 Urgent Business - Private Session**
To consider any matter which, in the opinion of the Chairman should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

A PEACE
Member Services Manager

Contact Details

If you require any further information please contact Alison Webb on 01376 552525 extension 2614 or e-mail alison.webb@braintree.gov.uk

Question Time

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact the Council's Member Services Section on 01376 552525 or email chloe.glock@braintree.gov.uk at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

Health and Safety

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Mobile Phones

Please ensure that your mobile phone is either switched to silent or switched off during the meeting.

Comments

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended..... Date of Meeting.....

Comment

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Contact Details:

Open Spaces Supplementary Planning Document Open Spaces Action Plan		Agenda No: 5
Corporate Priority: A Better Place Portfolio Area: Planning & Property Report presented by: Stephen Wenlock Report prepared by: Stephen Wenlock		
Background Papers: Open Space Supplementary Planning Document 2009 Braintree Green Spaces Strategy 2008.		Public Report
Options: <ol style="list-style-type: none"> 1) To endorse the Updated Open Spaces Action Plan without modification and to recommend it to Cabinet. 2) To endorse the Updated Open Spaces Action Plan with modification and to recommend it to Cabinet. 3) NOT to endorse the Updated Open Spaces Action Plan. 		Key Decision: No
Executive Summary: <ol style="list-style-type: none"> 1) This report introduces the 2014 edition of the Open Spaces Action Plan (OSAP). The original document was endorsed by the Local Area Committees in September 2010, before being proposed to Cabinet who endorsed the document on 14th February 2011. At the time, it was proposed as a document that would be regularly reviewed, updated and brought back to Members accordingly. The document has been subject to an extensive revision across 2012 that engaged Parish and Town Councils as well as Ward Members. This is the second edition of that vastly improved document and it has been produced by accommodating Members' amendments throughout the year and a Parish and Town Council review process at the end of 2013. 2) In the absence of the Local Area Committees, the updated OSAP is being proposed to the Local Development Framework Sub-Committee; and an introduction follows as if the document was new. 3) The Open Spaces Action Plan is a table of outline proposals for the provision and enhancement of open spaces in Braintree District. Its purpose is to demonstrate the need for these and enables Council Officers to identify where financial contributions (being sought from developers under the Open Spaces Supplementary Planning Document) will be spent. 4) The proposals shown require a detailed programme of works to be drawn up and, in some cases, master planning and public consultation, and as they may be reliant on the availability of additional financial resources from grants and public sector resources, the timing of works will be dictated by the date at which sufficient financial resources are available. Members are asked to 		

support the programme of enhancements and provision as the basis for negotiating open space contributions under Section 106 Agreements.
Decision:
To endorse the 2014 Update to the Open Spaces Action Plan and to recommend it to Cabinet for approval.
Purpose of Decision:
To consult the Sub-Committee on the 2014 edition of the Open Spaces Action Plan. The Plan forms part of the Council's evidence base for securing Section 106 contributions from developers to enhance existing open spaces, or provide new ones.

Corporate Implications	
Financial:	Neutral to positive. The Open Spaces Action Plan forms part of the evidence base used for securing Section 106 contributions from developers towards enhancing open spaces or providing new open spaces. It brings capital money into the Council at no cost.
Legal:	The Action Plan has been prepared on the advice of the Council's solicitors.
Equalities/Diversity	No equalities or diversity implications.
Customer Impact:	The decision will maximise the potential for enhancing open spaces or providing new open spaces for the benefit of the public.
Environment and Climate Change:	The decision will lead to an improvement in the District's environment and may assist retardation in the rate of climate change.
Consultation/Community Engagement:	Parish Council, Town Council and Ward Councillors, as well as key Council staff, have been engaged in the update process and have been central to it.
Risks:	The current (2013) edition of the Open Spaces Action Plan is now obsolete or inaccurate in places. This could leave the Council open to challenge when negotiating Section 106 Agreements and determining the relevant planning applications. The updated version will reduce that risk by making corrections and bringing the document up to date.
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OPEN SPACES ACTION PLAN

Introduction

1. This report introduces the Open Spaces Action Plan (available on Braintree District Council's website), which sets out a list of proposals for the provision and enhancement of open spaces in Braintree District. Its purpose is to demonstrate the need for these proposals and to justify the open space contributions being sought from developers under the Open Spaces Supplementary Planning Document. Its primary evidence base is the Open Space Audit, which took place in 2006-07. The proposals comprise schemes that have been identified for Council-owned open spaces and schemes identified by Ward, Town and Parish Council Members. Members will be asked to support the programme of enhancements and provision as the basis for negotiating Section 106 contributions. This report is to be considered by the Local Development Framework Sub-Committee prior to being proposed to Cabinet for endorsement.

Background

2. The Open Spaces Supplementary Planning Document was adopted in September 2009. It gives guidance to developers on the Council's approach to seeking Section 106 contributions towards open space provision and enhancement needs arising from new development. The document explains to developers what open space is required in terms of area of land and financial contribution for different types of space. Experience in other local planning authorities, and advice received from the Council's solicitors, is that if the Council cannot demonstrate where a contribution will be spent, it will not be supported on an appeal against a refusal of permission based on a developer's refusal to enter into a Section 106 Agreement.
3. Why is there a need for this Action Plan?
 - (a) The Action Plan provides transparency on the Council's open space aspirations.
 - (b) It underpins the Open Space Supplementary Planning Document by indicating which schemes will be supported by Section 106 funds.
 - (c) It is evidence to support development management in negotiations for new development.
 - (d) It co-ordinates various Council functions in relation to open space and asset management.
 - (e) It meets former Scrutiny Panel recommendations.
4. The Open Spaces Action Plan lists those open spaces that require enhancement and new open spaces that would meet a recognised need. The sites are classified by the sub-areas and Wards as used in the Braintree Green Spaces Strategy. The table is primarily a tool to enable Planning Officers to direct funding to open spaces serving the Section 106 development. It will be made available on-line and therefore accessible to developers and members of the public.

