

Minutes

Local Development Framework Panel

18th November 2009

Present:

Councillors	Present	Councillors	Present
G Butland	Apologies	H J Messenger	Yes (from 6.08pm)
A V E Everard	Yes	Lady Newton	Yes
N R H O Harley	Apologies	Mrs W D Scattergood	Yes
M C M Lager	Apologies	Miss M Thorogood	Yes
N G McCrea	Yes	R G Walters	Yes (until 7.20pm)

Councillors J E Abbott and D Mann were also in attendance.

36 DECLARATIONS OF INTEREST

INFORMATION: The following declarations of interest were made:

Councillor J E Abbott declared a personal interest in Agenda Item 9 – Core Strategy – Silver End Regeneration Area Boundary and Agenda Item 10 – Essex County Council Minerals Development Document: Site Allocations – Issues and Options Paper as he was the Ward Member for Bradwell, Silver End and Rivenhall.

Councillor R G Walters declared a personal interest in Agenda Item 10 – Essex County Council Minerals Development Document: Site Allocations – Issues and Options Paper as he was a Member of Essex County Council.

In accordance with the Code of Conduct the Councillors remained in the meeting and took part in the discussion when the respective items were considered.

37 MINUTES

DECISION: The Minutes of the meeting of the Local Development Framework Panel held on 30th September 2009 were confirmed as a correct record and signed by the Chairman.

38 QUESTION TIME

INFORMATION: There was one statement made a summary of which is contained in the Appendix to these Minutes.

LOCAL DEVELOPMENT FRAMEWORK EVIDENCE BASE STUDY ON AFFORDABLE HOUSING PROVISION AND DEVELOPER CONTRIBUTIONS IN THE BRAINTREE DISTRICT

INFORMATION: The Panel considered a report on the Local Development Framework Evidence Base Study on 'Affordable Housing Provision and Developer Contributions in the District of Braintree' which had been prepared by Three Dragons Consultants. The Panel was requested to approve a revised affordable housing policy in the light of the conclusions of the study. Ms Kathleen Dunmore of Three Dragons Consultants attended the meeting and presented the findings of the study.

The Consultants' study assessed the viability of providing affordable housing in different parts of the District and it proposed options on the percentage of affordable housing that the Council should set out in its Core Strategy policy. The study also proposed affordable housing thresholds for sites in the rural and urban areas of the District.

The study had concluded that the Council could adopt one of two possible approaches. Either a single 30% target for the whole District, or a 'split target' which recognised the very significant variation in house prices and residual land values between urban and rural areas. It was proposed that the target should be 40% in rural areas and 30% in the urban areas of Braintree, Halstead, the Heddinghams and Witham.

With regard to dwelling number thresholds, the study had concluded that in the urban parts of the District, the national indicative minimum threshold of 15 dwellings was appropriate. However, for the rural areas it was considered that a lower threshold was justified. Whilst a threshold of five dwellings would capture about a third of the supply in rural areas, a real increase in the provision of affordable housing would require a zero threshold. For schemes of one and two dwellings on site provision would not be possible and it would be necessary to collect a commuted sum and to ensure that such money was spent to increase the supply of rural affordable housing.

Officers considered a threshold of five dwellings or more for rural areas was acceptable, but that it should not apply to all rural sites. However, it was not considered that adoption of the national threshold of 15 dwellings in urban areas would be appropriate as over 10% of urban dwelling supply was provided on sites of 10 to 14 units and it was recommended that a threshold of 10 dwellings or more should be adopted for the urban areas of the District.

DECISION:

- (1) That the study on affordable housing provision and developer contributions be approved as part of the Local Development Framework evidence base.
- (2) That the Core Strategy policy on affordable housing be amended to require that there should be:-

- a) 40% affordable housing provision on sites in rural areas, excluding the Parishes of Sible Hedingham and Great Notley and the proposed growth location in the Parish of Rivenhall.
 - b) 30% affordable housing provision on sites in urban Wards of Braintree and Bocking, Witham including the proposed growth locations, Halstead, the Parishes of Sible Hedingham and Great Notley and the proposed growth location in the Parish of Rivenhall.
 - c) A threshold of five dwellings, or 0.16 hectares, in rural areas of the District excluding urban Wards of Braintree and Bocking, Witham and Halstead.
- (3) That determination of the dwelling and hectare threshold for affordable housing provision in urban areas of the District, comprising the Wards of Braintree and Bocking, Witham and Halstead, be deferred for consideration at the next meeting of the Panel.

40 LOCAL DEVELOPMENT FRAMEWORK EVIDENCE BASE STUDY ON THE STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT

INFORMATION: Members of the Panel considered a report on the draft Strategic Housing Land Availability Assessment (SHLAA) which would form part of the evidence base for the Local Development Framework. The report summarised the comments which had been received following consultation on the draft SHLAA and it set out proposed changes.

