

Minutes

Council Special Meeting

23rd September 2013



These minutes principally record decisions taken and, where appropriate, the reasons for the decisions. A webcast of the meeting is available for 6 months at www.braintree.gov.uk.

Present:

Councillors	Present	Councillors	Present
Councillor J E Abbott	Yes	Councillor D Mann	Yes
Councillor J S Allen	Yes	Councillor J T McKee	Yes
Councillor M J Banthorpe	Yes	Councillor R G S Mitchell	Yes
Councillor P R Barlow	Yes	Councillor J M Money	Yes
Councillor J Baugh	Yes	Councillor Lady P Newton	Yes
Councillor J C Beavis	Yes	Councillor J O'Reilly-Cicconi	Yes
Councillor D L Bebb	Yes	Councillor I C F Parker	Yes
Councillor E Bishop	Yes	Councillor J A Pell	Yes (until 10.35pm)
Councillor R J Bolton	Apologies	Councillor R P Ramage	Yes
Councillor L B Bowers – Flint	Apologies	Councillor D M Reid	Yes (until 10.35pm)
Councillor G Butland	Yes	Councillor F Ricci	Yes
Councillor C A Cadman	Yes	Councillor D E A Rice	Apologies
Councillor S Canning	Yes	Councillor W J Rose	Yes
Councillor T G Cunningham	Yes	Councillor V Santomauro	Yes
Councillor J G J Elliott	Yes	Councillor W D Scattergood (Chairman)	Yes
Councillor Dr R L Evans	Yes	Councillor W Schmitt	Yes
Councillor A V E Everard	Yes	Councillor A F Shelton	Apologies
Councillor J H G Finbow	Apologies	Councillor L Shepherd	Yes
Councillor M J Fincken	Yes	Councillor C E Shute	Yes
Councillor T J W Foster	Yes	Councillor C Siddall	Yes
Councillor M E Galione	Yes	Councillor G A Spray	Yes
Councillor C Gibson	Apologies	Councillor J S Sutton	Yes
Councillor M Green	Apologies	Councillor J R Swift	Yes
Councillor P Horner	Yes	Councillor P Tattersley	Yes
Councillor S A Howell	Yes	Councillor C M Thompson	Yes
Councillor H D Johnson	Yes	Councillor M Thorogood	Yes
Councillor S C Kirby	Yes	Councillor L S Walters	Yes
Councillor M C M Lager	Yes	Councillor R G Walters	Yes
Councillor C Louis	Apologies	Councillor S A Wilson (Vice-Chairman)	Yes
Councillor D J Louis	Yes	Councillor B Wright	Yes

36. **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

- Councillor J Baugh declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM37A - Broomhills Regeneration Site, Braintree as a Member of Braintree Museum Trust who had met with J Sainsbury plc. Councillor Baugh left the meeting whilst this matter was discussed and determined.
- Councillor S C Kirby declared a disclosable pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM6 - Care Homes and Specialist Housing Allocations and Inset 34 (Halstead Town) Site HTR3SH - Blamsters Farm, Halstead as his wife is employed by the co-owner of the site. Councillor Kirby left the meeting whilst this matter was discussed and determined, including during Question Time.
- Councillor J McKee declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM37A - Broomhills Regeneration Site, Braintree as Chairman of Braintree Museum Trust who had met with J Sainsbury plc.
- Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM6 - Care Homes and Specialist Housing Allocations and Inset 1 (North) Site BON5CH – Land at Polly’s Field, Church Lane, Bocking, Braintree as she is a supporter of Abbeyfield Braintree and Bocking.
- Councillor I C F Parker declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM56 - Renewable Energy as she was Chairman of ‘Stop Turbines Over Clare Action Group’.
- Councillor J A Pell declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM41 – Community Uses (land off Butler Road, Halstead) as a Trustee of a charity taking over that land.
- Councillor W D Scattergood declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Inset 30 (Great Maplestead) Site GRM5 – Treeways, Great Maplestead and Inset 34 (Halstead Town) Site HTR3SH - Blamsters Farm, Halstead as the applicant/promoter of both sites was known to her and they had met socially.

- Councillor C Siddall declared a non-pecuniary interest in Agenda Item 4 – ‘Pre-Submission Draft Site Allocations and Development Management Plan and Revised Statement of Community Involvement’ and, in particular, Policy ADM37A - Broomhills Regeneration Site, Braintree as a Member of Braintree Museum Trust who had met with J Sainsbury plc.

In accordance with the Code of Conduct, Members remained in the meeting for this item, unless stated otherwise, and took part in the debate and decision thereon.