Explanation of Table

5. The table sets out open space proposals by Sub-Area, Ward and ownership. For each open space or enhancement proposal the table shows an outline of proposed works to facilities that already exist (for example to increase their capacity), or proposed work to provide new facilities (for example purchasing land for new public open space, or building a new play facility). The table shows open space deficits as identified by the Green Spaces Strategy as these are clear evidence of a particular type of need. Other supplementary details are also given, including the source of the entry and if there has been any initial public input (letters or petitions received by a Parish Council for example).
6. There is no ranking of open space proposals, as the likelihood of any proposal being implemented will depend on the availability of finance. The sources of funding of open space improvements include capital budgets of both public and private organisations, grants available from Government and charitable trusts, and Section 106 receipts which are seen, in many cases, to be a topping up of shortfalls in other types of funding. Because the actions proposed in the Action Plan are reliant on the availability of financial contributions, no time scales are given for the proposals. The expiry dates for spending the existing Section 106 receipts will determine the initial priorities for the provision and enhancement of open spaces. Thereafter priorities will be dictated by time constraints on future Section 106 Agreements and the availability of sufficient financial resources for the project.
7. The Action Plan will be kept under continuous review, and an annual report made to Members to propose an update (new edition) to the document. In a number of areas there are no entries, generally these relate to the most rural of Parishes and the least likely areas of significant growth. These have been identified with “No Response” and such indicates that there was nothing listed in the original plan and that the relevant Members have not responded to the recent engagement and consultation exercises.

To consider Braintree District Council's response to the Maldon District Pre Submission Local Development Plan 2014 – 2029		Agenda No: 6
Corporate Priority: Securing appropriate infrastructure and housing growth Portfolio: Planning and Property Report presented by: Emma Goodings Report prepared by: Emma Goodings		
Background Papers: Maldon District Pre Submission Local Development Plan 2014 – 2029 Maldon Plan Wider Impacts Study January 2014		Public Report
Options: To agree, amend, or not agree with the recommendation set out in this report		Key Decision: No
Executive Summary: Maldon District Council are inviting representations on the 'soundness' of their Pre Submission Local Development Plan before it is submitted for an examination in public. The Plan proposes growth of around 4000 dwellings over the plan period which will mainly be concentrated in the Maldon and Heybridge areas. The report sets out the concerns Braintree District Council (BDC) has with regard to the transport implications of the Plan, particularly on the B1019/B1137 junction in Hatfield Peverel and sets out the draft response to the Plan and a proposed Statement of Common Ground.		
Decision: To agree the BDC response to the Maldon District Pre Submission Local Development Plan as set out in the report.		
Purpose of Decision: To agree the BDC response to the Maldon Pre Submission Local Development Plan and draft Statement of Common Ground		
Corporate implications		
Financial:	If external representation is required from BDC at the Maldon Local Plan examination, this would have cost implications.	
Legal:	The Plan and responses to it must be in accordance with the Local Planning Regulations.	
Equalities/Diversity	Maldon District Council has produced an Equalities Impact Assessment on the Plan.	
Customer Impact:	The proposed Maldon Plan will have an impact on residents and businesses in the District, particularly those in the Hatfield Peverel area.	
Environment and Climate Change:	Increased vehicle traffic in and around Hatfield Peverel could have an impact on the local environment.	
Consultation/Community Engagement:	Maldon DC has widely consulted on the Plan.	
Risks:	That the Maldon Local Development Plan will have a negative impact on residents and businesses in the District.	

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1. Background

1.1 Maldon District Council has produced a Pre Submission Local Development Plan for their District to cover the period 2014 – 2029. This document has been published for a 6 week consultation period and responses are required before noon on Wednesday 12th March. It is expected that Maldon will submit the Plan to the Secretary of State in the Spring and, following an examination in public by an Independent Planning Inspector, the Plan would be formally adopted in late 2014.

1.2 The Plan proposes to deliver a minimum of 4,410 dwellings (294 per year) across the Plan period. The majority of the growth is directed towards new 'garden suburbs' at Maldon and Heybridge, with around a further 400 each being directed to Burham-on-Crouch, rural areas and to be achieved through windfall across the District.

1.3 Officers are satisfied that Maldon are meeting their full objectively assessed need for housing as required by the NPPF and that they have fulfilled the Duty to Co-operate. The main concern lies with the impact the proposed growth will have on the transport network in the Braintree District, in particular in Hatfield Peverel. Whilst it is not being recommended that BDC objects to the Maldon Local Development Plan, it is considered that serious concerns should be set out on the transport implications of the Plan and the ways in which these are proposed to be alleviated.

