

# Minutes

## Local Plan Sub-Committee

12th January 2015



Present:

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

Councillors J E Abbott, M J Fincken, I C F Parker, R P Ramage and R Wright were also in attendance.

### 14 **DECLARATIONS OF INTEREST**

**INFORMATION:** There were no interests declared.

### 15 **MINUTES**

**INFORMATION:** The Minutes of the meeting of the Local Development Framework Sub-Committee held on 3rd September 2014 were confirmed as a correct record and signed by the Chairman.

### 16 **QUESTION TIME**

**INFORMATION:** There was one statement made. Details of the person 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.

### 17 **LOCAL PLAN - ISSUES AND SCOPING CONSULTATION DOCUMENT**

**INFORMATION:** Members were advised that the publication of an Issues and Scoping document was the first stage of public participation in the production of a new Local Plan. It provided an opportunity for residents, local businesses and key stakeholders to engage in the process to help shape the new Local Plan before its publication in draft form in late 2015.

The Issues and Scoping document was structured around economic, social and environmental aspects of sustainable development which formed the basis of the National Planning Policy Framework. In addition, it highlighted a number of important issues affecting the District which would need to be tackled in the new Local Plan, and strategies for how they might be addressed. The draft document was attached at Appendix 1 to the Agenda report.

It was proposed that the Issues and Scoping document should be published for public consultation for a six week period between 26th January 2015 and 6th March 2015. The responses received would be reported to a future meeting of the Sub-Committee.

Before publication, changes would be made to the format and style of the document and it would also incorporate new Local Plan branding and logo details. No changes would be made to the text. A copy of the revised document would be forwarded to Members of the Sub-Committee prior to publication.

**DECISION:** That the Local Plan Issues and Scoping document be approved for the purpose of public consultation, subject to the final draft of the document being forwarded to Members of the Local Plan Sub-Committee prior to publication.

## 18 **LOCAL PLAN SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT – SCOPING REPORT**

**INFORMATION:** Members were advised that it was a legal requirement for Local Plans to be subject to a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) and that Landuse Consultants Ltd had been commissioned by Braintree District Council to undertake an SA, incorporating an SEA, of its emerging Local Plan.

As the first stage of the SA process, Landuse Consultants Ltd had prepared a scoping report which was attached as an Appendix to the Agenda report. The scoping report incorporated sustainability commentary on the draft Local Plan - Issues and Scoping consultation document.

As part of the process, Natural England, English Heritage and the Environment Agency would be consulted regarding the scope and level of the SA. Consultation would also be extended to the public. Responses received from the consultees would be addressed in subsequent stages of the SA.

**DECISION:** That the Braintree District Local Plan Sustainability Appraisal and Strategic Environmental Assessment - Scoping Report be published for consultation.

## 19 **LOCAL DEVELOPMENT SCHEME**

**INFORMATION:** In accordance with the Planning and Compulsory Purchase Act 2004, the Council was required to prepare a Local Development Scheme. This set out a rolling programme for the preparation of planning documents for the Braintree District Local Plan and included an updated timetable for the production of the Plan.

The Scheme included a reference to neighbourhood development plans which communities could prepare under the Localism Act 2011 in order to establish general planning policies for the development and use of land in a neighbourhood. Once complete, a plan would form part of the formal Development Plan for the area to which it related and it would be used in the determination of planning applications for that area. Members were advised that since the publication of the Agenda report, two further applications for the designation of neighbourhood planning areas, which was the first stage of the process, had been received for Hatfield Peverel and Kelvedon. The draft Local Development Scheme would be amended to include details of these.

**DECISION:** That the draft Local Development Scheme January 2015 – December 2017 be approved, subject to 'Section 5 Neighbourhood Planning' being amended to include details of applications submitted for the designation of neighbourhood planning areas at Hatfield Peverel and Kelvedon.

## 20 **PLANNING OBLIGATIONS - CHANGES**

**INFORMATION:** Consideration was given to a report on recent changes to National Planning Policy Guidance (NPPG) and the implication for the application of the Council's current adopted planning policy.

Members were advised that on 28th November 2014, the Government had revised, with immediate effect, the section of the NPPG relating to planning obligations and the circumstances in which Local Planning Authorities should, or should not seek, contributions from developers via Section 106 Agreements.

The revision meant that the Council would no longer be able to seek contributions from developers for affordable housing and open space provision on small development sites to the same extent as set out in its adopted Core Strategy. In particular, it would not be possible to seek affordable housing and other tariff based contributions from sites of ten dwellings or less and a maximum floor space of 1000 sqm. However, the Council could determine to reduce this threshold to five dwellings in areas of the District which were classified as rural in the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the East) Order 1997. These specific areas were listed at Appendix 1 to the Agenda report. Within these designated areas, affordable housing and other tariff style contributions could be sought for developments of between six and ten units, but affordable housing units could not be provided on site. Any financial contributions sought had to be commuted until after the completion of the development.

The change in Guidance had implications for the Council's Open Spaces Supplementary Planning Document also, as developers of sites of less than 11 housing units in urban areas and Parishes which did not meet the designated rural area criteria would not be required to contribute towards open space provision.

Contributions could still be sought from all developments if they were required to make a development acceptable in planning terms e.g. highways matters.

In discussing the report, Members of the Sub-Committee expressed concern that such changes could be imposed at short notice, without consultation and it was suggested

that the Council's Cabinet Member for Planning and Property should write to the Government setting out these views. It was noted that the report would also be considered by the Planning Committee on 20th January 2015.

**DECISION:** That the changes to National Planning Policy Guidance in respect of planning obligations and the implication for the application of the Council's current adopted planning policy be noted.

At the close of the meeting, the Chairman reminded Members that the meeting of the Local Plan Sub-Committee scheduled for 4th February 2015 had been cancelled and that the next meeting of the Sub-Committee was currently scheduled to take place on 18th March 2015.

The meeting commenced at 6.00pm and closed at 6.47pm.

Councillor R G Walters  
(Chairman)

APPENDIX

LOCAL PLAN SUB-COMMITTEE

12TH JANUARY 2015

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1 Statement Relating to Item 5 – Local Plan - Issues and Scoping Consultation Document

Statement by Mr Chris Bailey, 4 Chipping Hill, Witham (Objector)