

LOCAL PLAN SUB-COMMITTEE AGENDA

Monday, 14 December 2020 at 6.00pm

In accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, this meeting will be held via Zoom and by the Council's YouTube channel – Braintree District Council Committees.

Members of the public will be able to view and listen to this meeting via YouTube.

To access the meeting please use the link below:

<http://www.braintree.gov.uk/youtube>

Members of the Local Plan Sub-Committee are requested to attend this meeting to transact the business set out in the Agenda.

Membership:-

| | |
|-----------------------------------|-----------------------------------|
| Councillor J Abbott | Councillor T Everard |
| Councillor D Bebb (Vice Chairman) | Councillor P Horner |
| Councillor K Bowers | Councillor D Hume |
| Councillor G Butland | Councillor Mrs J Sandum |
| Councillor J Coleridge | Councillor Mrs G Spray (Chairman) |
| Councillor T Cunningham | Councillor J Wrench |

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by 3pm on the day of the meeting.

A WRIGHT
Chief Executive

INFORMATION FOR MEMBER – DECLARATIONS OF MEMBERS' INTERESTS

Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI) or Non-Pecuniary Interests (NPI).

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

Public Question Time – Registration and Speaking:

In response to the Coronavirus the Council has implemented procedures for Public Question Time for its virtual meetings which are hosted via Zoom.

The Agenda allows for a period of up to 30 minutes for Public Question Time.

Participation will be via the submission of a written question or statement which will be read out by an Officer or the Registered Speaker during the meeting. All written questions or statements should be concise and should be able to be read **within 3 minutes** allotted for each question/statement.

Members of the public wishing to participate are requested to register by contacting the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by midday on the working day before the day of the Committee meeting. For example, if the Committee meeting is due to be held on a Tuesday, the registration deadline is midday on Monday, (where there is a bank holiday Monday you will need to register by midday on the previous Friday).

The Council reserves the right to decline any requests to register for Public Question Time if they are received after the registration deadline.

Upon registration members of the public may indicate whether they wish to read their question/statement or to request an Officer to read their question/statement on their behalf during the virtual meeting. Members of the public who wish to read their question/statement will be provided with a link to attend the meeting to participate at the appropriate part of the Agenda.

All registered speakers are required to submit their written questions/statements to the Council by no later than 9am on the day of the meeting by emailing them to governance@braintree.gov.uk. In the event that a registered speaker is unable to connect to the virtual meeting their question/statement will be read by an Officer.

Questions/statements received by the Council will be published on the Council's website. The Council reserves the right to remove any defamatory comment in the submitted questions/statements.

The Chairman of the Committee has discretion to extend the time allocated for public question time and to amend the order in which questions/statements are presented to the Committee.

Documents: Agendas, Reports, Minutes and Public Question Time questions and statements can be accessed via www.braintree.gov.uk

Data Processing: During the meeting the Council will be collecting performance data of participants' connectivity to the meeting. This will be used for reviewing the functionality of Ms Teams/Zoom and YouTube as the Council's platform for virtual meetings and for monitoring compliance with the legal framework for Council meetings. Anonymised performance data may be shared with third parties.

For further information on how the Council processes data, please see the Council's Privacy Policy. https://www.braintree.gov.uk/info/200136/access_to_information/376/privacy_policy

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to governance@braintree.gov.uk

PUBLIC SESSION

Page

1 Apologies for Absence

2 Declarations of Interest

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest, or Non-Pecuniary Interest relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of the Previous Meeting

To approve as a correct record the Minutes of the meeting of the Local Plan Sub-Committee held on 17th September 2020 (copy previously circulated).

4 Public Question Time

(See paragraph above)

5 Local Development Scheme 2021 - 2023

5 - 26

6 Local Plan Examination Process - Update

27 - 30

7 Urgent Business - Public Session

To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.

Exclusion of the Public and Press

To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

PRIVATE SESSION

Page

8 Urgent Business - Private Session

To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

| | | |
|---|--|---------------------------|
| Local Development Scheme 2021 - 2023 | | Agenda No: 5 |
| Portfolio: Planning Corporate Outcome: Connecting People and Places Report Presented by: Alex Evans, Planning Policy Officer Report Prepared by: Alex Evans, Planning Policy Officer | | |
| Background Papers: | | Public Report: Yes |
| National Planning Policy Framework 2019 (NPPF) Local Development Scheme 2019 – 2021 | | Key Decision: No |
| Executive Summary: <p>The Local Development Scheme (LDS) is a project management document, which sets out the planning documents that the Council will produce and the timetable for their production. A copy of the revised LDS is attached at Appendix 1.</p> <p>This report is asking that Members approve the revised version of the LDS.</p> <p>The main changes include:</p> <ul style="list-style-type: none"> • Updated Local Plan timetable following the section 1 examination; • Removal of the reference to the Garden Communities Strategic Growth Development Plan Document(s) to reflect the Section 1 Inspectors modifications; • The Supplementary Planning Documents (SPDs) section has been amended to reflect that the Essex Coast Recreational Disturbance Avoidance & Mitigation Strategy (RAMS) SPD has been adopted. The production of additional SPDs are being considered and an update will be provided in a future version of the LDS; • Information on evidence base documents has been updated to reflect a review of an existing document or a new document which are being produced / been completed to aid the production of the Development Plan; • An update on Neighbourhood Planning activities; • An update to the risk section to include the impact of the ongoing pandemic; • General updates to the wording of the LDS to reflect current situation; and • Removal of Section 9 (Timetable of documents for production) for this version of the LDS. | | |
| Recommendation: <p>It is RECOMMENDED that the Local Development Scheme 2021 – 2023 be approved.</p> | | |