2. Representation on the Plan

2.1. The draft BDC response to the Maldon District Pre Submission Plan is therefore set out below:

2.2. Braintree District Council (BDC) welcomes the opportunity to further comment on the Maldon District Pre Submission Local Development Plan

2.3 BDC recognises the requirement for Maldon to meet their full objectively assessed need for housing within the Plan period and is satisfied that the numbers set out in the Plan are appropriate to deliver this need. The Plan proposes that the main locations for housing growth are at Maldon and Heybridge, two of the main towns in the District. However, if further growth is required to be considered in the future, BDC would urge strong consideration of more large scale new developments taking place in the south of the District around towns such as Burham-on-Crouch and Southminster. It is not considered that the evidence base which accompanies the Plan includes any overriding planning reasons why new housing and employment development should not be located in this area of Maldon District (subject to appropriate infrastructure being in place). These areas benefit from being located on the only railway line in the District and development should be further explored to make the most of the opportunities that this sustainable mode of transport can deliver.

2.4 Whilst this response should not be considered as an objection to the Plan, BDC has serious concerns about the implications of growth in Maldon and Heybridge on the transport network within our District, in particular at the B1019 and B1137 The Street

junction in Hatfield Peverel. These concerns have been expressed by BDC on a number of occasions including in previous consultation responses and therefore BDC welcomes the further transport assessment study which has been carried out on behalf of ECC and MDC which has looked at the wider highways implications of the growth in Maldon District. This report looks at the two areas of particular concern on the highway network. The first is the congestion on the A414 between Maldon and Chelmsford, particularly at Eves Corner in Danbury and the second is the junction of the B1019/B1137 in Hatfield Peverel.

2.5 The findings of the highways study in relation to Hatfield Peverel are clearly set out in paragraph 3.2 of the study. This states that in the 2013 base, in the AM peak the junction is currently at capacity with some queues on the B1019 arm, whilst in the PM peak there are excessive delays on The Street, western arm. In the 2026 scenario with the Maldon growth factored in, the AM peak will clearly see an increase in delays on the B1019 approach and during the PM peak there would be an increase in delays on The Street western arm, from 150 vehicles in the 2013 base, to a forecast of 432 vehicles. However, the report does go on to note that the software which has been used in this study may be exaggerating the delays on the western arm of The Street. The report nevertheless concludes that the level of demand at the junction will lead to congestion in 2026 unless additional capacity can be made available at the junction or more alternative routes become available. The report also considers the possibility of signalling the junction, but finds that this will not deliver a satisfactory solution for the junction, partly due to the narrowness of the pavement and tightly packed buildings. It concludes that work to identify and develop a scheme to mitigate the development impact remains outstanding and such a study needs to be undertaken during the LDP period.

2.6 The findings of this report therefore clearly indicate that this junction will face significant congestion in 2026 when the growth from Maldon has been factored in, and this will have serious implications for the residents and businesses who use this junction and in particular those that are located on The Street, with congestion and delays being one issue, alongside environmental impacts of noise and pollution from queuing traffic during peak periods. BDC remains seriously concerned about these impacts and the lack of a deliverable solution to this issue at this time.

2.7 BDC agrees with Maldon District Council's conclusion that it is likely that the only long term solution to the congestion at this junction is to provide a new road link from the B1019 outside Hatfield Peverel village, directly to the A12. However, this is likely to be a costly solution and would not be able to be funded from S106/CIL contributions from the developments in Maldon and Heybridge. It is however considered reasonable that a S106/CIL contribution is sought from the strategic growth locations in Maldon and Heybridge towards a feasibility study of options for the improvements at this junction. BDC believe this should be set out within the CIL Regulation 123 list which is also at present out for consultation.

2.8 In light of the serious concerns we have expressed above regarding the impacts on Hatfield Peverel, BDC would like to suggest the amended wording to paragraphs 2.67 and 2.68 as set out below;

*"2.67 Physical space surrounding the B1019/B1137 junction at Hatfield Peverel has restricted the identification of a viable immediate solution to relieve congestion by Essex Highways. A new junction connecting the B1019 to the A12 would provide the most effective solution, however **this would come at a the significant costs associated with a new junction render this option undeliverable at this time.** Further investigation of this solution is required and it is considered appropriate for*

contributions to be sought from strategic growth locations at Maldon and Heybridge to fund a study of options for a new link road and junction with the A12 at this location. Maldon District Council will seek to work with Braintree District Council, Essex County Council and the Highways Agency to complete this feasibility study and to identify funding opportunities for the completion of this scheme alongside the South East Local Enterprise Partnership, and Central Government to raise awareness and seek funding towards the future implementation of a new junction on the A12.

2.68 In the short term Maldon District Council will work with Essex County Council and Braintree District Council to seek to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options”.

2.9 The impact of the housing growth which is being proposed in Maldon on highways infrastructure in both Chelmsford and Braintree Districts, is an example of a situation which is likely to be replicated throughout Essex, as authorities are increasingly being expected to deliver ambitious figures for new housing and employment growth. It therefore highlights the importance of all authorities in the County, particularly Essex County Council and other infrastructure providers, working together to ensure that the growth being proposed by individual Districts and Boroughs can be appropriately accommodated throughout the County.

2.10 BDC confirms that it believes that the Duty to Co-operate has been successfully discharged between the two authorities throughout the production of the Maldon Pre Submission Local Development Plan.

3. Statement of Common Ground

3.1 Maldon District Council has also requested that a Statement of Common Ground should be signed between the two Councils setting out for the Inspector the areas of agreement. A draft has been produced by Officers at Maldon and is set out in Appendix 1 to this report. It is considered that, as set out in the draft response to the Plan above, the Statement of Common Ground should more strongly reflect the concerns of BDC in terms of transport implications. Proposed changes to the Statement of Common Ground are therefore set out within it.

