

LOCAL DEVELOPMENT FRAMEWORK PANEL AGENDA



THIS MEETING IS OPEN TO THE PUBLIC

Date: Thursday 5th February 2009

Time – 6.00pm

Venue: Causeway House, Committee Room 1

Membership:

Councillor Miss L Barlow	Councillor H J Messenger
Councillor G Butland	Councillor Lady Newton
Councillor N R H O Harley	Councillor Mrs W D Scattergood
Councillor M C M Lager	Councillor Miss M Thorogood
Councillor N G McCrea	Councillor R G Walters

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

PUBLIC SESSION

1. Apologies for Absence

Councillor Harley

2. Declarations of Interests

To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 (inclusive) of the Code of Conduct for Members in Part 5 of the Constitution and having taken appropriate advice (where necessary) before the meeting.

Any Member with a 'personal and prejudicial' interest to indicate whether he/she intends to make representations in accordance with paragraph 12 (2) of the Code of Conduct as part of Question Time.

3. Minutes. To approve as a correct record the minutes of the meeting held for the Local Development Framework Panel on 23rd October 2008 (minutes previously issued).

4. **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 about Council business or other matters of local concern. During this period Councillors who have declared a personal and prejudicial interest in any item of business on the agenda may also speak as permitted by the Council's Code of Conduct for Members. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a Personal and prejudicial interest must withdraw whilst the item of business in question is being considered. Members of the public wishing to speak should contact the Council's Member Resources Section on 01376 552525 or e-mail melanie.ward@braintree.gov.uk prior to the meeting. The Council's "Question Time" leaflet explains the procedure and copies of this may be obtained at the Council's offices at Braintree, Witham and Halstead.

At the time of compiling the agenda there were no questions.

5. **Overview of Representations on the Draft Core Strategy.** To receive a report setting out an overview of the representations received during public consultation. (Page 1)
6. **Decision Making Process for Changes to the Core Strategy by Members of the Panel and Local Committees.** To approve the decision making process, by which representations will be considered and decisions made on changes to the Core Strategy, in response to those representations. (Page 3)
7. **East of England Regional Spatial Strategy Review of Gypsy and Traveller Accommodation.** To receive a Panel Report and note the outcome for Braintree District. (Page 5)
8. **Urgent Business.** 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. **Any Other Business.** To consider any other matters arising.

To agree the exclusion of the public and press for the consideration of the following items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

10. **PRIVATE SESSION**

Urgent Business. 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.

At the time of compiling the agenda there were no items for inclusion.

If you require any further information relating to this agenda or wish to forward your apologies for absence, please contact Melanie Ward on (01376) 551414 Extn: 2616.

**An Overview of Representations Received during Public Consultation
on the Draft Core Strategy.**

Agenda Item 5

Contact Details: Eleanor Dash
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Background Papers: Representations on One District-One Vision A Draft Strategy for People and Places in the Braintree District to 2025.
Financial Implications: Not as part of this report. Potentially future implications for Council budgets arising from proposed land uses and policies in the draft Core Strategy.
Equalities Implications: Yes
Legal Implications: No
Options: To note the contents of this report.
Risks: It is important that the comments are fully assessed and taken into account in preparing the Submission Core Strategy to avoid the plan being found Unsound.

EXECUTIVE SUMMARY

The Council has received over 4,000 comments on the Draft Core Strategy, of which the majority are objections to the proposed growth locations, in particular the location to the north-west of Braintree.

RECOMMENDATION

To note the overview on representations received during the public consultation on the Core Strategy.

An Overview of Representations Received during Public Consultation on the Draft Core Strategy.