| | |
|---|---|
| Purpose of Decision: | |
| To set out the programme for preparation of Local Development Documents and Supplementary Planning Documents in the District. | |
| Corporate Implications | |
| Financial: | Cost of plan preparation is being met from base budget |
| Legal: | Must comply with Governments legislation and guidance on planning policy |
| Equalities/Diversity | Equality Impact Assessments of plans produced through the LDS will be required. |
| Safeguarding | None |
| Customer Impact: | Sets out plan preparation timetable. |
| Environment and Climate Change: | Policies in plans that are proposed to be prepared will need to have regard to the environment and climate change issues. |
| Consultation/Community Engagement: | Proposed consultation for planning documents is set out in the Local Development Scheme. |
| Risks: | Delay in the timetable for plan production. |
| | |
| Officer Contact: | Alex Evans |
| Designation: | Planning Policy Officer |
| Ext. No. | 2556 |
| E-mail: | alex.evans@braintree.gov.uk |

1. Background

- 1.1 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a Local Development Scheme (LDS). The main purpose of the LDS is to set out the rolling programme for the preparation of planning documents that will form Braintree District Council's Development Plan and planning guidance. It identifies the key stages and timescales in the preparation of planning documents. This will provide the public and other relevant stakeholders with information on what documents are being produced and the predicted timescales involved. The proposed updated LDS will cover the period from 2021 to 2023.
- 1.2 The LDS is split into a number of different sections. The first section sets out the current national, regional and local planning policy context relevant to Braintree District. The second part of the document provides the timetable for the preparation of planning documents as well as an update on neighbourhood planning activities within the district. This is followed by an updated list of key evidence base documents which support the Braintree Development Plan. The final section of the document is provides information monitoring and reviewing as well as resources required and an analysis of the risks involved.

- 1.3 It is important to keep the LDS up-to-date to provide accurate information to stakeholders using the document as well as meeting legislative requirements. The previous version of the LDS was published in January 2019. Since then, the examination has progressed on Section 1 of the emerging Local Plan and a consultation has taken place on the Inspector's modifications. Further details of changes are provided in the section below.

2 Changes to the previous Local Development Scheme

- 2.1 The last version of the LDS, which was published in January 2019, has been updated as follows;

Updated Local Plan timetable

- 2.2 As stated above, the Local Plan timetable has been updated to reflect progress on the Section 1 examination and subsequent impact on the Section 2 timetable.

Removal of Strategic Growth Development Plan Document(s)

- 2.3 The Section 1 Inspectors modifications include the removal of the West of Braintree and Colchester/Braintree Borders Garden Communities.

Supplementary Planning Documents (SPDs)

- 2.4 This section has been amended to reflect that the Essex Coast Recreational Disturbance Avoidance & Mitigation Strategy (RAMS) SPD has been adopted. Further consideration will be given to a number of additional Supplementary Planning Documents which will provide extra guidance in key areas. A programme and timetable for the production of supporting documents will be set out in more detail in a future LDS update.

Update on Neighbourhood Development Plans

- 2.5 The LDS has been updated to reflect the progress made by neighbourhood planning groups on their plans including: Bradwell & Pattiswick, Coggeshall, Cressing, Hatfield Peverel, Gt Saling & Bardfield Saling Neighbourhood Plans. The Council has also approved Neighbourhood Plan Areas for: Earls Colne, Great Bardfield and Toppesfield.

National Planning Policy Framework February 2019

- 2.6 The LDS has been updated to reflect the revised National Planning Policy Framework (NPPF) which was published in February.

Additional Minor Changes

- 2.7 Other minor factual updates have been made throughout the document to reflect updated evidence and legislative changes. The impact of the ongoing pandemic has been added to the table of potential risks (section 8).

3 Next steps

- 3.1 If approved, the updated LDS will be published on the Braintree District Council website and made available to stakeholders.
- 3.2 The LDS is required to be kept up-to-date. Therefore, further updated versions will need to be published in the future to reflect changes and progress made on the Development Plan and other planning documents.

Recommendation:

It is RECOMMENDED that the Local Development Scheme 2021 – 2023 be approved.



LOCAL PLAN | LOCAL DEVELOPMENT SCHEME

2021 - 2023

December 2020

Contents

| | | |
|----|--|----|
| 1. | Introduction | 2 |
| 2. | Planning Context | 3 |
| | • National Planning Guidance | |
| | • County Planning Policy | |
| | • Adopted Local Planning Policy | |
| 3. | Local Plan and Local Development Framework | 5 |
| 4. | Supplementary Planning Documents | 8 |
| 5. | Neighbourhood Planning | 10 |
| 6. | Evidence Base | 11 |
| 7. | Monitoring and Review | 15 |
| 8. | Resources and Risk | 16 |

1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a Local Development Scheme (LDS). This sets out the rolling programme for preparation of planning documents that together will form Braintree District's Development Plan. It identifies the key stages in the preparation of the Council's Local Development Plan Documents.
- 1.2 It also sets out what resources will be required in order to ensure that the work will be completed in accordance with the timetable and identifies the risks that could result in delay.
- 1.3 The first LDS was published in September 2005 and the last review was published in January 2019. Progress on the Local Development Scheme has been monitored and the extent to which the milestones identified have been achieved is set out in the Council's Annual Monitoring Reports.
- 1.4 The Braintree Local Development Scheme is therefore a project management document, which informs the public and stakeholders of the planning documents that the Council will produce and the timescale for their production. It includes;
 - A timetable for the production and adoption for all Development Plan Documents within the Local Development Scheme time period (3 years).
 - Identifying background studies and documents, which form the evidence base for the Local Plan.
 - A list of current adopted Supplementary Planning Documents, Material Planning Guidance and Development Briefs.
 - Arrangements for monitoring and review.