3.2 The amendments to the Statement of Common Ground will also need to be agreed with Essex County Council and Maldon District Council who are the other signatories to the document. It is therefore proposed that delegated approval to agree the final wording for the Statement of Common Ground be delegated to Councillor Lady Newton as portfolio holder for Planning and Property.

Recommendation

1. To approve the response set out above in section 2 of this report to the Maldon District Pre Submission Local Development Plan.
2. To approve the draft wording of the Statement of Common Ground set out in Appendix 1.
3. To delegate approval for any further minor wording changes to the Statement of Common Ground to Councillor Lady Newton as portfolio holder.

Duty to Cooperate Statement of Common Ground on strategic highways issues associated with the Maldon District Local Development Plan

Statement of Common Ground between:

- 1) Braintree District Council**
- 2) Essex County Council (Highways Authority)**
- 3) Maldon District Council**

1. Background and context

1.1 In relation to the production of the Maldon District Local Development Plan (LDP), and to meet the requirements of the Duty to Cooperate, a large amount of cooperative work has been undertaken with Essex County Council (ECC), neighbouring local authorities, and other relevant bodies to identify strategic and cross boundary issues related to proposed growth in the LDP.

1.2 At a Sub-Regional Duty to Cooperate meeting in April 2013, representatives from Braintree District Council (BDC) and ECC raised **serious** concerns that that the level of growth at North Heybridge **and Maldon** proposed in the LDP may have a detrimental impact on the B1019 / B1137 junction at Hatfield Peverel. This is a key transport route going north of the District providing access to the A12 and a mainline railway station at Hatfield Peverel.

1.3 To support the production of the Draft LDP, Essex Highways has produced the following studies which assessed the impact of planned growth on the local and wider highways network.

- Impact of Potential Core Strategy Sites on Existing Junctions Report (2010)
- Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham on Crouch (May 2013)
- Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham-on-Crouch (May, 2013)
- Further assessment of the impact of proposed development sites in Heybridge and South Maldon on Highways Network (November, 2013)
- Technical Note - Impact of Proposed Development Sites in Heybridge and South Maldon on Wider Highway Network (December, 2013)
- Reallocation of 335 Dwellings from South Maldon to Heybridge (January, 2014)

1.4 In response to the specific concerns raised through the Sub-Regional Duty to Cooperate meetings, additional assessment has been undertaken by ECC regarding the impact of growth on the wider strategic network. The highways modelling report has identified that the B1019 / B1137 junction at Hatfield Peverel is already a concern during peak periods, and the planned development will exacerbate the situation. ECC has considered the signalisation at the junction, however this does not offer a viable solution primarily due to a lack of physical space. ECC will continue to investigate potential solutions in the short term.

- 1.5 A longer term solution would involve a potential new junction connecting the B1019 to the A12, and therefore removing the need for traffic going to the A12 to use the B1019 / B1137 junction. ~~This is not considered a feasible option in terms of cost and timescales in relation to LDP.~~ Strategic agreement to promote the project between MDC, BDC, and ECC will be required at a strategic level to take the proposal forward.
- 1.6 Given the limited mitigation options in the short term ~~further consideration will be given to providing incentives to increase public transport usage~~ **identification and implementation of appropriate projects which encourage the use of sustainable transport options** at the developments at Heybridge and Maldon **will be required**. ECC will work with MDC, BDC and developers to identify appropriate options.
- 1.7 MDC will work with ECC to raise the profile of the requirement for a new junction on the A12 with neighbouring authorities, the Highways Agency, the South East Local Enterprise Partnership (SELEP), and Central Government. MDC has already sought to raise the profile of growth in the LDP in this area through ECC and the SELEP in order to attract funding which could ultimately help to facilitate strategic improvements to infrastructure. A bid is being made to SELEP for £10m of funding towards strategic highway improvements in the District. In addition, the Council is seeking to ensure that the emerging Strategic Economic Plan for SELEP reflects the need for significant future investment in strategic infrastructure in and around Maldon District to support planned strategic growth identified within the emerging LDP, and to address historic infrastructure deficits which exist.
- 1.8 Due to the significant costs associated with the implementation of a new junction, strategic improvements to the A12 are beyond the scope of the LDP at this current time. **However, further investigation of a solution is required and it is considered appropriate for contributions to be sought from strategic growth locations at Maldon and Heybridge to fund a study of options for a new link road and junction with the A12 at this location. Maldon District Council will seek to work with Braintree District Council, Essex County Council and the Highways Agency to complete this feasibility study and to identify funding opportunities for the completion of this scheme alongside the South East Local Enterprise Partnership, and Central Government.** MDC will continue to work with BDC and ECC to promote future strategic highways improvements which will seek to provide an effective long term solution to congestion at the B1019 / B1137 junction. The importance of highways improvements in this area are identified within Policy S4 of the LDP and through the Maldon District Infrastructure Delivery Plan. This will enable MDC to continue to promote strategic highways improvements in this area as a corporate priority. Text included within the LDP to highlight the required improvements is as follows:

In relation to the strategic highways network, Essex Highways has identified that growth at Maldon and Heybridge will increase congestion on the A414 between Maldon and Chelmsford and at the B1019 / B1137 junction at Hatfield Peverel. Essex County Council is committed to identifying and implementing appropriate improvements on the A414 and B1019 / B1137 junction to relieve congestion. Physical space surrounding the B1019/B1137 junction at Hatfield Peverel has restricted the identification of a viable immediate solution to relieve congestion by Essex Highways. A new junction connecting the B1019 to

*the A12 would provide the most effective solution, however **this would come at a** the significant costs associated with a new junction render this option undeliverable at this time. **Further investigation of this solution is required and it is considered appropriate for contributions to be sought from strategic growth locations at Maldon and Heybridge to fund a study of options for a new link road and junction with the A12 at this location.** Maldon District Council will seek to work with Braintree District Council, Essex County Council **and** the Highways Agency **to complete this feasibility study and to identify funding opportunities for the completion of this scheme alongside** the South East Local Enterprise Partnership, and Central Government ~~to raise awareness and seek funding towards the future implementation of a new junction on the A12.~~*

In the short term, Maldon District Council will work with Essex County Council and Braintree District Council to seek to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options.

