

# Minutes

## Local Plan Sub-Committee

16th May 2018

Present:

Councillors	Present	Councillors	Present
D Bebb	Yes	Mrs J Money	Yes
Mrs L Bowers-Flint (Chairman)	Yes	Lady Newton	Yes
G Butland	Yes	Mrs G Spray	Yes
T Cunningham	Yes	Miss M Thorogood	Yes
D Hume	Yes		

Councillors Barlow and Schwier were also in attendance.

### 1 **DECLARATIONS OF INTEREST**

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

Councillor Mrs L Bowers-Flint declared a non-pecuniary interest in Agenda Item 5 - Bradwell with Pattiswick Neighbourhood Plan – Response; Agenda Item 6 - Local Development Scheme 2018 – 2020; and Agenda Item 7 - National Planning Policy Framework – Changes, as a non-voting member of North Essex Garden Communities Ltd.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 5 - Bradwell with Pattiswick Neighbourhood Plan – Response; Agenda Item 6 - Local Development Scheme 2018 – 2020; and Agenda Item 7 - National Planning Policy Framework – Changes, as a Director of North Essex Garden Communities Ltd.

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.

### 2 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Local Plan Sub-Committee held on 15th March 2018 be approved as a correct record and signed by the Chairman.

### 3 **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.

#### 4 **BRADWELL WITH PATTISWICK PARISH NEIGHBOURHOOD PLAN 2017-2033-CONSULTATION RESPONSE**

**INFORMATION:** Consideration was given to a report on the Bradwell with Pattiswick Parish Neighbourhood Plan 2017-2033. This had been submitted to Braintree District Council as part of the consultation process in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The consultation would conclude on 18th May 2018. The Council's proposed response was set out in paragraph 3.1 of the report.

Neighbourhood Plans should support strategic development needs and local development proposals set out in a Local Plan. The Neighbourhood Plan was set out in five sections. These included an introduction and the consultation process; a portrait of the Parish; the future vision and objectives for the Parish; proposed policies relating to the environment, community facilities and public open space, heritage, drainage and flood management, housing, local economy, transport, and developer contributions; and the process for implementing the proposals contained in the Plan. The Plan did not allocate any sites for residential, or employment development. If approved, the Plan would become part of the Braintree District Local Plan and the policies contained within it would be used in the determination of planning applications.

Once the initial consultation process had concluded, the Plan would be submitted to Braintree District Council, which would be required to carry out further consultation in accordance with Regulation 16 of the Regulations. Following this, a formal examination of the Plan would be arranged.

In considering this Item, Members of the Local Plan Sub-Committee commended Bradwell with Pattiswick Parish Council's Neighbourhood Plan Group for their work on the Neighbourhood Plan. The assistance and advice provided by Braintree District Council Officers to the Group was also acknowledged.

**DECISION:** That Braintree District Council's proposed response to the Bradwell with Pattiswick Parish Neighbourhood Plan Regulation 14 consultation, as set out at paragraph 3.1 of the report, be approved and submitted to Bradwell with Pattiswick Parish Council.

#### 5 **BRAINTREE DISTRICT LOCAL DEVELOPMENT SCHEME 2018-2020**

**INFORMATION:** Consideration was given to a report on an updated version of the Local Development Scheme.

The Council was required to publish a Local Development Scheme, which set out the timetable for the production of the Local Plan, other Strategic Growth/Development Plan Documents and Supplementary Planning Documents over the forthcoming three years. The revised, draft Local Development Scheme for 2018-2020 was attached as an Appendix to the report. The document would

replace the previous Local Development Scheme for the period 2017–2019, which had been approved in February 2017.

Since publication of the previous Local Development Scheme, the Braintree District Publication Draft Local Plan 2017 had been submitted to The Planning Inspectorate and the examination of Part 1 of the Plan had taken place. However, a delay in the completion of the examination had required changes to the timetable for the Local Plan and the production of Strategic Growth Development Plan Documents and Supplementary Planning Documents. Updated legislation had also introduced a requirement to review the Statement of Community Involvement. The Local Development Scheme had been updated to reflect these changes.

In considering this Item, Members of the Local Plan Sub-Committee were advised that an additional Supplementary Planning Document entitled 'Essex Coast Recreational Avoidance and Mitigation Strategy' which sought to protect the landscape and wildlife habitats on the Essex coast would be included in the updated Local Development Scheme. This document was subject to approval by 11 Essex Local Authorities and Natural England and it was anticipated that it would be formally adopted in 2019.

Wording contained within the Local Development Scheme regarding the Community Infrastructure Levy (CIL), Neighbourhood Plans and the evidence base had been updated to reflect the current situation. Minor changes had also been made to the text of the Local Development Scheme, primarily to reflect changes in legislation.

**DECISION:** That the Braintree District Local Development Scheme 2018–2020 be approved, subject to a reference to the additional Supplementary Planning Document entitled 'Essex Coast Recreational Avoidance and Mitigation Strategy' being included.