2. Planning Context

National Planning Guidance

- 2.1 The National Planning Policy Framework (February 2019) *‘sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.’* Regarding plan-making, paragraph 15 of the framework describes how *‘the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings’.*

County Planning Policy

- 2.2 Essex County Council is the authority responsible for production of the Waste and Minerals Local Plans, which form part of the Development Plan. At present the adopted plan for Essex is;
- The Essex Minerals Local Plan (2014)
 - Essex and Southend-on-Sea Waste Local Plan (2017)
- 2.3 More details on the waste and minerals development document can be found on the Essex County Council website www.essex.gov.uk following the links from planning to minerals and waste policy.

Adopted Local Planning Policy

- 2.4 The Development Plan for Braintree District is made up of the Core Strategy, adopted in September 2011 and the Braintree District Local Plan Review, which was adopted in July 2005.
- 2.5 The Braintree District Local Plan Review was adopted in July 2005. In July 2008 the Secretary of State for Communities and Local Government decided that the majority of the Braintree District Local Plan Review policies would remain in force with the exception of the following 11 policies, which have either already been implemented or superseded by more recent Government policy guidance;
- RLP23 Provision for Gypsies and Travelling Showpersons
 - RLP43 Atlas Works Site, Earls Colne
 - RLP57 Freeport Special Policy Area
 - RLP66 Flood Risk in Developed and Urban Areas
 - RLP66 Flood Risk in Undeveloped Areas
 - RLP68 Functional Floodplains
 - RLP130 Indoor Sport and Leisure Site, Braintree Retail Park
 - RLP131 Swimming Pool, Millennium Way, Braintree
 - RLP132 Community Swimming Pool, Ramsey School, Halstead
 - RLP156 Community Uses Site, Colchester Road, Halstead
 - RLP165 Monitoring

2.6 When the Core Strategy was adopted in 2011, it superseded the following additional policies in the Braintree Local Plan Review 2005;

- RLP1 Housing Provision
- RLP5 Affordable Housing in New Developments
- RLP60 Braintree Branch Line Improvement
- RLP61 New Road Schemes
- RLP78 Countryside
- RLP79 Special Landscape Areas
- RLP88 Agricultural land
- RLP110 Retail and Town Centre Development
- RLP111 Retail Development
- RLP137 Open Space Standards
- RLP139 Allotments
- RLP163 Infrastructure and Community Facilities

2.7 It was the intention that the remaining policies in the Local Plan Review 2005 would be used, until they were superseded by the adoption of new policies in the Site Allocations and Development Management Plan Document. The National Planning Practise guidance plan-making section at Paragraph 042, Reference ID: 61-042-20180913 states:

‘Due weight should be given to relevant policies in existing plans according to their consistency with the National Planning Policy Framework. It will be up to the decision-maker to decide the weight to give to the policies.’

2.8 This means that policies in the Core Strategy and remaining policies in the Local Plan Review will have different weight depending on their compatibility with the NPPF and the presumption in favour of sustainable development.

2.9 The NPPF paragraph 48 describes how *‘Local planning authorities may give weight to relevant policies in emerging plans according to:*

- a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).’*

2.10 The Council progressed a Site Allocations and Development Management Plan in 2013/2014 however, this was not submitted for examination and has now been superseded by the Draft Local Plan. Both sections of the Draft Local Plan have been submitted to the Secretary of State. Section 1 of the Plan is currently undergoing public examination and Section 2 of the plan is expected to be examined winter / spring 2021.

3. Local Plan

- 3.1 The Planning and Compulsory Purchase Act 2004 required the preparation of new planning documents to replace the previous planning system. This new suite of documents was part of the Local Development Framework (LDF). However, following the change of government in 2010, a new set of Town and County Planning (Local Planning) (England) Regulations came into force in April 2012 (And amended in November 2012) and these revert to the former terminology of a 'Local Plan'.
- 3.2 The Local Plan will set out how the Council plans for, and makes decisions about, the future of towns, villages and countryside and will set out a strategy for the future development of the District, which is based on a clear and locally distinct vision. This vision will be developed with the involvement of the local community and there should be commitment by all relevant agencies to its delivery.
- 3.3 The Local Plan consists of a number of documents, including Development Plan Documents (DPDs) such as the Local Plan, Supplementary Planning Documents (SPDs), a Local Development Scheme (LDS), the Authorities Monitoring Report (AMR) and a Statement of Community Involvement (SCI). Further details about each document and their progress in Braintree District are given as follows:-

3.4 The Statement of Community Involvement (SCI)

- 3.5 **Purpose:** This document sets out the standards and approach to involving the community and stakeholders in the production of the Local Plan.
- 3.6 **Status:** A temporary amended SCI is in place in order to respond to restrictions due to the coronavirus pandemic. Once the temporary version expires, the SCI will revert to its previous form.

3.7 The Core Strategy Development Plan Document

- 3.8 **Purpose:** The key document in the Local Development Framework, which sets out the key strategic vision and objectives for the District and contains strategic sites, which are essential to the delivery of the plan.
- 3.9 **Status:** The Council adopted its Core Strategy in September 2011, following examination of soundness by an independent planning inspector. It will be replaced by the Local Plan when approved.