2. Matters of agreement in principle

2.1 MDC, BDC, and ECC have been working together in a constructive manner throughout the production of the LDP. Through the Duty to Cooperate, the following matters of agreement in principle have been reached:

- 2.1.1 **Essex CC and Maldon DC recognised that proposed growth in the LDP will exacerbate existing levels of congestion at the B1019 / B1137 junction at Hatfield Peverel. As the Highways Authority, Essex CC will continue to undertake further assessment and review of the impact of growth allocated in the LDP **and funding will be sought from developments in Maldon and Heybridge to contribute to this work.** Essex CC will continue to work closely with Maldon DC and Braintree DC to seek to identify appropriate highways solutions to reduce congestion on the B1019 / B1137 junction at Hatfield Peverel.**
- 2.1.2 **Braintree DC recognise that Maldon DC are seeking to meet the Districts objectively assessed needs for housing ~~by allocating growth in the LDP within the most sustainable locations, close to the existing provision of key infrastructure, services and facilities.~~ However, Braintree DC has **serious** concerns regarding the impact of growth allocated in the LDP on congestion at the B1019 / B1137 junction at Hatfield Peverel.**
- 2.1.3 **All parties support the approach proposed by MDC in paragraph ~~4.4~~ **1.6** above, and will actively work together to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options.**
- 2.1.4 **All parties support the approach proposed by MDC in paragraphs **1.7** ~~4.5~~ and ~~4.6~~ **1.8** above, and will actively work together to promote future strategic highways improvements which will seek to provide an effective long term solution to congestion at the B1019 / B1137 junction at Hatfield Peverel.**

Local Development Scheme		Agenda No: 7
Corporate Priority:	Securing appropriate infrastructure and housing growth	
Portfolio:	Planning and Property	
Report Presented by:	Alan Massow	
Report prepared by:	Alan Massow	
Background Papers:		Public Report
The Local Development Scheme 2013 National Planning Policy Framework (NPPF)		
Options:		Key Decision: No
To approve, amend, or not to approve the Local Development Scheme 2014.		
Executive Summary:		
The Local Development Scheme is a project management document, which sets out the planning documents that the Council will produce and the timetable for their production. An updated version of the scheme has been produced which is set out below for approval.		
Decision:		
To approve the Local Development Scheme 2014.		
Purpose of Decision:		
To agree the programme for preparation of Local Development documents and Supplementary Planning Documents in the District.		
Corporate Implications		
Financial:	The preparation of the Plans set out within the LDS will be a significant cost which will be met through the LDF budget.	
Legal:	To comply with Government legislation and guidance	
Equalities/Diversity	Equality Impact Assessments of plans will be required.	
Customer Impact:	Sets out plan preparation timetable and is available to view on the website.	
Environment and Climate Change:	Policies in the Plans to be produced will relate to these issues	
Consultation/Community Engagement:	Proposed consultation for planning documents is set out in the Local Development Scheme, in accordance with the adopted Statement of Community Involvement.	
Risks:	Delay in the timetable for plan production.	
Officer Contact:	Alan Massow	
Designation:	Senior Policy Planner	

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1. Background

- 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 the preparation of planning documents that will form Braintree District Council's Local Development Framework/Local Plan. It identifies the key stages in the preparation of the Council's Local Development Documents.

2. Changes to the Previous Local Development Scheme

- 2.1 The last version of the LDS, which was published in February 2013, has been updated as follows;
- Updated timetable for the Site Allocations and Development Management Plan;
 - Timetable included for the creation of a new Local Plan;
 - Evidence base items have been updated where a review is due to be undertaken;
 - A reference to the Braintree District Economic Development Prospectus (2013 to 2026) has been added;
 - General updates to the wording of the LDS; and
 - A new section on Neighbourhood Planning.

3. Local Plan

- 3.1 A timetable has been included for the production of a new Local Plan. This Plan will contain the strategic vision and objectives for the District and, once completed, will replace the Council's Core Strategy as well as incorporate the Site Allocations and Development Management Plan into one Local Plan document as required by the NPPF.

4. Neighbourhood Planning

- 4.1 The Localism Act 2011 introduced neighbourhood development plans which help communities with or without a Parish or Town Council to establish general planning policies for the development and use of land in a neighbourhood.
- 4.2 The LDS refers to the approved Neighbourhood Planning area for Cressing and that initial consideration has begun for a joint cross border Neighbourhood Plan between Bures Hamlet and Bures St Mary. Timetables for the completion of these Plans have not been included as these will largely depend upon the resources and timescales of the communities involved.

5. Recommendation

It is RECOMMENDED that the Local Development Scheme be approved.

Local Development Scheme

**January 2014 – December
2016**



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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 Local Development Framework (LDF). It identifies the key stages in the preparation of the Council's Local Development Documents.