1. The Council has to date logged over 4,000 individual comments upon the Draft Core Strategy. These are still being input into the consultation database by the Planning Policy Team, as the majority of the comments were sent in the form of letters, forms or e mails and were not input directly into the on-line consultation system. The final total is likely to be in excess of 4500.
2. The majority of the comments were objections to the proposed potential growth areas, with the largest number of these being objections to the growth location off Panfield Lane in Braintree. These objections referred in particular to the potential loss of the open space east of Panfield Lane, currently used by Sporting 77 Football Club and the BMX Club and also to concerns about traffic congestion, which could arise from major development in that area.
3. There were also objections to the growth locations north- east of Witham, in-Rivenhall Parish and south-west of Witham. Objections to the proposed employment area west of Great Notley include concerns about impact on the country park and a query about the sustainability of the location from the Highways Agency, because of its potential to generate car trips. The Council also received objections to and some support for the Flitch Way Settlement proposals, put forward as an alternative growth location to those set out in the Core Strategy by a developer and the Braintree Football Club.
4. There has been both support for the Strategy of concentrating development upon the largest towns in the District and objection to this Strategy, mainly from persons who support dispersing growth to some sites in the rural areas, or who are promoting larger, freestanding settlements.
5. Braintree College has welcomed the Strategy proposal to provide it a relocation site at the growth location off Panfield Lane. Braintree Town Football have stated that they prefer the land off Pods Brook Lane as a site for a new football stadium to the location put forward in the Strategy north of Springwood Drive.
6. There has been confirmation that the Core Strategy proposals are in conformity with the East of England Plan requirements for this District. The Council have received detailed comments from Go-East, the County Council and other statutory bodies, which will be carefully analysed as these make specific suggestions on changes that should be made to the Core Strategy. The most important of these include:
 - requirements for further work on assessing infrastructure requirements and costs for the implementation of the Strategy,
 - the need for a full Sustainability Appraisal,
 - the current lack of a SHLAA in relation to housing provision .
7. There have also been useful comments from local organisations, Chambers of Trade and local businesses and Parish and Town Councils.
8. Finally there have been some comments on the new format used by the Council in “joining up” the Sustainable Community Strategy and Core Strategy in the one document. Most appear not to have found this particularly helpful, and some found it confusing, but this may have been due to the fact that it is an innovative approach. This approach was supported by the Rural Community Council of Essex.

Eleanor Dash
Planning Policy Manager

**The Process for Consideration of Representations and Approving Decisions
on Changes to the Draft Core Strategy.**

Agenda Item 6

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Background Papers: Representations on One District-One Vision A Draft Strategy for People and Places in the Braintree District to 2025.
Financial Implications: Not as part of this report. Potentially future implications for Council budgets arising from proposed land uses and policies in the draft Core Strategy.
Equalities Implications: Yes
Legal Implications: No
Options: To approve the contents of this report.
To amend the proposed decision making process as set out as options in this report.
Risks: It is important that the comments are fully assessed and taken into account in preparing the Submission Core Strategy to avoid the plan being found Unsound.

EXECUTIVE SUMMARY

This report sets out proposals to deal with the representations on the Core Strategy. Area specific comments will be reported to the three Local Committees who will be asked to make recommendations on changes to the Strategy to the LDF Panel.

The Panel will then decide whether to make changes to the Draft Core Strategy, either at the meeting on 15th April, or at further meetings if necessary.

RECOMMENDATION

That the meeting of the LDF Panel on 4th March is cancelled and that instead a Seminar is arranged to enable there to be a general discussion on the representations received and the implications for the strategy.

That the Local Committees receive summary reports on representations relating to their areas and are asked to make recommendations on changes to the strategy to the LDF Panel.

That the representations are formally considered at the Panel Meeting on 15th April and further meetings if required.

The Process for Consideration of Representations and Approving Decisions on Changes to the Draft Core Strategy.

1. Members of the Panel need to consider the issues raised in representations, made in response to the Draft Core Strategy and take decisions on whether they wish to make amendments to the overall strategy, growth locations or policies. The large number of representations means that reports to Members will set out summaries of the responses. Individual responses, once they have all been input into the Limehouse Consultation system, can be read on line.

2. The Local Committees also wish to be informed of the content of representations and to take part in the decision making process.