3.10 The Site Allocations and Development Management Plan

- 3.11 **Purpose:** A development plan document, which is in conformity with the Core Strategy. This allocates sites for new housing, employment, retail and other land uses and sets out non-strategic planning policies, by which planning applications are judged, to ensure that they will meet the vision set out in the Core Strategy.
- 3.12 **Status:** The Site Allocations and Development Management Plan was withdrawn on the 30th June 2014. At a Full Council meeting on the 15th September 2014 the Council agreed that the document

would be considered as a material consideration in the determination of planning applications. It has now been superseded by the Draft Local Plan.

3.13 Local Plan

3.14 **Purpose:** Sets out strategic and non-strategic allocations for land use, and policies for the determination of planning applications.

3.15 **Status:** Section 1 of the Draft Local Plan is currently being examined. A consultation on the Inspectors Main Modifications ended in October 2020. Section 2 of the Draft Local Plan will be examined once the examination for Section 1 has been concluded.

3.16 The Authority Monitoring Report (AMR)

3.17 **Purpose:** To set out the principal characteristics of the District and assess progress in preparing Local Development Documents and monitor progress in housing, employment and other development.

3.18 **Status:** The AMR is published in December of each year and assesses the year from the 1st of April to the 31st of March. The latest report is available on the council's website.

3.19 Local Development Scheme (LDS)

3.20 **Purpose:** A project management document to inform stakeholders of the timetable for production of documents.

3.21 **Status:** This LDS will replace the 2019 - 2021 document.

3.22 Supplementary Planning Documents (SPDs)

3.23 These are supplementary to the Local Development Documents. Further detail is set out in Section 4.

3.24 Community Infrastructure Levy (CIL) Charging Schedule

3.25 **Purpose:** To set out the standard levy which the local authority will be applying to some developments and to define the infrastructure projects, which it is intended to fund.

3.26 **Status:** Braintree District Council will consider implementation of the Community Infrastructure Levy if it considers it the best approach to gather developer contributions from new development.

3.27 Local Plan – Timetable for Production

| | |
|---------------------|--|
| Role and Content | Sets out the detailed allocations of land for housing, employment, retail and other major land uses. Sets out strategic and non-strategic development management policies. |
| Status | Development Plan Document |
| Chain of Conformity | Must be consistent with National Policy as set out in the National Planning Policy Framework. |
| Geographic Coverage | Whole of Braintree District |

| Timetables and Milestones | |
|---|---|
| Evidence Base Update; Update of strategic level evidence base | September 2014 – Summer 2016 |
| Issues and Scoping Consultation | Jan to March 2015 |
| Member Approval of Consultation Document | June 2016 |
| Public Participation of preferred options | Summer 2016 |
| Consideration of Representations and amendment of document | Winter 2016 / spring 2017 |
| Council Approval of Pre Submission Document and Submission Draft Consultation | Summer 2017 |
| Submission to Secretary of State | October 2017 |
| Hearing | Shared Strategic Plan (Section 1) – 2019 - 2020 Braintree District Specific Local Plan (Section 2) – Winter/ Spring 2021 |
| Receipt of Inspectors Report | Shared Strategic Plan (Section 1) – Winter 2020/21 Braintree District Specific Local Plan (Section 2) – Autumn 2021 |
| Date of Adoption | Autumn/Winter 2021 |
| Arrangements for Production | |
| Lead Department | Braintree District Council Sustainable Development |
| Management Arrangements | To be managed by Departmental Management Team and Sub Committee of Council Members |
| Resources | To be prepared by Planning Policy Team involving other services as appropriate. To be funded from base budgets. |
| Involvement of Stakeholders and Community | As set out in the Statement of Community Involvement |
| Post Production Monitoring and Review Mechanisms | Document to be monitored on an annual basis and will need to be subject to review, if monitoring highlights a need, or as required. |

4. Supplementary Documents

- 4.1 Supplementary Planning Documents (SPD's) and other guidance documents can provide further detail on particular policies or local issues. SPD's can take a number of forms, but can normally be broken down into 2 categories;
- Area based including masterplans and development briefs, which deal with specific parcels of land; and
 - Topic based which provide additional information on local issues, or policies, such as design guides.
- 4.2 Although supplementary documents are not subject to examination, they are produced in consultation with the community and other interested parties and are still subject to regulations regarding their consultations. Supplementary documents are not required to be listed within the Local Development Scheme, but it is considered appropriate to inform the public of the Council's proposals to produce new documents.
- 4.3 The Council also has a number of approved planning guidance documents and development briefs. These are documents, which have been either produced or consulted upon by another authority, or whilst the public and stakeholders have been involved in their production have not undergone the same strict levels of consultation as is required for an SPD.
- 4.4 A list of the current adopted SPD's, guidance and development briefs are included in the table below;

