

# Minutes

## Local Plan Sub-Committee 11th July 2017



### Present:

Councillors	Present	Councillors	Present
D Bebb	Apologies	Lady Newton	Yes
Mrs L Bowers-Flint (Chairman)	Yes	J O'Reilly-Cicconi	Yes (until 6.08pm)
G Butland	Yes	Mrs W Scattergood	Yes (until 6.20pm)
T Cunningham	Yes	Mrs G Spray	Yes
D Hume	Yes	Miss M Thorogood	Yes
Mrs J Money	Yes		

Councillors Bowers and Schwier were also in attendance.

### 8 **DECLARATIONS OF INTEREST**

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

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in in Agenda Item 6 – Colchester Borough Publication Draft Local Plan - Response to Public Consultation; Agenda Item 7 – Tendring District Council Publication Draft Local Plan - Response to Public Consultation; and Agenda Item 8 – Braintree Publication Draft Local Plan – Evidence Base as a non-remunerated Director of North Essex Garden Communities Ltd.

Councillor G Butland declared a non-pecuniary interest in in Agenda Item 6 – Colchester Borough Publication Draft Local Plan - Response to Public Consultation; Agenda Item 7 – Tendring District Council Publication Draft Local Plan - Response to Public Consultation; and Agenda Item 8 – Braintree Publication Draft Local Plan – Evidence Base as a non-remunerated Director of North Essex Garden Communities Ltd.

Councillor Mrs W Scattergood declared a substantive non-pecuniary interest in Agenda Item 6 – Colchester Borough Publication Draft Local Plan - Response to Public Consultation; Agenda Item 7 – Tendring District Council Publication Draft Local Plan - Response to Public Consultation; and Agenda Item 8 – Braintree Publication Draft Local Plan – Evidence Base as she was impacted by the proposal for a garden community on the 'Colchester/Braintree borders'. Councillor Mrs Scattergood left the meeting before these Items were considered.

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.

9 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Local Plan Sub-Committee held on 16th May 2017 be approved as a correct record and signed by the Chairman.

10 **QUESTION TIME**

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

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

11 **HATFIELD PEVEREL NEIGHBOURHOOD PLAN - REGULATION 16  
CONSULTATION RESPONSE**

**INFORMATION:** Consideration was given to a report on the Hatfield Peverel Neighbourhood Plan and the Council's proposed response following consultation in accordance with Regulation 16.

Members were advised that neighbourhood planning had been introduced by the Localism Act 2011 and it enabled communities to shape development in their areas through the production of Neighbourhood Development Plans, Neighbourhood Development Orders, and Community Right to Build Orders. Neighbourhood Plans were required to support strategic development needs, to be in general conformity with the strategic policies set out in the District Local Plan and to positively support local development. Once it had been made by a Planning Authority, a Neighbourhood Plan had the same status as the non-strategic elements of a Local Plan and the policies contained within it would be referred to in the determination of planning applications. A draft Neighbourhood Plan had to meet basic conditions before being put to a referendum and made. The Hatfield Peverel Neighbourhood Plan was attached as an electronic Appendix to the report.

Hatfield Peverel Neighbourhood Plan was sub-divided into four main sections, which contained economic, environmental, housing, and facilities and infrastructure policies. Members of the Local Plan Sub-Committee were advised that as two planning applications relating to residential development at Gleneagles Way and Stonepath Drive, Hatfield Peverel were currently subject to a decision by the Secretary of State as to whether they should be 'called-in' for determination, and an appeal decision was awaited in respect of another application for development at Stonepath Drive, further changes to the Neighbourhood Plan may be required.

The Neighbourhood Plan was currently subject to consultation in accordance with Regulation 16, which would close on 17th July 2017. Following this, Braintree District Council would appoint an examiner to undertake an examination of the Neighbourhood Plan. The examiner would consider the responses submitted during

the consultation period and determine whether the examination should proceed on the basis of written representations, or at a more formal hearing. If a hearing was chosen, the examiner would determine its format and scope. Once the examiner had recommended that the Neighbourhood Plan should proceed to a referendum, Braintree District Council would make arrangements for the referendum to take place, following which the Plan could be made.

In discussing this Item, Members of the Sub-Committee wished to congratulate Hatfield Peverel Parish Council, Hatfield Peverel Neighbourhood Plan Group and the residents of Hatfield Peverel for their hard work in producing the Plan.