Members were advised that the SHLAA was a key part of the evidence base for the Local Development Framework and it identified sites that had development potential for housing. The SHLAA indicated that in order to meet the Regional Spatial Strategy housing requirement for this District up to 2026 it would be necessary to include growth locations with a capacity to provide a minimum of 1400 dwellings. The SHLAA indicated also that there was a five year supply of housing land as required by the Government, and that it would be necessary to phase the development of growth locations over the latter part of the plan period to ensure that there was a continuous five year supply of housing land throughout the plan period.

Consultation on the SHLAA had been carried out in two stages. Initially, site owners and agents had been contacted about potential sites and asked whether they wanted their land to be included in the SHLAA. Secondly, key stakeholders including statutory bodies, the Housing Market Partnership, developers and agents had been consulted on the draft SHLAA in August/September 2009. The comments received and suggested changes to the SHLAA were summarised in Appendix 4 of the Agenda report.

In discussing this item, reference was made to a letter dated 17th November 2009 which had been submitted by Boyer Planning on behalf of Redrow Homes. Redrow Homes considered that strategic sites such as Lodge Farm, Witham should form the cornerstone of the Council's planning

strategy as in their view these sites were more likely to deliver certainty in housing delivery and had the potential to provide additional facilities and wider benefits. It was noted that a response would be sent to Redrow Homes and that a report on the phased development of growth locations would be submitted to a future meeting of the Panel. It was noted also that the proposed new settlements at Boxted Wood, Andrewsfield and West Tey would be assessed and added to the SHLAA.

DECISION: That the consultation responses to the draft Strategic Housing Land Availability Assessment be noted and the proposed amendments in response to these be approved.

41 EAST OF ENGLAND PLAN TO 2031 – SCENARIOS FOR HOUSING AND ECONOMIC GROWTH

INFORMATION: The Panel was advised that the East of England Regional Assembly (EERA) was currently carrying out a consultation exercise on scenarios for housing and economic growth for the period to 2031 as the first stage of the preparation of a Review of the East of England Plan.

The consultation covered the period 2011 to 2031 and set out four scenarios for the number of new homes which could be built in the region. Scenario 1 proposed the Roll Forward of the Existing East of England Plan; Scenario 2 was based on National Housing Advice and Regional New Settlements; Scenario 3 related to National Housing Advice and Economic Forecasts; and Scenario 4 was based on National Household Projections.

It was noted that the District Draft Core Strategy was based on the approved East of England Plan which currently provided for 273 dwellings per year for the period 2009 to 2026, a total of 4,637 dwellings for the 17-year period. The total additional growth that would be required over and above that currently being provided was 2,520 dwellings for Scenario 1; 6,520 dwellings (excluding any provision associated with Uttlesford or Chelmsford) for Scenario 2; 5,520 dwellings for Scenario 3; and 14,920 dwellings for Scenario 4.

In order to assess the implications of these levels of growth, possible sources of housing supply had been examined and five possible options had been identified. However, any decisions on future growth locations would have to be made as part of a review of the Core Strategy once the Review of the East of England Plan had been finalised. The ability to accommodate growth would also depend on the provision of supporting infrastructure, including improvements to the A120 between Braintree and Marks Tey, the A12 and the Braintree branch line.

DECISION: That it be Recommended to Council that the following be approved as the basis of the Council's response to consultation on the Review of the East of England Plan.

- (1) The current consultation by the East of England Regional Assembly (EERA) provides an opportunity for the Council to determine its own view about the future growth of the District. In terms of the scenarios put forward by EERA the following conclusions can be drawn:

Scenario 1

This is the most deliverable of the options with a requirement of 330 dwellings per year overall which could be achieved by an extension of the existing strategy. However, this strategy would require infrastructure improvements to address both the existing deficit and to support new development growth. The work currently being carried out on the Core Strategy indicates that further growth in Braintree and Witham is constrained by the capacity of the A120 and A12 and the junctions on those roads.

Scenario 2

This option is likely to require the provision of a new settlement. Furthermore the consultation document is unclear as to the implications of growth at Chelmsford and in Uttlesford on this District.

Scenario 3

This option is likely to require the provision of a new settlement in this District.

Scenario 4

This is not considered to be deliverable.

- (2) Whilst the level of growth put forward under Scenario 1 is the most deliverable, there may be a case for a higher level of growth in the District if this secures and delivers key strategic infrastructure improvements. However, this is only likely to be achieved in connection with the provision of a new settlement. It is considered that Scenario 2 cannot be supported because of the scale of growth overall and its lack of clarity on how the growth associated with Chelmsford would be dealt with and the location of a new settlement between Dunmow and Braintree. Although Scenario 3 is based on economic forecasting, it is not clear what the economic justification is for the growth suggested for Braintree District and how this will address the current imbalance between homes and jobs. Scenario 4 is not considered to be deliverable.
- (3) It is therefore suggested that the Council's response to the consultation should support the overall levels of growth for the region as set out in Scenario 1, but should suggest that there may be scope to vary the distribution between Districts where a higher level of growth would secure and deliver the provision of key strategic infrastructure improvements.