37. **QUESTION TIME**

INFORMATION: There were 15 statements made.

Details of the people who spoke at the meeting are contained in the Appendix to these Minutes. People who asked specific questions will be provided with a written response. Representations submitted by people will be passed to the Inspectorate.

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

38. **PRE-SUBMISSION DRAFT SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN AND REVISED STATEMENT OF COMMUNITY INVOLVEMENT**

Councillor Roger Walters, Chairman of the Local Development Framework Sub-Committee, introduced the report. Members then received a presentation on the background to the report from Emma Goodings, Interim Planning Policy Manager, and Eleanor Dash, recently retired Planning Policy Manager.

It was moved by Councillor R Walters and seconded by Councillor Lady Newton that the three recommendations set out within the report be approved.

A number of amendments to the Pre-Submission Draft of the Site Allocations and Development Management Plan were moved, seconded and debated as set out below. The debate may be viewed on the Council’s website.

- A Councillor Butland moved the following amendment which was seconded by Councillor O’Reilly-Cicconi:

ADM6 paragraph 3 and Inset 1 Braintree and Bocking (North)

Re-word as:- ‘Development at Polly’s Field will be expected to have regard to its impact upon the character of this area of Church Lane and the wider landscape. That site BON5CH on Inset 1 (North) is amended to include the whole site.’

On being put to the vote, the amendment was **CARRIED**.

- B Councillor Pell moved the following amendment which was seconded by Councillor Fincken:

ADM6 and Inset 34

‘That the Specialist Housing site to the west of Mount Hill, Halstead (Blamsters Farm) be deleted from the Plan.’

On being put to the vote, the amendment was **LOST**.

- C Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM7 (Paragraph 3.32)

'Add at end of paragraph on Twin Oaks, Stisted:- "The revised access from the A120 for Twin Oaks is essential to the allocation of this site."

On being put to the vote, the amendment was **CARRIED**.

- D Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM 8

'Add new bullet point:- "Adequate car and cycle parking to current standards."

On being put to the vote, the amendment was **CARRIED**.

- E Councillor Foster moved the following amendment which was seconded by Councillor O'Reilly-Cicconi:

ADM 8

'Delete the last paragraph:- "On large sites.....people with disabilities."

On being put to the vote, the amendment was **CARRIED**.

- F Councillor Foster moved the following amendment which was seconded by Councillor O'Reilly-Cicconi:

ADM 13 and 13A

'Amend the last sentence of each policy to:- "Proposals which would consolidate sporadic or ribbon development or the infilling of large gaps, will be resisted."

On being put to the vote, the amendment was **CARRIED**.

- G Councillor Foster moved the following amendment which was seconded by Councillor O'Reilly-Cicconi:

ADM 16 and 17 'The comma after 'permitted' in line two be amended to a full stop, and before 'unless' insert 'No other uses will be permitted'.

On being put to the vote, the amendment was **CARRIED**.

- H Councillor McKee moved the following amendment which was seconded by Councillor Lady Newton:

ADM 37A

'Delete bullet point:- "The sale of retail goods, including food (subject to a sequential test and impact assessment)."

On being put to the vote, the amendment was **CARRIED**.

- I Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM 43A

‘Add the following new paragraph after the first and additional supporting text:-
"There is a particular need to improve the capacity of health services in Witham, including the potential for a community hospital to serve the town and nearby villages."’

Councillor Barlow suggested an amendment to include the words ‘scope and the’ before ‘capacity’ which Councillor Abbott accepted.

On being put to the vote, the revised amendment was **CARRIED**.

- J Councillor Abbott moved the following amendment which was seconded by Councillor Barlow:

Chapter 7, Paragraph 7.32

‘At end add:- "particularly at Witham."’

On being put to the vote, the amendment was **LOST**.

- K Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM 48

‘Add before last sentence in first paragraph:- "Measures to improve the sustainability of these areas will also be sought including through better on-site energy efficiency and better connectivity to nearby settlements for cyclists and pedestrians."’

On being put to the vote, the amendment was **CARRIED**.

- L Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM 49

‘Add a new paragraph in policy and text:- "A transport access study will be required to accompany changes to the road layout around Witham station in order to identify the optimum flow patterns and access points for all modes, including buses and taxis, such that impacts on existing residents who live close to the station are minimised."’

On being put to the vote, the amendment was **LOST**.

- M Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM 50

‘Add to E:- "the naturally dark rural landscape at night"’

On being put to the vote, the amendment was **CARRIED**.

