

Minutes

Local Plan Sub-Committee

13th April 2016

Present:

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

Councillors Abbott, Bowers, Hensman, Hufton-Rees, Johnson (until 6.45pm), McKee (from 6.55pm), Ramage, Rose, Schwier and Tattersley were also in attendance.

51 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

All Councillors declared a non-pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Site WITN425 - 4 and 6 Chipping Hill, Ramsden Mill and adjoining Chipping Hill Industrial Estate, Witham as the owner of this site was known to them as an elected Member of Braintree District Council.

All Councillors declared a non-pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Site GRMA256 - adjacent to Long Fen, Church Street, Great Maplestead; and Site LITM342 - Land at Cock Road, Little Maplestead as the owner of these sites was known to them as an elected Member of Braintree District Council.

Councillor J Abbott declared a non-pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps as the elected Member for Witham Northern Division of Essex County Council. Councillor Abbott declared a non-pecuniary interest also in Agenda Item 6 – Essex County Council and Southend-on-Sea Replacement Waste Local Plan Pre-Submission Consultation 2016 as he had been involved with the Waste Plan.

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Sites TOPP412 and TOPP413 - Church Farm Barn, Church Lane, Toppesfield as Mr Mark Jackson, the

Agent, who was speaking at the meeting was a former employee of Braintree District Council and was known to her.

For clarity, Councillor Mrs Bowers-Flint stated also that Councillor Kevin Bowers, District Councillor for Silver End and Cressing Ward, who was speaking at the meeting, was her husband.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 6 – Essex County Council and Southend-on-Sea Replacement Waste Local Plan Pre-Submission Consultation 2016 as the elected Member for Braintree Town Division of Essex County Council.

Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps – Site RIVE364 - Kelvedon Park, Headquarters of Essex County Fire and Rescue Service as the elected Member for Braintree Eastern Division of Essex County Council and a Member of Essex Fire Authority. Councillor Lady Newton declared a non-pecuniary interest also in Agenda Item 6 – Essex County Council and Southend-on-Sea Replacement Waste Local Plan Pre-Submission Consultation 2016 as the elected Member for Braintree Eastern Division of Essex County Council and a Member of Essex County Council's Planning Committee.

Councillor J O'Reilly-Cicconi declared a non-pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Sites TOPP412 and TOPP413 - Church Farm Barn, Church Lane, Toppesfield as Mr Mark Jackson, the Agent, who was speaking at the meeting was a former employee of Braintree District Council and was known to him.

Councillor P Schwier declared a disclosable pecuniary interest in Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Site GRMA256 - adjacent to Long Fen, Church Street, Great Maplestead; and Site LITM342 - Land at Cock Road, Little Maplestead as he was the owner of these sites. Councillor Schwier left the meeting during the consideration of these sites.

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

52 **MINUTES**

INFORMATION: The Minutes of the meetings of the Local Plan Sub-Committee held on 14th March 2016 and 16th March 2016 were confirmed as a correct record and signed by the Chairman.

53 **QUESTION TIME**

INFORMATION: There were thirteen statements made. Details of the people who spoke at the meeting are contained in the Appendix to these Minutes.

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

INFORMATION: Consideration was given to a report on proposed site allocation Inset Maps for specific settlements to be included in the draft Braintree District Local Plan. The Inset Maps were attached as Appendices to the report and set out key data for each settlement, including development boundaries, Conservation Areas, areas allocated for development and areas protected for specific uses such as open space, allotments and employment. As part of the preparation of the draft Local Plan the development boundaries and allocations for each town and village in the District had been reviewed and an assessment had been made of potential development sites submitted as part of the 'Call for Sites' process. Consultation had taken place with Town and Parish Councils regarding the draft Inset Maps and potential development sites. The preferred Inset Map for each defined settlement, together with a map showing alternative development site options considered but not taken forward, would be contained within the draft Local Plan for public consultation in the Summer.

Members were reminded that on 14th March 2016 the Local Plan Sub-Committee had agreed that the Local Plan should deliver 845 new homes per annum between 2016 and 2033 to meet the objectively assessed need for new homes. The Sub-Committee also agreed a spatial hierarchy and strategy which proposed that the most suitable locations in the District for growth were Braintree, Halstead, Witham, the A12 corridor and planned new garden communities.