3. Developers, landowners and objectors to the Plan may wish to attend Panel Meetings at which decisions are taken on proposals that they are either supporting, or objecting to.

4. It is suggested that the 4th March Panel Meeting is cancelled and that a Seminar is arranged for Members to enable there to be a discussion on the issues raised by the Consultation. No decisions will be taken at this meeting, prior to receiving the recommendations of Local Committees.

5. A summary of representations will be reported to each Local Committee relating only to issues affecting that area. This will largely be made up of representations concerning growth locations in that area, suggested additional growth locations and rural issues within that area.

Members of the Local Committees could be asked to recommend to the LDF Panel whether they wish to support any changes to the Core Strategy and could be asked to vote upon those recommendations.

The Local Committee Meetings will be held on the following dates:-

Braintree 10th March

Halstead 18th March

Witham 24th March

6. It is proposed that the Panel Meeting on 15th April will be open to the public. Members of the Panel will consider a report recommending changes to the Strategy in response to the objections and the recommendations from the Local Committees on issues affecting their areas.

7. Alternative options would be to hold a daytime meeting in April to allow more time to consider any changes to the strategy, or to arrange additional meetings.

Eleanor Dash
Planning Policy Manager

East of England Regional Spatial Strategy- Review of Gypsy and Traveller Accommodation

Agenda Item 7

Contact Details: Eleanor Dash
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E Mail Address: eleanor.dash@braintree.gov.uk

Background Papers: Report of the Panel on Planning for Gypsy and Traveller Accommodation in the East of England December 2008

Financial Implications: Implications arising from need to employ consultants to assess Gypsy and Traveller and Travelling Showpersons provision in Braintree District post 2011.

Equalities Implications: Arising from requirement to provide for needs of gypsies and travellers.

Legal Implications: To provide for Gypsy and Traveller and Travelling Showpersons needs.

Options: - To agree to discuss the appointment of Consultants to assess potential Gypsy and Traveller and Travelling Showpersons sites for post 2011 provision jointly with other Essex authorities, or to appoint them individually for this District.
- Not to take any action.

Risks: Losing Gypsy and Travelling Showpersons sites on appeal if the provision is not met. Having to take enforcement action for unauthorised sites, if no authorised provision is made.

EXECUTIVE SUMMARY

1. The Report of the Panel who examined the Regional Spatial Strategy Single Issue Review on the subject of Planning for Gypsy and Traveller Accommodation in the East of England was published in December 2008.
2. The Panel are recommending that the Secretary of State should make changes to the draft Gypsy and Traveller Policy, which would increase the proposed additional number of gypsy and traveller sites in Braintree District to 2011 from 16 additional pitches to 21. There would be a need to provide a further 17 pitches from 2011 to 2021.
3. Braintree will also need to work with other Essex authorities to provide a proportion of the 30 transit pitches and 103 travelling showpersons pitches required in Essex, between 2006 and 2011.

4. Consultants Fordhams are currently undertaking a Gypsy and Traveller needs assessment for Essex and Southend, which will inform future Essex needs, but will not provide an assessment of potential District by District sites.

5. There will be a need to commission consultants for this District, or jointly with other adjoining Districts, to assess potential sites to meet the needs for the 17 pitches between 2011 and 2021, together with potential needs for post 2011 Travelling Showpersons and transit sites. These sites would be included within the draft Allocations Local Development Document, which will be prepared following approval of the Core Strategy.

RECOMMENDATION

To note the proposed changes to the Gypsy and Traveller policy requirements and the new policy requirements for transit sites and travelling showpersons provision.

To work jointly with other Essex Authorities on the provision of a proportion of the Essex requirement for transit sites and travelling showpersons sites between 2006 and 2011.

To commission consultants, either jointly with other Districts, or individually, to assess potential sites to accommodate a further 17 pitches between 2011 and 2021, together with post 2011 travelling showpersons sites and transit needs.