**DECISION:** That Braintree District Council's response to the Hatfield Peverel Neighbourhood Plan in accordance with consultation under Regulation 16 be agreed as set out in the report and summarised below:-

- The Council congratulates Hatfield Peverel Neighbourhood Plan Group on the hard work which it has carried out to get the Neighbourhood Plan to this stage.
- To amend the extent of the residential allocation centred at the former Arla Dairy, Station Road, Hatfield Peverel to match that shown in the Braintree District Publication Draft Local Plan.
- To amend the maps contained within the document to show land at Wood End Farm, which is within Hatfield Peverel Parish and has been allocated as a strategic growth location in the Braintree District Publication Draft Local Plan.
- To remove the limit of 20 employees in policy 'ECN1 - Support for Local Businesses' as this could be seen as curtailing economic development, which is contrary to paragraph 16 of the National Planning Policy Framework.

During the consideration of this Item, Councillor O'Reilly-Cicconi stated that he had decided to resign from the Local Plan Sub-Committee. Councillor O'Reilly-Cicconi left the meeting at this point.

## 12 **COLCHESTER BOROUGH PUBLICATION DRAFT LOCAL PLAN - RESPONSE TO PUBLIC CONSULTATION**

**INFORMATION:** It was reported that Colchester Borough Council had published its Publication Draft Local Plan for public consultation. The consultation period had effect from 16th June 2017 to 11th August 2017 and Members of the Local Plan Sub-Committee were requested to approve Braintree District Council's response.

Section 1 of Colchester's Local Plan comprised a strategic plan which was shared with Braintree District Council and Tendring District Council. This contained ten strategic policies and proposed broad areas of search for three 'garden communities'. Section 2 of the Local Plan related to Colchester Borough only and it set out the spatial vision for development in the Borough. The Plan included policies relating to housing, employment and retail need, policies for specific areas

or allocations, and some development management policies to guide development. The Plan sought to support Colchester as the heart of the Borough and to direct development towards the most sustainable locations.

**DECISION:** That Braintree District Council's response to consultation on the Colchester Borough Publication Draft Local Plan be approved as follows:-

- Part 1 of the Plan has been constructed in close co-operation with Braintree District Council (BDC) and is supported. BDC are satisfied that Colchester has addressed strategic issues, including the requirement to meet objectively assessed housing needs for market and affordable housing, employment needs and to promote sustainable development. BDC are committed to continued partnership working with Colchester and Tendring to produce a Strategic Growth Development Plan Document for the garden communities, a Recreation Avoidance and Mitigation Strategy to support the work on the appropriate assessment, and to positively address any other strategic cross border issues.
- BDC is satisfied that the appropriate level of joint working has been undertaken for the Local Plan in accordance with the Duty-to-Co-operate.
- BDC supports the spatial strategy and spatial hierarchy in Section 2 of the Local Plan, which seeks to concentrate development at Colchester as the most sustainable location for growth with some expansion of sustainable settlements of circa 500 dwellings, and the establishment of two cross boundary garden communities at Colchester/Braintree borders and Colchester/Tendring borders. The objectively assessed housing need target is 920 dwellings per year which, against a historic average of 903 dwellings per year, is realistic and achievable.
- BDC notes that Colchester will allocate employment land sufficient to meet 44.2ha of new employment land which is between the economic scenarios for the East of England Forecasting Model (29.8ha) and Higher Past Completion Rates (55.8ha) requirements as specified in Colchester's 2015 Employment Land Needs Assessment (ELNA). This is towards the higher end of a range of scenarios given in the ELNA; a land requirement of between 21 and 55.8ha is suggested. Similarly, BDC is pursuing a 'high' growth scenario which equates to growth of 30.5ha plus the replacement of recent losses. We are confident that there will be sufficient employment land allocated to meet employment needs and provide sub-regional competition. BDC supports the Strategic Economic Areas (employment allocations) at Stanway, North Colchester and the Knowledge gateway; these locations are accessible with good road connections to Braintree District.
- BDC notes that allocations of up to 600 dwellings at Tiptree will be identified within the Tiptree Neighbourhood Plan and that cross boundary strategic infrastructure will be considered within this document. We welcome the amendment to include policy point v, for the consideration of strategic cross boundary issues, and point iv, for the delivery of any infrastructure/community facilities in policy SS14. These amendments will help ensure that the

Neighbourhood Plan allocations can be delivered with appropriate roads, education and other infrastructure to support them.

- BDC supports the general thrust to protect designated assets in the environment, coastal areas and green infrastructure policies. The Colchester orbital route is supported as this will help draw pressure away from leisure uses at protected European assets.
- BDC supports the climate change policies, which encourage moves towards a low carbon future, and infrastructure delivery and mitigation policies as these have positive cross boundary impacts.

### 13 **TENDRING DISTRICT COUNCIL PUBLICATION DRAFT LOCAL PLAN - RESPONSE TO PUBLIC CONSULTATION**

**INFORMATION:** It was reported that Tendring District Council had published its Publication Draft Local Plan for public consultation. The consultation period had effect from 16th June 2017 to 28th July 2017 and Members of the Local Plan Sub-Committee were requested to approve Braintree District Council's response.