| Title and Subject | Produced by | Status | Date Approved |
|---|--|--------|-----------------|
| Essex Coast Recreational Disturbance Avoidance & Mitigation Strategy (RAMS) SPD. It sets out the mitigation that is necessary to protect the wildlife of the Essex coast from the increased visitor pressure associated with new residential development, and how this mitigation will be funded. | Essex County Council, Braintree District Council and other Local Authorities | SPD | May 2020 |
| Affordable Housing. The document sets out the process and mechanisms for the delivery of affordable housing in Braintree District. | Braintree District Council | SPD | May 2006 |
| External Artificial Lighting. It provides advice and guidance on what factors the Council will take into account when determining planning applications. | Braintree District Council | SPD | September 2009 |
| Open Space. The document sets out the processes and mechanisms for the delivery of open space in Braintree District | Braintree District Council | SPD | Updated in 2014 |
| NW Braintree Masterplan. The masterplan to guide development for the strategic growth location off Panfield Lane in NW Braintree | Mersea Homes and Hills Residential & Braintree District Council | SPD | August 2013 |

| Title and Subject | Produced by | Status | Date Approved |
|--|---|-------------------|----------------------|
| Parking Standards – Design and Good Practice Guidance Provides car and cycle parking standards together with design guidance on accommodating parking within various types of residential and commercial development. | Essex County Council working in partnership with Essex Planning Officers Association. | Guidance | Nov-09 |
| Urban Place Supplement. To build on the Essex Design Guide to provide guidance on producing high quality, attractive developments which are sustainable and reflect the local area. (Braintree District Council did not adopt sections 5.8, 6.2, 7.0, 7.1, 7.2 and 7.3 of the document) | Essex County Council in partnership with Essex Planning Officers Association, East of England Development Agency, Environment Agency and Inspire East | Guidance | Jun-07 |
| Essex Design Guide 2005 Provides guidance on design and layout principles including specific information relating to structure and layout of new developments, garden sizes, building design and form, parking design and road layouts. | Essex County Council working in partnership with Essex Planning Officers Association | Guidance | 2005 |
| Land East of the High Street, Halstead Guide to development and regeneration on a site in Halstead | Built Environment Branch of Essex County Council commissioned by Braintree District Council | Development Brief | Jan-05 |
| Riskstones Neighbourhood Centre, Witham | Braintree District Council | Development Brief | Sep-10 |
| Silver End Shops Site Guide to development and regeneration on a site in Silver End village. | Stephen Claydon and Michael Munt approved by Braintree District Council | Development Brief | Jun-06 |

- 4.5 The Council intends to review and update the 3 topic based SPD's (Affordable Housing, Open Space and External Lighting) following the adoption of the new Local Plan. The level of review will vary from document to document.
- 4.6 The Council is also considering a number of additional Supplementary Planning Documents to provide extra guidance in key areas. Following the adoption of the Local Plan, a programme and timetable for the production of supporting documents will be set out in more detail.

5. Neighbourhood Planning

- 5.1 The Localism Act 2011 introduced neighbourhood developments plans which help communities with or without Parish or Town Councils to establish general planning policies for the development and use of land in a neighbourhood. Once 'made', these plans will form part of the statutory development plan for the area and will be used in the determination of planning applications.
- 5.2 The first stage of developing a neighbourhood plan is to designate a neighbourhood area. The District has agreed 13 Neighbourhood Areas. Other parish councils are considering developing a neighbourhood plan.
- 5.3 Once a neighbourhood area has been agreed preparation of a neighbourhood plan can be carried out by a parish or town council or in the case of unparished areas a neighbourhood forum.

| Area | Stage |
|------------------------------|--|
| Bradwell & Pattiswick | 'Made' – 22 nd July 2019 |
| Coggeshall | Examiners Report Received (Reg 18) – October 2020 |
| Cressing | 'Made' 17 th February 2020 |
| Earls Colne | Preparation of draft plan |
| Feering | Preparation of draft plan |
| Hatfield Peverel | 'Made' – 16 th December 2019 |
| Kelvedon | Working towards Regulation 15 consultation |
| Great Bardfield | Preparation of draft plan |
| Gt Saling & Bardfield Saling | Regulation (Reg) 16 Consultation concluded November 2020 |
| Great Yeldham | Preparation of draft plan |
| Stisted | Preparation of draft plan |
| Steeple Bumpstead | Preparation of draft plan |
| Toppesfield | Preparation of draft plan |

6. Evidence Base

- 6.1 The Development Plan Documents will establish the Council's planning policies. In preparing these documents and to ensure that the proposals and policies contained within them are soundly based, a number of specialist studies and other research projects have been, or will be undertaken.
- 6.2 The following table illustrates the reports and studies that will be used to provide a robust and credible evidence base for the Local Development Framework. This list will be added to, if additional work is required.

| Name | Description | Date |
|--|--|--|
| General | | |
| Authority Monitoring Report | The monitoring report aims to assess progress in meeting policy targets and milestones, and to present information on housing trajectories demonstrating the delivery of the provision of new homes. | The document pertains to the period 1st of April through to the 31st of March each year. |
| Economic | | |
| Braintree District Retail Study Update 2015 (reviewed 2018) | An update to the previous retail study to enable robust and up to date evidence to support the retail boundaries, allocations and policies in the new Local Plan. An update is being produced. | Update 2015 and reviewed 2018 |
| Braintree Plan For Growth 2017 - 2022 | The Prospectus sets out how the council intends to create the conditions for economic growth and deliver a prosperous Braintree District from 2017 to 2022 | |
| Employment Land Needs Assessment 2015 | The assessment considers projected Employment Land Needs | August 2015 |
| Rural Services Survey | The survey updates previous work done in 2005 to assess the provision of services within rural parishes. | Completed in 2011. |
| Environmental | | |
| Braintree Green Spaces Strategy | Builds on the results of the 2006 Open Space Audit to set standards for the quality, quantity and accessibility of open space together with specific needs, surpluses or deficiencies. | Completed in September 2008. |
| Conservation Area Appraisals & Management Plans | A programme of conservation area appraisals has been undertaken. The process provides further detail about the character of the areas as an update to the original conservation area designations. | 2009 onwards |
| Dedham Vale - Proposed Search Area for AONB Review | The map shows the current Dedham Vale AONB and the maximum potential extension proposed | Ongoing |
| Habitats Regulation Assessment and if necessary an Appropriate Assessment - In Progress | The report is to identify any effects the proposed development in this District will have on European Sites of Importance for nature conservation and to suggest ways to mitigate this impact. | Being completed alongside the Local Plan process. |
| Heritage Assets Impact Assessment | Heritage Assets Impact Assessment for Potential Growth Locations within Braintree District | May 2016 |
| Historic Environment Characterisation Project | Report characterising the historic environment of the district. | 2010 |
| | | |