East of England Regional Spatial Strategy- Review of Gypsy and Traveller Accommodation

1. Draft Policy - February 2008

1.1 The East of England Draft Regional Assembly (EERA) published a Draft Policy on Planning for Gypsy and Traveller Accommodation in the East of England in February 2008, as follows:-

Policy H4

Provision of Pitches for Gypsy and Traveller (1)Caravans

To contribute to housing provision in the East of England as a whole, provision will be made for at least 1,187 net additional residential pitches for Gypsy and Traveller Caravans over the period 2006-2011. The regional provision will be distributed as follows:

List of provision for all Areas/Districts including:-

Area/District	Authorised Pitches In 2006	Additional Pitches Required 2006-2011	Proposed Pitches At 2011
Braintree	25	16	41
East of England	1836	1187	3023

Local authorities should seek to achieve levels of provision required by 2011 as soon as possible through the development control process particularly when opportunities present themselves in respect of new major developments and through the preparation of Local Development Documents. The preparation of joint or co-ordinated Local Development Documents to identify suitable locations for pitches is encouraged. Where joint or co-ordinated documents are produced provision can be redistributed across the areas concerned.

Beyond 2011 provision across the region should be made for an annual 3% increase in the level of overall residential pitch provision (to be calculated from overall planned provision in 2011.) Where Local Development Documents look beyond 2011 they should seek to continue the distributional strategy for 2006-11 outlined in H4 above unless evidence from up to date Gypsy and Traveller Accommodation Assessments suggests otherwise. Local Development Documents should consider the need for rural exception sites through criteria based policies and the alteration of Green Belt boundaries where necessary to make required levels of provision.

(1) For the purposes of this policy 'gypsies and travellers' means: persons of nomadic habit of life who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.

1.2 This draft policy did not include any level of transit pitch provision, nor any consideration of plot requirements for Travelling Showpeople.

2. Report of the Panel – December 2008

2.1 A public examination was held at Letchworth in October 2008, to consider the soundness of this Draft Policy. The Panel Report was published in December 2008. The Panel accepted the principle of a minimum additional pitch level per District of 15 pitches. Their recommendations to the Secretary of State included the following, together with proposed amendments to the policy:-

Recommendations

1.1 Expand the definition of Gypsies and Travellers in the Policy footnote to make clear that it applies whatever the race or origin of such a person.

2.1 The next round of GTAA's should give more emphasis to investigating the preferences of Gypsies and Travellers living in bricks and mortar to return to living on caravan sites, and include a fuller investigation of the needs of New **Travellers**.

4.3 Increase the pitch requirement for Braintree by 5 to 21.

4.20 Substitute the total of our recommended adjustments, ie making provision for at least 1,237 not 1,187 new additional residential pitches, in the opening part of Policy H4 and in paragraph 5.18.

5.1 Add to Policy H4 a requirement to establish a network of transit provision across the region. The number of sites in each county area would be defined in an accompanying table, with the location and size of sites developed following local studies.

County/ virtual county	Existing Provision (pitches)	Additional Pitches Required 2006-2011	Further Locational Guidance
Essex, Southend-on-Sea, and Thurrock	Nil	30	Distributed network of 3-4 sites aligned with transport routes and urban centres.

6.1 Add a new policy on the accommodation requirements of Travelling Showpeople to require county groupings of local authorities to work with their local communities and The Showmen's Guild of GB to identify land sufficient for the interim estimate of plot requirements given in the table.

County/ Virtual County	Existing Provision (families)	Additional Plots Required 2006-11	Further Locational Guidance
Essex, Southend-on Sea, and Thurrock	166	103	Immediate needs in Thurrock. Site needs also in Chelmsford, Basildon and elsewhere.

7.1 Add additional wording to the start of Policy H4 to emphasise that provision should be made through Local Development Documents.

7.2 Revise paragraph 5.17 to express an obligation upon local planning authorities to identify sufficient sites in Local Development Documents.