1.2 It also sets out what resources will be required in order to try to ensure that the work will be completed in accordance with the timetable and identifies the risks that could result in delay.

1.3 This is the sixth version of the Local Development Scheme that has been prepared by Braintree District Council. The initial scheme was published in September 2005 and the last review was published in January 2013. 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 Development Framework documents.
- 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 National Planning Guidance is set out in the National Planning Policy Framework, which was published on 27th March 2012. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

2.2 The Government revoked the Regional Strategy, the East of England Plan, on 3.1.13.

County Planning Policy

2.3 Essex County Council are the authority responsible for production of the Waste and Minerals Local Plans, which form part of the Development Plan. At present the adopted plans for Essex are;

- The Essex [Minerals Local Plan 1996](#)
- The [Essex & Southend Waste Local Plan 2001](#)

2.4 However, work is progressing on replacements for both of these documents. The Public Examination of the Replacement Minerals Local Plan Pre-Submission Draft was held in November 2013 and the Inspectors report is likely to be received early in 2014. More details on the waste and minerals development documents can be found on the Essex County Council website www.essex.gov.uk following the links from planning to minerals and waste policy.

Adopted Local Planning Policy

2.5 Current adopted planning policy in Braintree is made up of the Core Strategy, adopted in September 2011 and Proposals Map and the Braintree District Local Plan Review, which was adopted in July 2005 and Proposals Map Insets set out in that document.

2.6 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 have been 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

2.7 When the Core Strategy was adopted in 2011, it superseded the following 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

2.8 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 Policies Document. However, the transitional arrangements following the publication of the NPPF in March 2012 and set out in Annex 1: Implementation of that document state;

“214 For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.

215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

2.9 This means that after 28th March 2013, 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.

2.10 However the NPPF regime also allows for weight to be given to relevant policies in emerging plans according to:

“the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

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

The degree of consistency of the relevant policies in the emerging plan to the policies in this (sic) Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given).”

2.11 This means that policies coming forward in the Site Allocations and Development Management Plan Document (The Pre-Submission version was agreed by Full Council on the 23rd September 2013) may also have some weight in decisions. The exact weight will be determined by its progress through the adoption process and the level of objection to a policy, again meaning that different policies in the document could be afforded different weight, until such time as they are adopted.

3. Local Development Framework

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 part of 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 April 2012 (And amended in November 2012) and these revert to the former terminology of a 'Local Plan'.

3.2 Braintree District Council has already adopted a Core Strategy under the Local Development Framework System. It will continue to use the terminology of Core Strategy and Site Allocations and Development Management Plan, which also helps to distinguish the new plans from the previous guidance for the District, which is set out in the Local Plan Review 2005.

3.3 Regardless of whether local authorities are producing several separate documents within a Local Development Framework, or a single Local Plan, the purpose of these documents remains the same. It 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.

3.4 The Local Development Framework Documents will consist of a number of documents, including Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), a Local Development Scheme (LDS), an Annual Monitoring Report (AMR) and a Statement of Community Involvement. Further details about each document and their progress in Braintree District are given as follows:-

3.5 The Statement of Community Involvement (SCI)

Purpose: This document sets out the standards and approach to involving the community and stakeholders in the production of the local development framework and in the Development Management process.

Status: The Council adopted its SCI in July 2006 following agreement by an independent planning inspector, with a supplement agreed in 2009. A revised draft SCI was published in January 2013, to reflect new national guidance and changes in the way that information is accessed, particularly in relation to electronic media. The revised SCI was approved by Full Council on the 23rd September 2013.

3.6 The Core Strategy Development Plan Document

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.

Status: The Council adopted its Core Strategy in September 2011, following examination of soundness by an independent planning inspector.

3.7 The Site Allocations and Development Management Plan

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.

Status: The Pre-Submission draft was agreed by Full Council on the 23rd September 2013 and its Pre-Submission consultation will take place in 2014 followed by a hearing.

3.8 Proposals Map

Purpose: To explain geographically the adopted policies and proposals within the Development Plan Documents.

Status: A new Proposals Map was approved with the Core Strategy in September 2011, but did not replace the Inset Maps contained within the Local Plan Review 2005. A final Proposals Map will be published alongside the Site Allocation and Development Management Plan, which will supersede all previous/current Proposals Maps.

3.9 The Annual Monitoring Report

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.

Status: Published yearly in December and covers the period of April – March.

3.10 Local Development Scheme (LDS)

Purpose: A project management document to inform stakeholders of the timetable for production of documents.

Status: This draft LDS will replace the 2013 LDS when approved by the Council.

3.11 Supplementary Planning Documents (SPDs)

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

3.12 Community Infrastructure Levy (CIL) Charging Schedule

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.

Status: The Council will decide whether to produce a CIL charging schedule in 2014 following a cost benefit analysis. If the Council agrees to produce a charging schedule, it will start working on preparation of this during 2014.

3.13 Site Allocations and Development Management 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 non-strategic development management policies.
Status	Development Plan Document
Chain of Conformity	Must be consistent with the National Planning Policy Framework and the Core Strategy
Geographic Coverage	Whole of Braintree District
Timetables and Milestones	
Member Approval of Consultation Document	December 2012
Public Participation (Reg 18)	January/February 2013
Consideration of Representations and amendment of document	March/July 2013
Council Approval of Pre Submission Document	23 rd September 2013
Pre Submission Consultation (Regs 19 and 20)	17 th February to 28 th March 2014
Member Consideration of Representations to the Pre Submission Consultation Document	23 rd April 2014
Submission to Secretary of State (Reg 22)	July 2014
Hearing	September/October 2014
Receipt of Inspectors Report	December 2014
Date of Adoption	January 2015
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 existing 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.