| Name | Description | Date |
|--|--|---|
| Mid Essex Strategic Flood Risk Assessment | The document identifies in more detail areas of existing or proposed development which are at risk from flooding. | Completed in October 2007; review completed in 2017 |
| Open spaces Sport Recreation Strategy (Playing Pitch Strategy) | The open space strategy will set out the Councils strategy with regards to open space including the strategy for the Sports, Leisure and Recreation. | Drafts published / in progress |
| Protected Lanes Study | Commissioned by Braintree District Council to assess the protected lanes within the district | 2013 |
| Strategic Environmental Assessment and Sustainability Appraisal | Makes an environmental and sustainability appraisal of each document to report on likely impacts of the proposed policies and plans. | Completed during the Local Plan process and any future DPDs |
| Strategic Flood Risk Assessment | An assessment of the flood risk within the district; in progress to be completed late 2016. | Level 1 update November 2016, Level 2 January 2017 |
| Water Cycle Study Update | Stage 1 also includes the water system around Haverhill and Clare within the St Edmundsbury District. The study looks at the provision of water and waste water infrastructure to serve proposed LDF growth and highlights any constraints and possible solutions. | March 2017 |
| Residential | | |
| Affordable Housing Viability Study | Assesses whether the proposed affordable housing policies are viable and achievable in terms of dwelling threshold and percentage of affordable housing that is required by development. | Completed in 2009. Review completed 2015. |
| Brownfield land Register | The Brownfield Land Register provides a list of brownfield site which are suitable for housing-led development. | Annually |
| Demographic projections 2013-2037 Phase 7 Main Report May 2015 | Considers the Demographic projections for 2013-2037 | May 2015 |
| Demographic projections 2013-2037 Phase 7 Macro Areas accompanying Profiles | | |
| Essex Design Guide, 2005 | Provides guidance on design and layout principles including specific information relating to structure and layout of new developments, garden sizes, building design and form, parking design and road layouts. | 2005 |
| Essex Wide Gypsy and Traveller Accommodation Needs Assessment | An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided | The current assessment (2014) will be reviewed to be completed in 2016. |
| Gypsy and Traveller and Travelling Showpersons Accommodation Assessment | An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided. | Completed. A further study on is in progress on transit pitches. |
| Objectively Assessed Housing Need Study | Commissioned by Braintree, Chelmsford, Colchester and Tendring. Determines the Housing Market Area and OAN. | Completed July 2015. Further update 2016 completed. |
| Strategic Housing Land Availability Assessment (SHLAA) 2016 | This document builds on the work completed in the Urban Capacity Study but includes an assessment of a sites viability and likely timescale for the site to be developed. | Ongoing process. To be undertaken as part of the production of Development Plan Documents |

| Name | Description | Date |
|---|--|--|
| Strategic Housing Market Assessment (SHMA) and Housing Needs Study | Was commissioned jointly by Braintree, Colchester and Chelmsford Councils. Includes an assessment of the local housing market and recommends a level of affordable housing, along with tenure splits and the situation in the private rental market. | Completed in 2015. Update completed December 2015 |
| Housing Delivery Test | The Housing Delivery Test is an annual measurement of housing delivery in the area of relevant plan-making authorities (non-metropolitan districts, metropolitan boroughs, London boroughs and development corporations with plan-making and decision making powers). National Planning Policy Framework Paragraphs 73 & 75 set out the policy consequences of not meeting the Housing Delivery Test | Annual |
| Standard Methodology | The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply. | Updated every 2 years to take into account official population and household projections |
| Self-build and Custom Housebuilding Register | The Council keep a register of people who are interested in building self-build or custom build homes within the Braintree District. | Ongoing |
| Transport and Infrastructure | | |
| Community Halls Consultation Report March 2016 | Report on the consultation undertaken for Braintree District Council with community halls in Braintree, Halstead and Witham | March 2016 |
| Cycling Strategy | Strategy for cycling in Essex | Essex - Completed November 2017; Braintree Draft 2018 |
| Development Boundaries Review Methodology | Proposes a methodology and a series of criteria that will be used in reviewing the development boundaries for the settlements in the District for the emerging Local Plan | June 2015 |
| Garden Communities - Charter | Evidence base documents that scope the development of the Garden Communities | 2016 - 2018 |
| Garden Communities - Baseline Compendium | | |
| Garden Communities - Opportunities and Constraints | | |
| Garden Community Issues and Options DPD | | |
| Garden Communities - Options and Evaluation | | |
| Highways and Transport Assessment | Identifies key issues with the highways and transportation network, in order to determine capacity and any improvement required to transport networks. | Further reports completed 2017 |
| Infrastructure Plan | A study of key infrastructure capacity, constraints and future improvements. | Completed October 2017 |
| Local Transport Plan - Essex County Council | Published by Essex County Council | 2011 |
| Parking Standards | The document sets out the required parking standards for the District. | 2009 |
| Viability Assessments | This document will seek to demonstrate that the Local Plan is viable. | Completed 2017 |

