

# Minutes



## Local Plan Sub-Committee 21st August 2023

Present:

Councillors	Present	Councillors	Present
J Abbott	Apologies	J Martin	No
K Bowers	Yes	A Munday	Yes
L Bowers-Flint	Yes	I Parker	Apologies
G Butland	Yes	F Ricci	Apologies
J Coleridge	Yes	G Spray (Chairman)	Yes
T Cunningham	Yes	T Walsh	Yes
M Fincken	Apologies		

Councillor P Thorogood, in his capacity as Chairman of Rivenhall IWMF Liaison Group, was also in attendance until 7.43pm.

The Chairman was pleased to welcome Ms Laura Johnson, representing Essex County Council Place Services, who attended the meeting to provide advice and information regarding Agenda Item 6 – ‘Wethersfield Conservation Area – Character Appraisal and Management Plan’.

### 7 **DECLARATIONS OF INTEREST**

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

Councillor L Bowers-Flint declared a Non-Pecuniary Interest in Agenda Item 5 – ‘Rivenhall Integrated Waste Management Facility – Preliminary Environmental Information Report (PEIR) Consultation’ as an Elected Member of Essex County Council. In particular, Councillor Bowers-Flint stated that she was a Member of the County Council’s Development and Regulation Committee and that she had been the Chairman at a meeting of that Committee at which the Rivenhall Integrated Waste Management Facility had been discussed. Councillor Bowers-Flint stated, that for transparency she would not take part in the discussion, or vote on this Item. Councillor Bowers-Flint left the meeting when the Item was considered and determined.

Councillor G Butland declared a Non-Pecuniary Interest in Agenda Item 6 – ‘Wethersfield Conservation Area – Character Appraisal and Management Plan’ as he had attended meetings of Wethersfield Parish Council at which the Character Appraisal and Management Plan had been discussed.

Councillor T Cunningham declared a Non-Pecuniary Interest in Agenda Item 5 – ‘Rivenhall Integrated Waste Management Facility – Preliminary Environmental Information Report (PEIR) Consultation’ as an Elected Member of Essex County Council and, in particular, as the Cabinet Member for Planning a Growing Economy, which included responsibility for planning matters. However, Councillor Cunningham stated that as his responsibility did not extend to Nationally Significant Infrastructure Projects he had taken advice from Officers at Braintree District Council and Essex County Council regarding interests and that based on this advice he would remain in the meeting when the Item was considered and determined.

Councillor G Spray declared a Non-Pecuniary Interest in Agenda Item 5 – ‘Rivenhall Integrated Waste Management Facility – Preliminary Environmental Information Report (PEIR) Consultation’ as Braintree District Council’s representative on Rivenhall IWMF Liaison Group.

Councillor P Thorogood, who attended the meeting in his capacity as Chairman of Rivenhall IWMF Liaison Group and spoke during Question Time, declared a Non-Pecuniary Interest in Agenda Item 5 – ‘Rivenhall Integrated Waste Management Facility – Preliminary Environmental Information Report (PEIR) Consultation’ as an Elected Member of Braintree District Council.

Councillor T Walsh declared a Non-Pecuniary Interest in Agenda Item 5 – ‘Rivenhall Integrated Waste Management Facility – Preliminary Environmental Information Report (PEIR) Consultation’ as he had campaigned against the Rivenhall Integrated Waste Management Facility/incinerator. Councillor Walsh left the meeting when the Item was considered and determined.

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.

## 8 **MINUTES**

**DECISION:** It was reported that the Minutes of the meeting of the Local Plan Sub-Committee held on 3rd August 2023 were not available for approval.

## 9 **QUESTION TIME**

**INFORMATION:** One statement was made regarding Agenda Item 5 – ‘Rivenhall Integrated Waste Management Facility - PEIR Consultation’. The statement was

made by Mr P Thorogood in his capacity as Chairman of Rivenhall IWMF Liaison Group. The statement was made during Question Time.

Two statements were made regarding Agenda Item 6 – ‘Wethersfield Conservation Area – Character Appraisal and Management Plan’. The statements were made by Mr J Pearce on behalf of Wethersfield Parish Council and Mr M Nash. The statements were made during Question Time.

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

## 10 **RIVENHALL INTEGRATED WASTE MANAGEMENT FACILITY – PRELIMINARY ENVIRONMENTAL INFORMATION REPORT (PEIR) CONSULTATION**

Councillor L Bowers-Flint and Councillor T Walsh left the meeting during the consideration of this Item.

**INFORMATION:** Consideration was given to a report on the Council’s proposed response following consultation on a Preliminary Environmental Information Report (PEIR) relating to the Rivenhall Integrated Waste Management Facility (IWMF).

It was reported that consent had been granted for the IWMF, which was located at the former Rivenhall Airfield north-west of Kelvedon, and for the generation of up to 49.9mw of energy. However, Indaver Rivenhall Limited had applied for the energy generating capacity of the site to be increased to over 50mw. As such, and in accordance with the Planning Act 2008, the proposal was classified as a Nationally Significant Infrastructure Project for which a Development Consent Order was required. It was noted that the proposed change to the capacity of the site would affect internal areas of the facility only and that other aspects of the approved use were not for consideration. If the proposed change was approved, it was anticipated that the IWMF would be commissioned in 2025.