- N Councillor Abbott moved the following amendment which was seconded by Councillor Wright:

ADM 52

‘Add at end:- "Floodlighting will not normally be permitted in association with equestrian facilities such as meneges."

On being put to the vote, the amendment was **LOST**.

Duration of Meeting

Councillor Butland moved that the meeting be extended beyond the three hour limit in accordance with Articles 1.10 and 1.11 of the Constitution. Members agreed unanimously in favour of continuing the meeting to deal with the remaining business set out in the Agenda.

- O Councillor Parker moved the following amendment which was seconded by Councillor O'Reilly-Cicconi:

ADM 56

‘That the policy be amended to:-

“Proposals for renewable energy schemes and the integration of renewable energy generation into new developments will be supported by the District Council providing the benefit in terms of low carbon energy generating potential outweighs any harm caused to landscape, nature conservation or heritage assets, including the setting of heritage assets.

Renewable energy schemes will also need to demonstrate that they will not result in other unacceptable impacts in terms of, for example, local amenity, noise, shadow flicker, reflection, distance from power lines and public rights of way, air traffic and safety, Ministry of Defence operations, electromagnetic transmissions, water course engineering and hydrological impacts, pollution; and will not result in an unacceptable cumulative impact on the above factors. Schemes will also need to demonstrate that the cumulative landscape and visual impact of the scheme and other schemes within the zone of visual influence will not be unacceptable.

A condition will be attached to planning consents for energy development schemes to ensure the site is restored when energy generation use ceases or becomes non-functioning for a period of 6 months.”

Councillor Mitchell suggested an amendment to delete the word “any” from the first paragraph which Councillor Parker accepted.

On being put to the vote, the revised amendment was **CARRIED**.

- P Councillor Parker moved the following amendment which was seconded by Councillor Beavis:

ADM3 and Inset 32

‘That the policy be amended by the addition of the following two paragraphs at the end:

"The land allocated for a residential site of 10 or more dwellings at Nuns Walk Field, Great Yeldham (site GRY3H) be restricted to no more than 25 dwellings and the land allocated for a residential site of 10 or more dwellings at the Hunnable Industrial Estate (site GRY5H) be restricted to no more than 35 dwellings.

Amendment to Inset Plan 32 for Great Yeldham to show an area for community uses on site GRY3H (Nuns Walk Field) as per the attached plan".

On being put to the vote, the amendment was **CARRIED**.

Following a full debate, votes were taken separately on the three recommendations in the report as amended at the meeting and set out below.

DECISION:

- 1. That the Pre-Submission Draft of the Site Allocations and Development Management Plan be approved subject to the following amendments:-**

ADM6

Para 3, is reworded to: Development at Polly's Field will be expected to have regard to its impact upon the character of this area of Church Lane and the wider landscape.

That site BON5CH on Inset Map 1 (North) is amended to include the whole site.

ADM7 (Paragraph 3.32)

Add at end of paragraph on Twin Oaks;- "The revised access from the A120 for Twin Oaks is essential to the allocation of this site."

ADM 8 Add new bullet point:- "Adequate car and cycle parking to current standards."

ADM 8 Delete the last paragraph:- "On large sites.....people with disabilities"

ADM 13 and 13A Amend the last sentence of each policy to:- "Proposals which would consolidate sporadic or ribbon development or the infilling of large gaps, will be resisted."

ADM 16 and 17 The comma after 'permitted' in line two be amended to a full stop, and before 'unless' insert 'No other uses will be permitted'.

ADM 37A Delete bullet point:- "The sale of retail goods, including food (subject to a sequential test and impact assessment)".

ADM 43A Add the following new paragraph after the first and additional supporting text:- "There is a particular need to improve the scope and capacity of health services in Witham, including the potential for a community hospital to serve the town and nearby villages."

ADM 48 Add before last sentence in first paragraph:- "Measures to improve the sustainability of these areas will also be sought including through better on-site energy efficiency and better connectivity to nearby settlements for cyclists and pedestrians."

ADM 50 Add to E:- "the naturally dark rural landscape at night"

ADM 56 That the policy be amended to:-

“Proposals for renewable energy schemes and the integration of renewable energy generation into new developments will be supported by the District Council providing the benefit in terms of low carbon energy generating potential outweighs harm caused to landscape, nature conservation or heritage assets, including the setting of heritage assets.

Renewable energy schemes will also need to demonstrate that they will not result in other unacceptable impacts in terms of, for example, local amenity, noise, shadow flicker, reflection, distance from power lines and public rights of way, air traffic and safety, Ministry of Defence operations, electromagnetic transmissions, water course engineering and hydrological impacts, pollution; and will not result in an unacceptable cumulative impact on the above factors. Schemes will also need to demonstrate that the cumulative landscape and visual impact of the scheme and other schemes within the zone of visual influence will not be unacceptable.