- 6.3 In addition an Equality Impact Assessment was undertaken as part of the production of the Local Plan to ensure that all policies and documents are free from discrimination and promote equality of opportunity.
- 6.4 A full list of up-to-date evidence base documents can be found via the Planning Policy webpage link: <https://www.braintree.gov.uk/planning-building-control/emerging-local-plan/8?documentId=257&categoryId=20010>
- 6.5 The Local Plan must also have regard to a number of other strategies and policies produced both by the Council and by partners. These include;
- Braintree District Climate Change Strategy and Action Plan 2014-2018
 - Braintree Plan For Growth 2017 - 2022
 - Essex Biodiversity Action Plan 2011
 - Essex Local Transport Plan 2011
 - Essex Minerals Local Plan 2014
 - Essex and Southend-on-Sea Waste Local Plan 2017

7. Monitoring and Review

Monitoring

- 7.1 The LDS and the development plan documents that it includes will be monitored on an annual basis, in the Monitoring Report with a reporting period of 1st April – 31st March.
- 7.2 Each year the report will set out;
- How the Council is performing against the timescales set out within the previous year's Local Development Scheme.
 - Provide information on housing and employment completions and land availability.
 - Provides a housing trajectory and shows the Council's 5 year supply of housing land.
 - Any required update to the Local Development Scheme as appropriate.
- 7.3 The Local Plan programme will be managed through the Sustainable Development Service reporting to the Cabinet Member for Planning and Housing and the Local Plan Sub-Committee. This will include considering progress on the preparation of Local Development Documents and identifying action to be taken if there are variations from the project programme.

Review

- 7.4 Following the initial adoption of each Local Plan as set out in the Local Development Scheme, it is anticipated that any subsequent reviews will be in the form of a rolling programme. Reviews may also be necessary as a result of changes in national guidance, as an outcome of the monitoring in the Monitoring Report, or pressures for development or regeneration.

8. Resources and Risk

Resources

- 8.1 The Local Plan process will be led by the Planning Policy team, part of the Sustainable Development Service at Braintree District Council.
- 8.2 The timetable contained within this document is based on using the full resources of the Planning Policy team at the Council, which consists of a team manager who will be responsible for the overall project, planning policy officers, technical and administration staff. The Council will also be working with other partners including neighbouring authorities on specific DPDs.
- 8.3 Additional resources, particularly to provide specialist input on various technical matters will be sought from time to time as required from other teams within the Council including Housing Policy and Economic Development, and other organisations including Essex County Council and the Highways Agency. In addition, external consultants may be commissioned to develop elements of the evidence base, or supplementary planning documents.

Risk

- 8.4 There are several factors which may impact on the achievement of this timetable. The table below considers and deals with the main risks.

| Issue | Level of Risk | Impact and Mitigation |
|--|---------------|---|
| Delays to the production of background studies | Medium | Would delay the preparation of development plan documents. The resources for any further studies should be in place to ensure they are commissioned at an early stage |
| Changes to national guidance in relation to Braintree. The new NPPF was published February 2019. The Government is currently consulting on changes to planning policy and guidance | Medium | Could delay the preparation of development plan documents or require an early review of those documents already produced. Review the time table for the preparation and review of documents within the Annual Monitoring Report and review of the LDS if necessary. |
| Supporting Neighbourhood Planning | Medium | Staff time and other resources being diverted to support neighbourhood planning. Resource and timetable planning with neighbourhood plan groups needed. |
| Problems or difficulties engaging with stakeholders and the community | Low | May delay the preparation of development plan documents. Ensure stakeholders and the community are involved at an early stage of the process, as outlined in the Statement of Community Involvement. Lack of agreement with other Local Authorities regarding the duty to co-operate. Need to maintain a close working relationship with neighbouring authorities. |

| | | |
|---|--------|---|
| Inability of the Planning Inspectorate to deliver hearings/ reports to the timetable. | Medium | Would delay the adoption of development plan documents. Agree early with the Planning Inspectorate that the timetable laid out for each document is acceptable. If slippage occurs this should be identified in the Monitoring Report and amendments made to the timetable. |
| Insufficient staff resources due to staff turnover or volume of work greater than anticipated | Medium | Would delay the production of development plan documents. Consider use of consultants if financial resources allow. Revise timetable for the production of documents through the Monitoring Report and review of the LDS if necessary. |
| Government New Homes Bonus, neighbourhood planning funds insufficient or no longer available. | Medium | Would delay the production of evidence base and development plan documents which need specialist advice from consultants. Increased budget bids may need to be made if Government New Homes Bonus or neighbourhood planning funds are insufficient or no longer available. Revise timetable for the preparation of documents through the annual monitoring report and review of the LDS if necessary. |
| Local Plan is found unsound | Low | Would delay the adoption of development plan documents as they would need further work and then resubmission. Undertake self-soundness test and maintain a close working relationship with key stakeholders. |
| Impact of national and local restrictions due to ongoing pandemic | Medium | The team are set up to work from home, and the majority of activities can be successfully carried out from home. Stakeholder engagement will be carried out online wherever possible, with new and innovative ways of engaging people developed wherever possible. |