In accordance with the Environmental Impact Assessment Regulations, the proposed development required an environmental impact assessment to be carried out. This process sought to identify and assess the likely significant effects of a development on the environment and to identify measures to mitigate or manage any significant negative effects. A PEIR had been prepared for the IWMF and this had been subject to statutory consultation from 28th June 2023 to 23rd August 2023. The Council’s proposed response to the PEIR was set out at Appendix 1 to the Agenda report. The response related to the likely impact of the amended proposal in terms of climate change/greenhouse gases, and noise. Braintree District Council and Essex County Council had commissioned ‘Jacobs’ to provide specialist advice on the noise aspects of the proposal and this would be included with the Council’s response.

**DECISION:** That the Council's response to the PEIR consultation relating to the proposed increase in the generating capacity of Rivenhall Integrated Waste Management Facility, as set out in Appendix 1 to the Agenda report, be approved.

11 **WETHERSFIELD CONSERVATION AREA – CHARACTER APPRAISAL AND MANAGEMENT PLAN**

**INFORMATION:** Consideration was given to a report on the proposed 'Wethersfield Conservation Area – Character Appraisal and Management Plan' (CACAMP). The Plan was attached at Appendix 2 to the Agenda report.

Members of the Local Plan Sub-Committee were advised that Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 placed a duty on Local Planning Authorities to review Conservation Areas within their District from time to time and that the Council had appointed Essex County Council Place Services to prepare Character Appraisal and Management Plans for a number of Conservation Areas.

The CACAMP provided an analysis of the Conservation Area, including its historic environment and unique character, which could be used to inform future development and design proposals. The CACAMP provided details about planning context, history and evolution, designated and non-designated heritage assets, buildings at risk and archaeological potential. The Management Plan sought to identify issues facing the Conservation Area and to recommend proposals to address these in the short term and the long term. The main changes to the Plan were summarised in the report. Members of the Sub-Committee were requested to approve the (CACAMP) and to adopt it for use by Braintree District Council as a material consideration when carrying out its planning functions. It was reported that Wethersfield Conservation Area had originally been designated in 1973.

The CACAMP had been published for public consultation between 10th July 2019 and 12th August 2019, but this period had subsequently been extended to 9th September 2019 to enable more people to submit comments. A public meeting had been held in Wethersfield on 17th July 2019 to enable residents to discuss the draft CACAMP with heritage consultants and Braintree District Council Officers. A site visit, attended by representatives of Wethersfield Parish Council and Officers, had also taken place following which the Parish Council had been able to submit evidence. A summary of the comments which had been submitted in response to the public consultation process was attached at Appendix 1 to the Agenda report.

It was reported that in response to public consultation and information submitted, the CACAMP had been amended to reduce the number of areas which it had been proposed should be removed. This had addressed many of the concerns raised by residents and it had ensured that the areas which remained within the Plan merited

Conservation Area status. Information relating to the changes to the CACAMP and the reasons for these was set out in the Agenda report.

The amended version of the CACAMP was before the Sub-Committee for approval. Wethersfield Parish Council had viewed the amended CACAMP in advance of the Sub-Committee's meeting and they had submitted comments, which were attached at Appendix 3 to the Agenda report. The Parish Council had reiterated their objection to the removal of Areas A and E.

In discussing this Item, Members of the Sub-Committee made reference to the proposed Finchingfield and Wethersfield Neighbourhood Plan, which was being compiled locally. As it was anticipated that the production of the Neighbourhood Plan may identify a number of heritage/conservation related matters, it was queried whether the Neighbourhood Plan and the review of the Wethersfield CACAMP could be considered simultaneously. However, it was reported that the preparation of Neighbourhood Plans and the creation/review of Conservation Areas were two separate processes, which were governed by different legislation. Nevertheless, if the preparation of the Neighbourhood Plan provided sufficient evidence of heritage/conservation related matters, it was possible that these could be considered as part of any review of the Wethersfield Conservation Area in the future. This would be subject to funding being available for such a review. It was noted that the Finchingfield and Wethersfield Neighbourhood Plan was currently at an early stage of production.

In discussing this Item, Members of the Sub-Committee commended the excellent work that had been undertaken in reviewing the Conservation Area Plan for Wethersfield and they thanked members of the local community for their contributions.

**DECISION:**

- (1) That the Wethersfield Conservation Area - Character Appraisal and Management Plan be approved.
- (2) That the Corporate Director (Growth) be authorised to make any minor wording changes to the Wethersfield Conservation Area - Character Appraisal and Management Plan.

That it be **RECOMMENDED TO CABINET** that early consideration be given to reviewing the Wethersfield Conservation Area following the approval of the Finchingfield and Wethersfield Neighbourhood Plan.

The meeting commenced at 7.15pm and closed at 8.09pm.

Councillor G Spray (Chairman)