42 CORE STRATEGY – SIBLE HEDINGHAM REGENERATION AREA BOUNDARY

INFORMATION: The Panel considered a report on a proposal to amend the Sible Hedingham Regeneration Area Boundary.

Members were reminded that the Core Strategy Preferred Options Document proposed a mixed use regeneration area at Sible Hedingham on the site which had been occupied until September 2009 by Premdor.

The Council had been working closely with the agents for Premdor and Sible Hedingham Parish Council to prepare a master plan for the area, which the agents would use as the basis for an outline planning application.

Members were advised that the owner of the adjoining Rockways industrial site wished to relocate to a smaller site within the Braintree District and had asked if the Rockways land could be included in the proposed regeneration area. The Rockways site fronted Station Road at the northern end of the Premdor site and it was allocated as an employment policy area in the Local Plan Review 2005.

It was noted that inclusion of the Rockways site within the regeneration area would enable an overall Master Plan to be developed for the whole site and it would provide a Riverside Walk through the site from Station Road. However, inclusion of the site would mean the further loss of employment land in the centre of Sible Hedingham.

Sible Hedingham Parish Council supported the inclusion of the site within the larger regeneration area provided that additional footpath links, a crossing point and a bus shelter were provided.

DECISION:

- (1) That the Rockways site be included as part of the Sible Hedingham Regeneration Area within the Core Strategy.
- (2) That a policy on the regeneration area be included in the Submission Core Strategy requiring a comprehensive Master Plan and draft Section 106 Agreement to be approved for the whole area before any planning permission is granted.

43 CORE STRATEGY – SILVER END REGENERATION AREA BOUNDARY

INFORMATION: The Panel considered a report on a proposal to amend the Silver End Regeneration Area Boundary.

Members were reminded that the Core Strategy Preferred Options Document proposed a mixed use regeneration area at Silver End on the site which had been occupied in previous years by Crittall.

Discussions had taken place with the agents and landowner of the former Crittall site and with Silver End Parish Council regarding possible uses for the regeneration area and the development of a Master Plan for the site which would form the basis of an outline planning application.

Members were advised that the owner of the adjoining industrial site occupied by The Finishing Company Ltd wished to relocate to another site within the Braintree District and had asked if the land could be included in the proposed regeneration area. The land, which measured approximately 0.3 hectares, was situated to the south east of the regeneration area fronting Boars Tye Road and it was allocated as an employment policy area in the Local Plan Review 2005.

The owner was concerned that the site was getting beyond its useful life and that the increasing number of Heavy Goods Vehicles accessing the site was generating complaints from local residents.

It was noted that inclusion of The Finishing Company Ltd's land within the regeneration area would enable an overall Master Plan to be developed for the whole site. However, the inclusion of the site within the regeneration area would mean the loss of existing employment land in the centre of Silver End.

Silver End Parish Council had been consulted on the proposal and supported the inclusion of the site within the larger regeneration area provided that commercial and community uses were included on the whole site.

DECISION:

- (1) That the 'The Finishing Company Ltd' site be included as part of the Silver End Regeneration Area within the Core Strategy and as part of the mixed use site within the Strategic Housing Land Availability Assessment.
- (2) That a policy on the regeneration area be included in the Submission Core Strategy requiring a comprehensive Master Plan and draft Section 106 Agreement to be approved for the whole area before any planning permission is granted.

44 ESSEX COUNTY COUNCIL MINERALS DEVELOPMENT DOCUMENT:
SITE ALLOCATIONS – ISSUES AND OPTIONS PAPER

INFORMATION: The Panel considered a report on the Council's proposed response to Essex County Council's Minerals Development Document: Site Allocations - Issues and Options Paper. The Paper included details of three potential mineral extraction sites in the Braintree District. The sites were in addition to 11 other sites which had been proposed by land owners and included in previous editions of the document. In considering this item, Members of the Panel were advised of the views expressed by Members of Witham Local Committee who had discussed the sites falling within the Witham area at their meeting on 10th November 2009.

Members were advised that Essex County Council, as the minerals planning authority for Essex, was required to have a strategy and plan for minerals processing in the County to 2026. The Minerals Development Document would set out the vision, objectives and strategy for future minerals development in the County, provide the local minerals planning framework, identify mineral site allocations, and set the criteria against which minerals related planning applications could be determined.

The document currently being consulted on was the Minerals Development Document: Site Allocations – Issues and Options Paper 2009. This Document had been completed in August 2009 and it was the third

document containing potential site allocations for Essex. Two new sites for aggregate extraction within Braintree District had been proposed.