Members were advised that Essex County Council was currently undertaking a study to assess opportunities for improving the A120 between Braintree and Marks Tey. In addition, Highways England was currently developing a scheme to widen the A12 to three lanes. Information on the location, route and land needed to support these schemes was not yet known and could have implications for a number of sites being proposed for development in the Plan. The recommendations set out in the Agenda report were therefore subject to change.

In discussing the proposed development sites put forward for Gestingthorpe, it was noted that there was a typographical error in paragraph 10.22 of the Agenda report. This should state that site GEST238 – land at Pound Farm Corner, Gestingthorpe 'is not allocated'.

In considering the proposed development sites for Great Maplestead, in particular site GRMA259 – land at Treeways, Church Street, Great Maplestead, reference was made to a letter which had been received from Great Maplestead Parish Council expressing concern that it had not been consulted by the District Council about a proposed change to the line of the development boundary at this site. The Parish Council did not support the change. The content of the letter was read to the Sub-Committee. Members were advised that planning permission had been granted for the erection of three dwellings at the site and it was proposed that the development boundary should follow the line of the gardens of the new properties. The proposal was in accordance with development boundary methodology.

DECISION:

Witham, Rivenhall, Rivenhall End, Hatfield Peverel and Nounsley

- (1) That the Inset Map for Witham as shown in Appendix 2 be approved including the allocation of land for development at:-
 - (a) WITC421 - 'Gimsons', land to the rear of Newland Street, Witham (for residential development)
 - (b) WITN425 – 4 and 6 Chipping Hill, Ramsden Mill and adjoining Chipping Hill Industrial Estate, Witham (for residential development)
 - (c) WITN426 and WITN427 - Land at Conrad Road, Witham (for residential development)
 - (d) HATF315 and 316 - Land at Woodend Farm, Witham (within Hatfield Peverel Parish) (for residential development/Strategic Growth Location policy)
 - (e) RIVE362 and RIVE363 – Land adjacent to Eastways Industrial Estate, Burghey Brook and adjoining the A12, Witham (within Rivenhall Parish) (for employment development)
 - (f) That the allocations for residential development be retained at:-
WITC423 - Land at Lodge Farm, Hatfield Road, Witham (partly within Hatfield Peverel Parish);
RIVE360 - Land at Forest Road, Witham (within Rivenhall Parish);
WITW431 - Land between Blunts Hall Road and Teign Drive, Witham;
Land at the former Forest Road Community Centre, Forest Road, Witham;
Former Magistrates' Court, Newland Street, Witham;
NHS site and adjacent bowling green known as Ivy Chimneys, Hatfield Road, Witham;
Land off Constance Close, Witham; and
Land at Maltings Lane, Witham
 - (g) That the allocation for employment development at WITC424 (incorrectly referred to on Agenda as WCH25E) – 8 Collingwood Road, Witham be retained.
 - (h) That the comprehensive redevelopment area allocations for WITN429 - Rickstones Neighbourhood Centre, Laburnum Way and Dorothy Sayers Drive, Witham and Newlands Precinct, Witham be retained with appropriate policies.

Note: Sites at 'Buildings adjacent to Kings Chase, Newland Street, Witham' and 'WITN428 - Land at Cressing Road, North of Elm Hall Cottages, North-West of Conrad Road Witham' were also considered by the Local Plan Sub-Committee, but not allocated for development.

- (2) That the Inset Maps for Rivenhall and Rivenhall End as set out in Appendix 3 be approved and that the following sites are not allocated for development:-

RIVE361 - Old Rectory Meadows, Forest Road, Rivenhall
 RIVE365 - Land between Burghey Brook and Rivenhall End
 RIVE366A - Land off Forest Road, alongside Rectory Lane, Rivenhall
 RIVE366B - Land off Rickstones Road, Rivenhall
 RIVE367 – Land off Church Road and Oak Road between Hoo Hall and the playing field, Rivenhall
 RIVE368 – Land off Oak Road between the railway line and Hoo Hall, Rivenhall
 RIVE369 – Land from Henry Dixon Road up to Durwards Hall between the railway line and North side of A12, Rivenhall End
 RIVE370 – Land off Henry Dixon Road, South of the A12, Rivenhall End
 RIVE521 - Land off Parkgate Road, Rivenhall

- (3) That the Inset Map for Kelvedon Park, RIVE364 Kelvedon Park – Headquarters of Essex County Fire and Rescue, as set out in Appendix 4 be approved and the site allocated for specialist employment, subject to the associated policy being amended to read:-

‘Essex Fire and Rescue Service Headquarters - Kelvedon Park

Land at Kelvedon Park is allocated as a Special Employment Area specifically to meet the requirements of the emergency services for;

999 facilities;

Centralised training facilities;

Integrated administration facilities; and

Vehicle maintenance facilities

Additional development on site must provide sufficient parking.