3.14 Local Plan – Timetable for Production

Role and Content	Sets out strategic and 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	
Update of strategic level evidence base	January 2014 - May 2015
Member Approval of Consultation Document	June 2015
Public Participation (Reg 18)	Sept/Oct 2015
Consideration of Representations and amendment of document	Nov/Dec 2015
Council Approval of Pre Submission Document	Jan 2016
Pre Submission Consultation (Regs 19 and 20)	Feb/March 2016
Member Consideration of Representations to the Pre Submission Consultation Document	April/May 2016
Submission to Secretary of State (Reg 22)	July 2016
Hearing	September/October 2016
Receipt of Inspectors Report	Dec 2016
Date of Adoption	January 2017
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 existing 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.

4. Supplementary Documents

4.1 Supplementary Planning Documents (SPD's) 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 SPD's 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. SPD's 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
<u>Affordable Housing</u> . The document sets out the process and mechanisms for the delivery of affordable housing in Braintree District.	Braintree District Council	SPD	May 2006
<u>External Artificial Lighting</u> . It provides advice and guidance on what factors the Council will take into account when determining planning applications.	Braintree District Council	SPD	September 2009
<u>Open Space</u> . The document sets out the processes and mechanisms for the delivery of open space in Braintree District	Braintree District Council	SPD	November 2009 Came into effect April 1 st 2010) Action Plan approved 2011 Action Plan updated March 2013.

<u>NW Braintree Masterplan.</u> The masterplan to guide development for the strategic growth location off Panfield Lane in NW Braintree	Mersea Homes and Hills Residential & Braintree District Council	SPD	December 2012
<u>Masterplan Land west of the A131, Great Notley</u> To guide commercial development on the strategic employment site	Braintree District Council and Countryside Properties	Guidance	December 2012 subject to requirements
<u>Sustainable Design and Construction Checklist.</u> A checklist to help owners address sustainability implications of their planning applications	Braintree District Council	Guidance	2007
<u>Premdor/Rockways site Masterplan.</u> The masterplan to guide development on the regeneration site at Sible Hedingham	Braintree District Council and Bloor Homes	Guidance	December 2012
<u>Urban Place Supplement.</u> 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)	Essex County Council in partnership with Essex Planning Officers Association, East of England Development Agency, Environment Agency and Inspire East	Guidance	June 2007
<u>Parking Standards – Design and Good Practice Guidance</u> Provides car and cycle parking standards together with design guidance on accommodating parking within various types of residential and commercial development.	Essex County Council working in partnership with Essex Planning Officers Association.	Guidance	November 2009 (To be reviewed 2014.)
<u>Essex Design Guide 2005</u> 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	Essex County Council working in partnership with Essex Planning Officers Association	Guidance	November 2010

road layouts.			
<u>Land East of the High Street, Halstead</u> Guide to development and regeneration on a site in Halstead	Built Environment Branch of Essex County Council commissioned by Braintree District Council	Development Brief	January 2005
<u>Silver End Shops Site</u> Guide to development and regeneration on a site in Silver End village.	Stephen Claydon and Michael Munt approved by Braintree District Council	Development Brief	June 2005

4.5 The Council intends to review and update the 3 topic based SPD's (Affordable Housing, Open Space and External Lighting) following the new national planning guidance contained in the NPPF and the adoption of the Core Strategy and Site Allocations and Development Management Plan Document. The level of review will vary from document to document. It is intended that these reviews will take place in 2014/15.

4.6 The Council will also require the production of the following new SPD's and guidance;

Title and Subject	To Be Produced By	Proposed Status	Predicted Date of Approval
<u>Lodge Farm Masterplan</u> Guidance on development at the strategic growth location at SW Witham.	Braintree District Council and Redrow Homes Eastern	SPD	2014
<u>Crittals/ Finishing Company Masterplan</u> Guidance on the regeneration of the former Crittals / Finishing Company site in Silver End	Braintree District Council and Developer	SPD	2014
<u>Forest Road Masterplan.</u> Guidance on development at the strategic growth location to the NE of Witham off Forest Road in Rivenhall Parish.	Braintree District Council and Developer	SPD	2015

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 completed these plans will form part of the statutory development 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 one Neighbourhood Area with Cressing Parish Council. 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 a neighbourhood forum.

Area	Stage	Note
Bures Hamlet (Joint with Bures St Mary)	Initial Consideration	Cross boundary with Babergh District Council and Sussex County Council.
Cressing Parish	Neighbourhood Area agreed	Area agreed 6 th November 2013.