Reference was also made to the Minerals Development Document: Further Issues and Options Paper January 2009. Whilst this document did not contain any new proposals for sites in the Braintree District, it included spatial options for land-won sand and gravel (aggregate) which could have an impact on the amount of extraction which the Braintree District was expected to accommodate. Four options had been put forward.

Members were advised that the Minerals Development Document: Site Allocations – Issues and Options 2005 had been the first of the three documents relating to site allocations for aggregate extraction which had been published by Essex County Council. Eleven potential sites had been proposed for the Braintree District and details of these were set out in the report.

Essex County Council had stated that it would accept responses relating to the current consultation document and to other documents in the series. The responses to all documents would be analysed and this would enable documents to be produced for the next stage.

DECISION: That, subject to the inclusion of the comments made by Witham Local Committee at its meeting held on 10th November 2009:-

- (1) Formal objections to the following sites be submitted to Essex County Council:-
 - a) A36 Olivers Farm, Witham
 - b) A43 Parkgate Road, Silver End/Kelvedon
 - c) A1 Appleford and Colemans Farm, Rivenhall
 - d) A2, A5, A6, A7, A8, extensions to Bradwell Quarry, Rivenhall Airfield
 - e) A9 Broadfield Farm, Rayne
 - f) A10 Covenbrook Hall Farm, Stisted
 - g) A11 Tile Kiln, Valley Farm, Sible Hedingham
- (2) No objections be submitted to the following sites:-
 - a) A3 extension to Bradwell Quarry, Rivenhall Airfield
 - b) A4 extension to Bradwell Quarry, Rivenhall Airfield
 - c) C2 Bulmer Brickfields
- (3) A formal objection be submitted to Spatial Option 3: 'Concentrated Supply of Sites with some Dispersed Sites for land-won sand and gravel extraction' as set out in the Minerals Development Document: Further Issues and Options Paper January 2009.

INFORMATION: The Panel considered a report on the representations which had been submitted following consultation on the draft Supplementary Planning Document on Open Space. Members of the Panel were requested to agree changes to the document in response to the representations and to adopt it as a Supplementary Planning Document.

Public consultation had taken place over a six week period between 27th February 2009 and 10th April 2009 in accordance with statutory requirements, and it had covered both the Supplementary Planning Document and the accompanying Sustainability Appraisal.

The representations submitted and the comments and recommended responses were summarised in Appendix 1 to the report. The draft Supplementary Planning Document had been updated to include the recommended changes and this was attached at Appendix 2 to the report. The main issues raised in the representations were open space standards, categories of open space, the basis of financial obligations, schedules of costs, the inclusion of commercial development and maintenance timescales.

It was reported that the Planning Inspectorate expected Councils to justify financial contributions being sought from developers and to specify where the money would be spent and what it would be spent on. Furthermore, the Braintree Green Spaces Strategy had recommended that an Action Plan should be prepared to provide this type of information and it was proposed that it should be drafted as soon as possible.

DECISION:

- (1) That the representations submitted and details of how the issues raised by them are to be addressed in the Document, as set out in Appendix 1 to the Agenda report, be noted.
- (2) That the Document is modified in accordance with the recommendations set out in Appendix 1 of the Agenda report and adopted as a Supplementary Planning Document.
- (3) That the Supplementary Planning Document comes into effect from 1st April 2010.

NOTE: It was reported that the Local Development Framework Panel meeting scheduled for Wednesday, 2nd December 2009 had been cancelled and that the next meeting of the Panel would take place on Wednesday, 6th January 2010 starting at 6.00pm.

The meeting commenced at 6.00pm and closed at 8.12pm.

Councillor M G McCrea
(Chairman)

APPENDIX

LOCAL DEVELOPMENT FRAMEWORK PANEL

18TH NOVEMBER 2009

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

1. Statement Relating to Agenda Item 7 – East of England Plan to 2031 – Scenarios for Housing and Economic Growth and Agenda Item 10 - Essex County Council Minerals Development Document: Site Allocations – Issues and Options Paper
Statement by Mr R Wright, 303 Rickstones Road, Rivenhall

With reference to Agenda Item 7, Mr Wright indicated his support for the Council's preference for Scenario 1 as the way forward for future housing growth. However, Mr Wright stated that he was against the proposed development of land off Forest Road, Witham and that he preferred the site at Conrad Road, Witham.

Regarding Agenda Item 10, Mr Wright requested the Panel to reject the sites at Olivers Farm, Witham; Parkgate Road, Silver End/Kelvedon; and Appleford and Colemans Farm, Rivenhall as these could lead to more traffic going through Rivenhall and Silver End. Instead, Mr Wright stated that the proposed, smaller extensions to Bradwell Quarry should be supported.