Appropriate boundary screening is required to the rear of the site

Additional development must retain the parkland setting to the front of the site’.

- (4) That the Inset Map for Hatfield Peverel as set out in Appendix 5 be approved, subject to:-
- the allocation of site HATF313 – Land at Sorrells Field, Bury Lane, Hatfield Peverel for residential development being retained (‘HGV suitable’ link road across the site not required/Arla Dairy employment allocation to be removed and the site to remain in the development boundary without allocation);
 - Sites HATF311 and HATF312 - The Vineyards, A12 slip road, Hatfield Peverel being deferred for consideration at the Local Plan Sub-Committee meeting scheduled for 25th May 2016 pending publication of the Neighbourhood Development Plan;
 - Site HATF314 - Land to the South of Stonepath Drive, Hatfield Peverel being deferred for consideration at the Local Plan Sub-Committee meeting scheduled for 25th May 2016 pending publication of the Neighbourhood Development Plan;

- that the following sites are not allocated for development:-

HATF310 - Land adjacent to Walnut Tree Cottage, The Street, Hatfield Peverel

HATF317 - Land off Gleneagles Way, Hatfield Peverel

HATF319 - Land adjacent to Ambleside, London Road, Hatfield Peverel

HATF321 - Land South of the A12 between Hatfield Peverel and Witham

- (5) That the Inset Map for Nounsley as set out in Appendix 6 be approved and that no sites are allocated for development.

Note: Sites at HATF318 - Land off Sportsman Lane, Nounsley, Hatfield Peverel; HATF320 - Land adjacent to Badgers Oak, Nounsley Road, Nounsley, Hatfield Peverel; HATF322 - Land West of Nounsley Road, Nounsley, Hatfield Peverel; and HATF514 and 515 - Land to the rear of Manor Road/Peverel Avenue, Nounsley, Hatfield Peverel were considered by the Local Plan Sub-Committee, but not allocated for development.

Belchamp Walter

- (6) That the Inset Map for Belchamp Walter as set out in Appendix 7 be approved and no sites are allocated for development.

Bures Hamlet

- (7) That the Inset Map for Bures Hamlet as set out in Appendix 8 be approved, subject to sites BURE165 - Land at Colchester Road, Bures Hamlet and BURE166 – Land South of Cambridge Way, Bures Hamlet being allocated for development. No other sites were allocated for development.

Gestingthorpe

- (8) That the Inset Map for Gestingthorpe as set out in Appendix 9 be approved, subject to three minor amendments to the development boundary to reflect development within the village, and that no sites are allocated for development.

Helions Bumpstead

- (9) That the Inset Map for Helions Bumpstead as set out in Appendix 10 be approved including the proposed development boundary for Pale Green, subject to the employment designation for site HELI324 - Land between Slate Hall and Chestnut Lodge, Haverhill Road, Pale Green being removed and the site retained within the development boundary without designation; that the allotment designation for site HELI326 – Land North of Chestnut Lodge, Pale Green being removed and the site classified as ‘open countryside’ outside the development boundary; and that no sites are allocated for development.

Great Maplestead

- (10) That the Inset Map for Great Maplestead as set out in Appendix 11 be approved, subject to Great Maplestead Parish Council being consulted on the

proposed amendment to the development boundary at site GRMA259 – Land at Treeways, Church Street, Great Maplestead and that the site be re-considered at the Local Plan Sub-Committee meeting scheduled for 9th May 2016. No sites were allocated for development.

Little Maplestead

- (11) That the Inset Map for Little Maplestead as set out in Appendix 12 be approved and that no sites are allocated for development.

Little Yeldham

- (12) That the Inset Map for Little Yeldham as set out in Appendix 13 be approved and that no sites are allocated for development.

North End

- (13) That the development boundary for North End as set out in Appendix 14 be removed and the village located within the countryside. No sites were allocated for development.