## 6 **NATIONAL PLANNING POLICY FRAMEWORK - CHANGES**

**INFORMATION:** Consideration was given to a report on proposed changes to the National Planning Policy Framework (NPPF), which had been published by the Government for consultation.

Proposed new policies for the NPPF included a requirement for Local Authorities to meet a Housing Needs Test; to produce Statements of Common Ground with neighbouring Authorities on strategic issues where necessary; and to strengthen the 'test of soundness' used to determine whether or not a Local Plan was fit for purpose. The changes would also enable Local Authorities to set their five year housing supply figures for one year periods and it was proposed to introduce standardised housing figures. Changes to National Planning Practice Guidance had also been published.

The consultation period had closed on 10th May 2018 and it was anticipated that the revised NPPF would be published in July 2018. Consequential changes to National Planning Policy Guidance would be made after July 2018. The Council's response to the proposed changes was set out at Appendix 1 to the report. In considering this Item, Members of the Local Plan Sub-Committee were advised that

an additional comment had been included in the Council's response objecting to the proposed removal of Garden City Principles from the NPPF. The additional comment is set out in the Decision below.

Members were reminded that the NPPF had been introduced in 2012 as a single merged document containing existing policy and guidance for planning and development. It had also established the 'presumption in favour of sustainable development'. The proposed amendments to the Framework reflected changes to Government policy; clarified national policy following legal challenges to the original NPPF; and sought to boost the supply of housing.

The NPPF sought to minimise a perceived gap between the approval of planning applications and the completion of houses, by requiring the allocation of smaller development sites and shorter commencement periods for construction. Clarification was being sought from the Government on the percentage of allocated sites which it would require to be smaller. For the Braintree District Publication Draft Local Plan and the calculation of the Housing Delivery Test and five year housing supply, the requirements of the previous NPPF would apply. However, once the Local Plan was over five years old a new standard housing methodology figure would apply. The calculation of the Housing Delivery Test would be the net homes delivered over three years divided by the homes required over the same three years. The three year requirement figure would either be the figure set out in the Local Plan, or a figure provided by Government.

If a Local Authority delivered less than 25% of its housing target, the presumption in favour of sustainable development would apply. From 2019, this percentage would increase to 45% and by 2020 to 75%. An Authority which achieved less than 95% of their target would be required to publish an action plan within a six month period to indicate how they would address the under supply. If less than 85% of the target was met an Authority would be required to provide an immediate buffer on land supply which would equate to an additional 20% on their housing supply figure.

The revised NPPF proposed that Local Plans should be reviewed no later than five years from adoption and that they should be updated as necessary, taking into account changing circumstances, or any relevant changes in national policies. Local Authorities would be required to update relevant strategic policies contained in their Local Plan at least once every five years if their applicable local housing need figure had increased.

In considering this Item, Members of the Sub-Committee expressed their disappointment with the proposed changes to the NPPF. Members considered that the proposals were insubstantial; that they would do little to improve the supply of new housing; and there was no provision for action to be taken against land owners and developers to force them to implement residential development proposals which had been granted planning permission. It was agreed that these concerns should be forwarded to the Secretary of State for Housing, Communities and Local Government and to the Members of Parliament representing the Braintree District.

## DECISION:

- (1) That the report and Braintree District Council's response to the Government's consultation on proposed changes to the National Planning Policy Framework as set out at Appendix 1 to the report, including the following additional comment, be noted:-

'North Essex Garden Communities opposes the proposed removal within the NPPF of the promotion of the Garden City Principles. The Principles highlight the importance of an approach to delivering new homes which emphasises timely infrastructure provision, a commitment to quality of place and the enabling of cohesive and sustainable communities. This principled approach is embedded into the North Essex Garden Communities Charter ([https://www.braintree.gov.uk/downloads/file/5787/garden\\_communities\\_charter](https://www.braintree.gov.uk/downloads/file/5787/garden_communities_charter)) as well as being incorporated into the emerging Local Plans which propose the Garden Communities. Without a commitment to a comprehensive approach to planning at scale, the North Essex Garden Communities is concerned that social, economic and environmental objectives could be sacrificed to the delivery of housing alone'.

- (2) That Councillor Mrs L Bowers-Flint, Cabinet Member for Planning and Housing and Chairman of the Local Plan Sub-Committee, be requested to write to The Rt. Hon. James Brokenshire MP, Secretary of State for Housing, Communities and Local Government, James Cleverly MP and The Rt. Hon. Priti Patel MP expressing the Local Plan Sub-Committee's disappointment with the proposed changes to the National Planning Policy Framework on the basis that they are insubstantial; that they will do little to improve the supply of new housing; and that no provision has been made for action to be taken against land owners and developers to force them to implement residential development proposals which have been granted planning permission.

The meeting commenced at 6.00pm and closed at 6.38pm.

Councillor Mrs L Bowers-Flint  
(Chairman)