Section 1 of Tendring's Local Plan comprised a strategic plan which was shared with Braintree District Council and Colchester Borough Council. This contained ten strategic policies and proposed broad areas of search for three 'garden communities'. Section 2 of the Local Plan related to the District of Tendring only and it included detailed policies to guide development according to the issues particular to the District, which were described in detail at the beginning of Section 2.

**DECISION:** That Braintree District Council's response to consultation on the Tendring District Publication Draft Local Plan be approved as follows:-

- Section 1 of the Local Plan has been constructed in close co-operation with Braintree District Council (BDC) and is supported. BDC are satisfied that Tendring has addressed strategic issues, including the requirement to meet objectively assessed housing needs for market and affordable housing, employment needs and to promote sustainable development. BDC are committed to continued partnership working with Colchester and Tendring to produce a Strategic Growth Development Plan Document for the garden communities, a Recreation Avoidance and Mitigation Strategy to support the work on the appropriate assessment, and to positively address any other strategic cross border issues.
- The Tendring District objectively assessed housing need figure of 550 now forms part of Part 1.
- BDC is satisfied that the appropriate level of joint working has been undertaken for the Local Plan in accordance with the Duty-to-Co-operate.
- Section 2 contains policies relating solely to Tendring District. It allocates the homes and jobs required for the plan period outside of the garden

communities. It provides place shaping policies to guide development, to ensure the District's natural and built assets are enhanced and protected, communities are well connected and that design promotes healthy living, adaptability of homes and safety from flood risks.

- Whilst there are some alterations to Section 2 these do not raise issues on which Braintree District seeks to make comment. No comments are proposed in respect of Section 2.

## 14 **BRAINTREE DISTRICT PUBLICATION DRAFT LOCAL PLAN – EVIDENCE BASE**

**INFORMATION:** Consideration was given to a report on three documents which it was proposed should be included within the evidence base of the Braintree District Publication Draft Local Plan. These documents were the 'Infrastructure Delivery Plan', the 'Economic Viability Study' and the 'Movement and Access Study'.

The Infrastructure Delivery Plan was an essential component of the evidence base as it set out information about the infrastructure requirements to support planned housing and employment allocations. The document included an Infrastructure Phasing Plan, which listed indicative major infrastructure for each strategic allocation site. The Infrastructure Delivery Plan was limited to sites of 50 or more dwellings which did not already have planning permission and major employment allocations. In a correction to the report, it was clarified that the Infrastructure Delivery Plan had been commissioned jointly by Braintree District Council, Colchester Borough Council and Tendring District Council, not Chelmsford City Council as stated. The document would continue to be updated throughout the examination of the Draft Local Plan and through its lifetime after adoption.

Three Dragons and Troy Planning and Design had been commissioned jointly by Braintree District Council, Colchester Borough Council and Tendring District Council to prepare an Economic Viability Study. The Viability Study addressed a requirement of the National Planning Policy Framework that Local Plans should demonstrate how proposed policies and infrastructure needs were viable at a local level. Using a residual land value approach, the Viability Study had concluded that the majority of schemes within the Braintree District would be viable.

Braintree District Council, Colchester Borough Council, Tendring District Council and Essex County Council had commissioned Jacobs and Ringway Jacobs to prepare a Movement and Access Study. This Study supported the analysis carried out by AECOM regarding the proposed 'garden communities' at West of Braintree; Colchester/Braintree borders; and Tendring/Colchester borders, which had been included within the emerging Braintree, Colchester and Tendring Local Plans. The Study considered how integration and connectivity between the 'garden communities' and North Essex could be maximised via high quality modern public transport, in order to avoid unsustainable travel patterns and to mitigate adverse impacts on the local and strategic highway network. The Study was available to view on the Council's website. The Movement and Access Study proposed a range of options as to how transport could be managed across the 'garden communities'. Further work on highway and transport issues associated with the 'garden

communities' would progress as work on the Strategic Growth Development Plan Document continued.

**DECISION:**

- (1) That the Infrastructure Delivery Plan be approved as part of the evidence base to support the Braintree District Publication Draft Local Plan.
- (2) That the Economic Viability Study be approved as part of the evidence base to support the Braintree District Publication Draft Local Plan.
- (3) That the Movement and Access Study be approved as part of the evidence base to support the Braintree District Publication Draft Local Plan and the Strategic Growth Development Plan Document.

The meeting commenced at 6.00pm and closed at 6.42pm.

Councillor Mrs L Bowers-Flint  
(Chairman)