Pebmarsh

- (14) That the Inset Map for Pebmarsh as set out in Appendix 15 be approved, subject to an amendment to the development boundary at site PEBM348 – Land to the rear of properties on the South side of Cross End, Pebmarsh being approved in principle pending consultation with Pebmarsh Parish Council on the acceptability and extent of the amendment. No sites were allocated for development.

Sturmer Village

- (15) The Inset Map for Sturmer village as set out in Appendix 16 be approved, and that no sites are allocated for development.

Sturmer West

- (16) That the Inset Map for Sturmer West as set out in Appendix 17 be approved, subject to the employment allocation for site STUR407 - Land North of Phoenix Road, Sturmer being retained.

Toppesfield and Gainsford End

- (17) That the Inset Map for Toppesfield as set out in Appendix 18 and the Inset Map for Gainsford End be approved, subject to the proposed amendment to the development boundary at sites TOPP412 – Land at Church Farm Barn, Church Lane, Toppesfield and TOPP413 – Land including store at Church Farm Barn, Church Lane, Toppesfield being approved in principle pending consultation with Toppesfield Parish Council on the acceptability of the amendment and that the sites be re-considered at the Local Plan Sub-Committee meeting scheduled for 9th May 2016. No sites were allocated for development.

INFORMATION: It was reported that Essex County Council and Southend-on-Sea Borough Council had agreed to plan jointly on waste matters through the preparation of a new joint Waste Local Plan. Once adopted, the Plan would supersede the current 2001 Waste Local Plan.

The Replacement Waste Local Plan would establish a strategy for waste development for the period to 2032. Once adopted, the Plan would safeguard existing waste capacity, allocate sites suitable for waste facilities, and include policies for the management of future waste development. Two sites in the Braintree District (Cordons Farm near Galleys Corner, Braintree and Rivenhall Airfield) had been identified for allocation. It was proposed that Cordons Farm should be allocated for municipal waste management which reflected its current permission. Rivenhall Airfield had been identified as an opportunity site to provide additional waste management. Seven other sites in the District had been identified as having potential for future waste management facilities and they had been referred to as 'areas of search'. A number of other small scale, existing facilities had also been highlighted.

Members were reminded that the Council had responded to the first phase of consultation on the Plan by outlining a number of comments. The main objection had been to the intensification of uses at site IWMF2 – Rivenhall for additional waste management capacity on the grounds of intensified industrial activity in the countryside, environmental impacts on the countryside and local residents including light pollution and noise, and impact on local lanes and the A120. Other more minor comments and corrections had been suggested which had been incorporated into the new draft of the Plan.

The latest draft of the Plan was the Replacement Waste Local Plan Submission Draft (2016) and it was currently subject to consultation until 14th April 2016. The purpose of the consultation was to consider the soundness of the Plan ahead of its submission for independent examination by a Planning Inspector later in 2016. The soundness of the Plan would be considered against four criteria, namely whether it had been 'positively prepared'; it was 'justified'; it was 'effective'; and it was 'consistent with national policy'.

Concern was expressed that the pre-submission Plan retained the allocation of site IWMF2 – Rivenhall as suitable for biological waste treatment, and the management of other waste. This did not provide the Council, or local residents with any certainty about either future uses of the site, beyond what had been granted planning permission, or the implications of such uses for local residents, the local environment and the surrounding highway network. It was proposed therefore that the Council should submit a response to the consultation indicating that it considers the pre-submission Plan to be unsound. However, the Sub-Committee agreed that the proposal to allocate areas of search for suitable waste handling and waste treatment facilities to existing industrial estates should be supported.

DECISION:

That the following comment be submitted by the Council in response to consultation on the Replacement Waste Local Plan Pre-Submission Draft (2016), subject to it being amended to include support for the proposal to allocate areas of search for suitable waste handling and waste treatment facilities to existing industrial estates.

‘We note and welcome the changes which Essex County Council has made in response to objections raised by Braintree District Council during the previous round of consultation. However, it is considered that the Pre-Submission Replacement Waste Local Plan (2016) is unsound on the basis that it is not consistent with National Policy. The Plan identifies IWMF2 – Rivenhall site as suitable for allocation for management of biological waste treatment, and other wastes. The Local Authority is of the opinion that this site is not sustainable as it does not contribute toward the environmental goal of sustainable development as set out in paragraph 7 of the National Planning Policy Framework. It does not contribute to the protection, or enhancement of the natural environment, or the prudent use of natural resources, or the minimisation of waste.