A condition will be attached to planning consents for energy development schemes to ensure the site is restored when energy generation use ceases or becomes non-functioning for a period of 6 months.”

ADM 3 and Inset 32 That the policy be amended by the addition of the following two paragraphs at the end:

“The land allocated for a residential site of 10 or more dwellings at Nuns Walk Field, Great Yeldham (site GRY3H) be restricted to no more than 25 dwellings and the land allocated for a residential site of 10 or more dwellings at the Hunnable Industrial Estate (site GRY5H) be restricted to no more than 35 dwellings.

Amendment to Inset Plan 32 for Great Yeldham to show an area for community uses on site GRY3H (Nuns Walk Field) as per the attached plan.”

2. **That the Statement of Community Involvement 2013 be approved.**
3. **That the Corporate Director (Sustainable Development), in consultation with Councillor Walters as Chairman of the Local Development Framework Sub-Committee, be authorised to approve the Sustainability Appraisal and Strategic Environmental Assessment, and the Equalities Impact Assessment.**

REASON FOR DECISION: To enable the Council to publish an approved Pre-Submission Draft Plan with its Sustainability Appraisal and Strategic Environmental Assessment, and an approved up-dated Local Development Framework Statement of Community Involvement.

The meeting commenced at 7.15pm and closed at 10.43pm.

W D Scattergood
(Chairman)

APPENDIX
COUNCIL SPECIAL MEETING

23RD SEPTEMBER 2013

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

- 1 Statement Relating to Policy ADM 37A – Broomhills Industrial Estate, Braintree

Statement by Mr Shaun McGrath, Indigo Planning, Swan Court, Worple Road, London (Agent)
- 2 Statement Relating to Policy ADM 36 – Land to the East of High Street, Halstead

Statement by Mrs Helen Wolf, 26 Stanley Road, Halstead (Objector)
- 3 Statement Relating to Bocking Blackwater Cycleway

Statement by Mr Jim Konig, 107 Bridport Way, Braintree (Objector)
- 4 Statement Relating to Sites HTR3 – Blamsters Farm, Halstead, GRM5 – Treeways, Great Maplestead and CRE18X – Ivy Cottage, Long Green, Cressing

Statement by Mr Mark Jackson, Mark Jackson Planning, Gateway House, 19 Great Notley Avenue, Great Notley Garden Village, Braintree (Agent)
- 5 Statement Relating to Sites at Cressing

Statement by Councillor Anton Liebscher, Chairman of Cressing Parish Council.
- 6 Statement Relating to Site GRY3H, Nuns Walk Field, Great Yeldham

Statement by Mr Andy Butcher, Strutt and Parker, Coval Hall, Chelmsford (Agent)
- 7 Statement Relating to Site GRY5H, Hunnable Industrial Estate, Great Yeldham

Statement by Mr Matthew Firth, Granville Group (Agent)

- 8 Statement Relating to Sites at Great Yeldham
- Statement by Councillor Phillip Rawlinson for Great Yeldham Parish Council, 7 Little Hyde Road, Great Yeldham.
- 9 Statement Relating to Sites HAT13HAIt, (HAT2HAIt and HAT3HAIt), Hatfield Peverel
- Statement by Ms Lisa Skinner, Alliance Planning, 35 Old Queen Street, London (Agent)
- 10 Statement Relating to Site SHA1 – Land between Little Gables and Fox Cottages, Shalford Church End
- Statement by Mr David Smith, Parsonage Farm, Shalford.
- 11 Statement Relating to Site STE1H – Steeple Bumpstead
- Statement by Mrs Ann Hylton, The STE1 Group, c/o Mrs Jo Croft, 21 Water Lane, Steeple Bumpstead (Objector)
- 12 Statement Relating to Blois Meadow Business Centre, Blois Meadow, Steeple Bumpstead
- Statement by Mr Richard Argent, Blois Meadows Business Centre Steeple Bumpstead.
- 13 Statement Relating to Site STI2, Twin Oaks, Stisted
- Statement by Councillor John Clark, Chairman of Stisted Parish Council.
- 14 Statements Relating to Site WCH7E, Ramsden Mills, Witham
- (i) Statement by Mr Martin Addison, Ramsden Mills, Chipping Hill, Witham (Objector)
- (ii) Statement by Mr Chris Bailey, 4 Chipping Hill, Witham (Objector)