5.4 Several other areas are currently considering producing a neighbourhood plan.

6. Evidence Base

6.1 The Local Development 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.

Study Title	Purpose and Scope	Timescale and Review
Urban Capacity Study	This document assesses the potential for providing new housing within the existing settlement boundaries of 11 of the Districts settlements, including the 3 main towns.	Completed October 2007.
Strategic Housing Land Availability Assessment (SHLAA)	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	Completed November 2010 To be reviewed in 2014.

	to be developed.	
Strategic Housing Market Assessment (SHMA) and Housing Needs Study	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 February 2008. Review expected to be completed in Spring 2014.
Affordable Housing Viability Study	Is to assess whether the proposed affordable housing policy in the Core Strategy is viable and achievable in terms of dwelling threshold and percentage of affordable housing that is required.	Completed November 2009.
Essex Wide Gypsy and Traveller Accommodation Needs Assessment	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 in Nov 2009. Review expected to be completed in Spring 2014.
Mid Essex Economic Futures	Appraisal of the local economy and an assessment for the future outlook prepared jointly for Braintree, Chelmsford, Maldon and Brentwood.	Completed in March 2006
Braintree District Futures 2025	To present 3 visions for the future of the District to 2025, which will help to achieve a better balance between employment and population growth in the future	Completed in 2006
Employment Land Review	It comprises a survey of existing and potential land and premises for office, industrial and warehouse uses and analyses supply, demand and land requirements from 2006 to 2026.	Completed in November 2007 Site specific update of viability completed in November 2012. Updated ELR to be produced 2014.
Rural Services Survey	The survey updates previous work done in 2005 to assess the provision of services within rural parishes.	Completed in 2011. To be updated 2014.
North Essex Authority Retail Study	Produced for Braintree, Colchester, Maldon and Tendring Councils it assesses	Completed in 2006 An update of

	the health of town centres and scope for further development	the Braintree part of the study was completed in April 2010.
Braintree Town Centre Preliminary Analysis Report	The purpose of this report is to undertake an objective preliminary assessment of the scope of Braintree town centre to accommodate new development over the Local Development Framework plan period for town centre uses, in particular comparison retail floor space.	Completed in April 2009
Braintree District Retail Study Update 2012	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 Site Allocations and Development Management Plan Document.	Completed in November 2012
Assessment of Impact of Potential LDF Sites on Existing Junctions – Braintree and Witham LDF Allocations	Braintree District Council together with Essex County Council and the Highways Authority commissioned this study to look at the impact of increased vehicle trips on junctions in the vicinity of the proposed growth locations.	Completed in July 2008.
Assessment of Impact of Potential LDF sites on existing junctions	A follow up study to the above which included the cumulative affect of the growth locations and other growth in Braintree and Witham as well as looking at ways of mitigating the impacts of the development.	Completed April 2010
Mid Essex Strategic Flood Risk Assessment	The document identifies in more detail areas of existing or proposed development which are at risk from flooding.	Completed in October 2007
Water Cycle Study	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.	Stage 1 completed in November 2008. Stage 2 completed in January 2011.
Landscape Character Assessment	Prepared jointly with Brentwood, Chelmsford, Maldon, Uttlesford	Completed in September

	and Braintree Councils. The report identifies landscape character types and their ability to accommodate development	2006
Landscape Character Settlement Fringe Studies	Builds on the work of the Landscape Character Assessment to provide further detail of the landscape surrounding 8 settlements of the District, including the 3 main towns.	Completed in November 2007
Habitat Regulations Assessment and Suitable Accessible Natural Greenspace Report	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.	Completed in 2009 and 2010. HRA screening report expected to be completed in Spring 2014
Braintree Green Spaces Strategy	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
Strategic Environmental Assessment and Sustainability Appraisal	Makes an environmental and sustainability appraisal of each document to report on likely impacts of the proposed policies and plans.	Ongoing process. To be undertaken as part of the production of Development Plan Documents

6.3 In addition an Equality Impact Assessment is to be undertaken as part of the production of each Development Plan Document to ensure that all policies and documents are free from discrimination and promote equality of opportunity.

6.4 The Local Development Framework must also have regard to a number of other strategies and policies produced both by the Council and by partners. These include;

- The Braintree District Community Strategy: A Strategy for People and Places in the Braintree District to 2026
- Braintree District Climate Change Strategy and Action Plan
- Braintree District Economic Development Prospectus 2013-2026, (September 2013)
- Essex Biodiversity Action Plan
- Essex Local Transport Plan 2011
- Essex Minerals Local Plan 1996 (to be replaced by the Essex Replacement Minerals Local Plan)
- Essex and Southend on Sea Waste Local Plan 2001 (to be replaced by Essex Waste Local Plan)

7. Monitoring and Review

Monitoring

7.1 The local development scheme and the development plan documents that it includes will be monitored on an annual basis, in the Annual 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.
- Provide a progress report on preparation of evidence base and other background documents.
- Any required update to the Local Development Scheme as appropriate.

7.3 The Council has a service level agreement with Essex County Council to provide key monitoring data on housing and employment progress for 2014/2015.

7.4 The Local Development Framework programme will be managed through the Sustainable Development Service reporting to the relevant Cabinet Member and the Local Development Framework 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

7.5 Following the initial adoption of each Local Development Document 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 or regional strategy, as an outcome of the monitoring in the Annual Monitoring Report, or pressures for development or regeneration.

7.6 As set out in this LDS, the Council intends to commence the production of a strategic Local Plan when the Site Allocations and Development Management Plan has been adopted.

8. Resources and Risk

Resources

8.1 The Local Development Framework 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 and planning policy officers and technical staff.

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	Low	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 or regional guidance in relation to Braintree	Medium	Could delay the preparation of development plan documents or require an early review of those documents already produced. Review the timetable 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.
Problems/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. Lack of agreement with other Local

		Authorities regarding the duty to co-operate.
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 Annual 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 Annual Monitoring Report and review of the LDS if necessary.
Government New Homes Bonus, neighbourhood planning funds insufficient or no longer available.	Medium/High	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.
Development Plan Document is found unsound	Low	<p>Would delay the adoption of development plan documents as they would need further work and then resubmission.</p> <p>Undertake self soundness test and maintain a close working relationship with key stakeholders.</p>