| | | |
|--|---|---------------------------|
| Update on Local Plan Examination Process | | Agenda No: 6 |
| Portfolio | Planning | |
| Corporate Outcome: | A well connected and growing district with high quality homes and infrastructure | |
| Report presented by: | Emma Goodings – Head of Planning and Economic Growth | |
| Report prepared by: | Emma Goodings – Head of Planning and Economic Growth | |
| Background Papers: | | Public Report: Yes |
| <ul style="list-style-type: none"> Submission Draft Local Plan Documents and correspondence set out on the examination website | | Key Decision: No |
| Executive Summary: | | |
| <p>Consultation on the Inspector's main modifications to the Local Plan has now closed. A total of 382 responses have been received and they can be viewed online alongside responses received to the revised Habitats Regulation Assessment (6 responses) and revised Sustainability Appraisal (15 responses).</p> <p>The time in which to respond to the Inspector on the 2018 Household Population Projections has also ended and a total of 59 responses have been received and which are published in full on our website.</p> <p>We now await the Inspector's consideration of those responses and his next steps.</p> | | |
| Recommended Decision: | | |
| That Members note the contents of this report | | |
| Purpose of Decision: | | |
| To update Members of the Sub-Committee on the current progress on the Local Plan | | |

| Any Corporate implications in relation to the following should be explained in detail. | |
|--|---|
| Financial: | The continuing costs of the Local Plan examination are met from existing budgets. |
| Legal: | The Local Plan examination must continue to follow the relevant legal processes. |
| Safeguarding: | No matters arising out of this report |
| Equalities/Diversity: | The Local Plan has been subject to an equalities impact assessment. |
| Customer Impact: | The Local Plan impacts on the whole District. |
| Environment and Climate Change: | The Local Plan has been subject to detailed environmental assessments, including a further revision to the Sustainability Appraisal and Habitats Regulation Assessment which accompany the proposed main modifications. |
| Consultation/Community Engagement: | Consultation has been undertaken throughout the Local Plan process and the proposed main modifications consultation is currently underway. |
| Risks: | That the Local Plan is not found sound by the Planning Inspectorate. That there are further delays to the adoption of the Local Plan. |
| | |
| Officer Contact: | Emma Goodings |
| Designation: | Head of Planning and Economic Growth |
| Ext. No: | 2511 |
| E-mail: | Emma.goodings@braintree.gov.uk |

1 Introduction

- 1.1 This report provides Members of this Sub-Committee with an update into the progress of the Local Plan examination.

2 Main modifications to the Section 1 Local Plan

- 2.1 Following the decision of the three Authorities to continue with the Shared Section 1, the Inspector provided his proposed main modifications to the Plan. These were required to be subject to an updated Sustainability Appraisal (SA) and a Habitats Regulation Assessment (HRA). These documents were completed by our consultants LUC.
- 2.2 The proposed main modifications, SA and HRA were subject to a consultation period which closed on the 9th October 2020.
- 2.3 A total of 382 consultation responses were received from across North Essex to the main modifications, from 117 individuals or groups. This includes local residents and Parish Councils, land owners and agents and statutory consultees such as Historic England and Natural England.
- 2.4 No analysis or reply to those consultation responses has been made by the Authorities, as these were sent directly to the Inspector to consider. However, it may be worth noting that 66 comments were made to the modifications in general, (and therefore not necessarily commenting on a particular modification) and policies SP7 Garden Communities and SP8 Tendring Colchester Borders Garden Community were the areas which attracted the most number of comments.
- 2.5 A further 6 comments were received to the amended Habitats Regulation Assessment and 15 comments were received to the amended Sustainability Appraisal. Again these were from a mixture of local residents and Parishes, landowners and agents and statutory consultees.
- 2.6 All responses to the consultation have been published in full on the Council's consultation portal and can be found by clicking on the link below https://braintree.objective.co.uk/portal/nea/s1_pmmods/s1_mm?page=0&pageSize=250&status=&tab=list&sortMode=response_date&q%3AsortMode=

3 Consultation on the 2018 Household Population Projections

- 3.1 The Inspector invited comments on the 2018 Household Population Projections and the North Essex Authorities response to it during September and October 2020.
- 3.2 A total of 59 responses were received by the Inspector and are published on the examination website as pdfs. The responses were received from a wide range of organisations and groups including residents and Parishes, landowners and agents and statutory consultees.
- 3.3 Again as these responses were directly for the Inspector, the North Essex Authorities have not analysed or replied to any responses, but they can be read in full at the following link
<https://www.braintree.gov.uk/planning-building-control/section-1-examination/16?documentId=230&categoryId=20010>

4 Next Steps

- 4.1 The North Essex Authorities now wait for the Inspector to consider all the information he has before him and come to a conclusion on the next steps to the Section 1 Local Plan. We have had no formal indication from the Inspector as to when this process will be completed.
- 4.2 If the Inspector is satisfied that he has all the information necessary to come to a final conclusion on the Plan, then he will follow the format for issuing final reports as set out in the *Procedural Practice Guidance in the Examination of Local Plans*, produced by the Planning Inspectorate. This would include the receipt of a draft final report for the Local Planning Authority to consider as a fact check for two weeks, prior to the issuing of the final report. This final report will include the main modifications to the Section 1 Local Plan to make it sound.
- 4.3 If the Inspector is not satisfied with the information he has before him, we expect he will write to the North Essex Authorities setting out a number of requests and/or his proposed next steps.

5 Recommendation

To note the contents of this report.