7.3 Delete from the final paragraph of the Policy the phrase 'through criteria based policies.'

7.6 Add an additional element of locational guidance to paragraph 5.17 that Gypsy and Traveller provision where possible should be made as part of mainstream residential development, contributing to any local requirement for affordable housing provision.

Recommended Revised Policy H4

Policy H4 –Provision of Pitches for Gypsy and Traveller Caravans

To contribute to housing provision in the East of England as a whole, local authorities will make provision through Local Development Documents for at least 1,237 net additional residential pitches for Gypsy and Traveller Caravans over the period 2006 to 2011. The regional provision will be distributed as follows:

Area/District	Authorised Pitches in 2006	Minimum Additional Pitches Required 2006-2011	Proposed Pitches at 2011
Braintree	25	21	46
East of England	1794	1237	3031

Local authorities should seek to achieve levels of provision required by 2011 as soon as possible through the development control process particularly when opportunities present themselves in respect of new major developments and through the preparation of local development Documents. The preparation of joint or co-ordinated Local Development Documents to identify suitable locations for pitches is encouraged. Where joint or co-ordinated documents are produced provision can be redistributed across the areas concerned.

Beyond 2011 provision will be made across the region for an annual 3%compound increase in the level of overall residential pitch provision, equivalent to 1042 additional pitches between 2011 and 2021. Where Local Development Documents look beyond 2011provision will be made for the same proportion of the regional requirement as in Policy H4 for 2006-11. A coordinated review of Gypsy and Traveller Accommodation Assessments should be undertaken in 2011 to provide the evidence base for a subsequent review of this policy.

Local Development Documents should consider the need for rural exception sites and the alteration of Green Belt boundaries where necessary to make required levels of provision.

Local authorities will work together to establish a network of transit pitches across the region. Provision will be made through Local Development Documents for an additional 160 transit pitches, as distributed in the table below. The location and size of sites will be developed following local studies.

County/virtual county	Existing Provision (pitches)	Additional Pitches Required 2006-11	Further Locational Guidance
Essex, Southend-on-Sea and Thurrock	Nil	30	Distributed network of 3-4 sites aligned with transport routes and urban centres

2.2 The implication of this revision to policy H4 is that there would be a requirement for 17 additional gypsy and traveller pitches in Braintree District between 2011 and 2021. (Based on 21 being 1.7% of 1237 and 1.7% of 1042 being 17.)

New Policy H4A Provision for Travelling Showpeople

Local authorities will work together to make provision through Development Plan Documents for an additional 184 plots for Travelling Showpeople accommodation over the period 2006 to 2011, as distributed in the table below. Where Local Development Documents look beyond 2011 they will make provision for an annual 1.5% compound increase in the level of Travelling Showpeople accommodation.

County/ Virtual County	Existing Provision (families)	Additional Plots Required 2006-11	Further Locational Guidance
Essex, Southend-on- Sea, and Thurrock	166	103	Immediate needs in Thurrock. Site needs also in Chelmsford, Basildon and elsewhere.

Aspects to be covered in the supporting text-
Joint working in County groupings to identify land opportunities in association with local Travelling Showpeople communities and the Showmen's Guild of GB taking account of the locational guidance in the table.

3. Secretary of State's Decision

3.1 The Government will consider the Panel's recommendations and the Secretary of State will publish her decisions on the Panel's recommendations, along with any changes to the draft policy.

3.2 Go-East state that the policy is a vital part of the longer term planning process for homes within the East of England and part of the Government's commitment to provide sufficient authorised sites for Gypsies and Travellers to stop the cycle of evictions from unauthorised sites that is costly to the taxpayer and impacts upon the quality of life for the travelling community and the wider public.

3.3 There will be a further 12 week consultation on the proposed changes to allow for views to be heard before the finalised RSS Gypsy and Traveller Review is published by the summer of 2009.

Eleanor Dash
Planning Policy Manager