Whilst we are aware that the site now has planning permission, additional waste capacity would be detrimental to the countryside. This is because it would be an intensification of industrial activity in the countryside, would have environmental impacts on the countryside and local residents, which could include light pollution and noise, and would impact on local lanes and the A120.

The site’s allocation for ‘management of other wastes’ does not provide local residents or the Council with any certainty over what future uses the site and its surroundings would be expected to accommodate. It therefore provides an unacceptable level of uncertainty over the future implications for the local residents, the local environment and the surrounding highway network’.

The meeting commenced at 6.00pm and closed at 9.30pm.

Councillor Mrs L Bowers-Flint
(Chairman)

APPENDIX

LOCAL PLAN SUB-COMMITTEE

13TH APRIL 2016

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statements Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps – Site HATF317 – Land off Gleneagles Way, Hatfield Peverel
 - (i) Statement by Mr Martin Doherty, Richard Jackson Engineering Consultant, 26 High Street, Hadleigh, Suffolk (Supporter)
 - (ii) Statement by Mr Jonathan Dixon, Savills, 132-134 Hills Road, Cambridge (Agent) (Supporter)
- 2 Statement Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Site HATF314 – Land to the South of Stonepath Drive, Hatfield Peverel

Statement by Mrs Susan Warrant (for residents of Stonepath Drive), c/o Mr Mark East, 18 Stonepath Drive, Hatfield Peverel (Objector)
- 3 Statement Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Site WITW431 - Land between Blunts Hall Road and Teign Drive, Witham

Statement by Councillor Bill Rose (for Witham Town Council), c/o Mr Mark Squire, Town Clerk, Witham Town Council Offices, 61 Newland Street, Witham (Objector)
- 4 Statement Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Sites RIVE362 and RIVE363 - Land adjacent to Eastways Industrial Estate, Burghey Brook and adjoining the A12, Witham (within Rivenhall Parish) and RIVE365 - Land between Burghey Brook and Rivenhall End

Statement by Councillor Bob Wright (for Rivenhall Parish Council), 303 Rickstones Road, Rivenhall (Objector)
- 5 Statements Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps – Sites at Rivenhall
 - (i) Statement by Councillor James Abbott, District Councillor for Silver End and Cressing Ward, 1 Waterfall Cottages, Park Road, Rivenhall (General comments)

- (ii) Statement by Councillor Kevin Bowers, District Councillor for Silver End and Cressing Ward, 9 Longacre Road, Cressing (General comments)
- 6 Statements Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps – Sites at Hatfield Peverel
- (i) Statement by Councillor Mrs Diane Wallace (speaking on behalf of residents and Hatfield Peverel Parish Council) c/o Ms L Miller, Hatfield Peverel Parish Council Clerk, Chestnut House, Church Road, West Hanningfield, Chelmsford (Objector)
- (ii) Statement by Councillor Les Priestley (speaking on behalf of residents and Hatfield Peverel Parish Council) c/o Ms L Miller, Hatfield Peverel Parish Council Clerk, Chestnut House, Church Road, West Hanningfield, Chelmsford (Objector)
- 7 Statement Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Sites HATF314 – Land to the South of Stonepath Drive, Hatfield Peverel and HATF315 and 316 - Land at Woodend Farm, Witham (within Hatfield Peverel Parish)
- Statement by Councillor Daryn Hufton-Rees, District Councillor for Hatfield Peverel Ward, 1 Taylors Farm, Terling (General comments)
- 8 Statement Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Site PEBM348 - Land to the rear of properties on the South side of Cross End, Pebmarsh
- Statement by Mr Andy Stimpson, Linstock, Cross End, Pebmarsh (Supporter)
- 9 Statement Relating to Agenda Item 5 – Braintree District Draft Local Plan - Draft Site Allocation Maps - Sites TOPP412 and TOPP413 – Land at Church Farm Barn, Church Lane, Toppesfield
- Statement by Mr Mark Jackson, Mark Jackson Planning, Gateway House, 19 Great Notley Avenue, Great Notley Garden Village (Agent for landowner/Supporter)
- 10 Statement Relating to Agenda Item 6 – Essex County Council and Southend-on-Sea Replacement Waste Local Plan Pre-Submission Consultation 2016
- Statement by Councillor James Abbott, District Councillor for Silver End and Cressing Ward, 1 Waterfall Cottages, Park Road, Rivenhall (General comments)