

# Council AGENDA

**Monday, 22nd February 2021 at 7.15 pm**

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>

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**Members of the Council are requested to attend this meeting to transact the business set out in the Agenda.**

**Membership:-**

Councillor J Abbott	Councillor P Horner	Councillor V Santomauro
Councillor J Baugh	Councillor D Hume	Councillor Mrs W Scattergood
Councillor Mrs J Beavis	Councillor H Johnson	Councillor Mrs W Schmitt
Councillor D Bebb	Councillor A Kilmartin	Councillor P Schwier
Councillor K Bowers	Councillor D Mann	Councillor Mrs G Spray
Councillor G Butland	Councillor T McArdle	Councillor P Tattersley
Councillor J Coleridge	Councillor J McKee	Councillor P Thorogood
Councillor G Courtauld	Councillor A Munday	Councillor N Unsworth
Councillor Mrs M Cunningham	Councillor Mrs I Parker	Councillor R van Dulken
Councillor T Cunningham	Councillor Mrs J Pell	Councillor D Wallace
Councillor C Dervish	Councillor I Pritchard	Councillor T Walsh
Councillor P Euesden	Councillor M Radley	Councillor L Walters
Councillor T Everard	Councillor S Rehman	Councillor Miss M Weeks
Councillor Mrs D Garrod	Councillor F Ricci	Councillor Mrs S Wilson
Councillor A Hensman	Councillor B Rose	Councillor J Wrench
Councillor S Hicks	Councillor J Sandum	Councillor B Wright
		Vacancy

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](mailto: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](mailto: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](mailto: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](http://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](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](mailto:governance@braintree.gov.uk)

<b>PUBLIC SESSION</b>	<b>Page</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes of the Previous Meeting</b> To approve as a correct record the minutes of the meeting of Full Council held on 7th December 2020(copy previously circulated).	
<b>3 Declarations of Interest</b> 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.	
<b>4 Public Question Time</b> (See paragraph above)	
<b>5 To receive any announcements/statements from the Chairman and/or Leader of the Council.</b>	
<b>6 Recommendation from Cabinet – 8th February 2021 – Council Budget and Council Tax 2021-22 and Medium Term Financial Strategy 2021-22 to 2024-25</b>  Members are reminded that the report for this items was published as separate report for Cabinet ( Agenda Item 5a Council Budget and Council Tax 2021-22 and Medium-Term Financial Strategy 2021/22 to 2023/24) previously circulated.	<b>5 - 12</b>
<b>7 Establishment of a Council Tax Committee</b>	<b>13 - 16</b>
<b>8 Section 1 Local Plan - Planning Inspector’s final report and process for adoption</b>	<b>17 - 91</b>
<b>9 Cabinet Report to Full Council</b>	<b>92 - 104</b>
<b>10 List of Public Minutes Published Since Last Council Meeting</b>	<b>105 - 105</b>

Recommendation from Cabinet – 8 <sup>th</sup> February 2021 – Council Budget and Council Tax 2021/22 and Medium Term Financial Strategy 2021/22 to 2024/25		Agenda No: 6
Portfolio	Finance and Performance Management	
Corporate Outcome:	A high performing organisation that delivers excellent and value for money services Delivering better outcomes for residents and businesses and reducing costs to taxpayers	
Report presented by:	Councillor David Bebb, Cabinet Member for Finance and Performance	
Report prepared by:	Trevor Wilson, Head of Finance	
Background Papers:		Public Report
<a href="#">Council Budget and Council Tax 2021-22 and Medium-Term Financial Strategy 2021-22 to 2024/25</a>		Key Decision:
<a href="#">Committee Report and Minutes of the meetings of Performance Management Board - 18th November 2020; Council - 7th December 2020; Cabinet - 18th December 2019; Performance Management Board – 3rd February 2021 and Cabinet – 8th February 2021</a>		
<b><u>DRAFT Minute Extract – Cabinet – 8<sup>th</sup> February 2021</u></b>		
50	<b><u>COUNCIL BUDGET AND COUNCIL TAX 2021/22 AND MEDIUM TERM FINANCIAL STRATEGY 2021/22 TO 2024/25</u></b>	
<b>INFORMATION:</b> Members considered the proposed revenue and capital budgets for 2021/22; Council Tax for 2021/22; Fees and charges for 2021/22; and the Capital Strategy (including the Treasury Strategy and Investment Policy) for 2021/22.		
Members were advised that there was still a lot of uncertainty and that the pandemic had caused a significant impact on the Council's business and ongoing financial consequences would only become apparent once the pandemic was over. It was difficult to forecast the impact on services, in particular how the Council's income generating services would recover and to what extent customer		

demand may change post Covid. As a result of this, no attempt had been made to forecast the anticipated impact at a detailed budget level.

It was reported that in respect of Government funding, the provisional Finance settlement for local government for 2021/22 was published by the Secretary of State for Housing, Communities and Local Government on 17<sup>th</sup> December 2020 and the Council's provisional allocation of Settlement Funding Assessment (SFA) for 2021/22 was £3,486,929. This consisted solely of retained business rates and the amount was exactly the same as that allocated for 2020/21.

The Secretary of State for Housing, Communities and Local Government also announced details of the Local Government COVID Support Package for 2021/22, this included an Emergency Fund allocation of £685,853; a Local Council Tax Support Grant of £189,919; and notification that the Sales, Fees and Charges Income Losses Compensation Scheme was extended to the first 3 months of 2021/22. This would be subject to an application in summer 2021 to this Scheme.

With regards the Business Rates, it was reported that the Business Rates Retention Scheme and Business Rate Tax base for 2021/22 had been calculated at £43,031,368. It was proposed that a number of Discretionary Business Rate relief schemes agreed previously by Council continued as requested by the Government, these were; Supporting Small Businesses, Rural Rate Relief; and Local Newspaper Offices Relief. The estimated amount of business rates that would be retained by the Council was £4,979,024, this was £1,492,095 more than the provisional Baseline amount.

The Council's tax base for 2021/22, calculated as at 30<sup>th</sup> November 2020, was £53,721. This compared to a tax base of £53,373 for 2020/21; an increase of £348 or 0.65%. The Secretary of State determined the level of increase above which a proposed increase in Council Tax must be subject to a referendum. For shire District Councils the referendum principles for 2021/22 have been set at the higher figure of 2% or up to and including £5. An increase of £4.95 on this Council's Band D Council Tax for 2021/22 would equate to a percentage increase of 2.68%.

The initial budget and Council Tax proposals agreed in November provided that the Council's Council Tax requirement be increased by £3.69 (2%) to £188.37 per annum (at Band D) for 2021/22. This equated to a Council Tax charge, for a Band D property, for the provision of this Council's services of £3.62 per week; an increase of approximately 7p per week over the current year. However, with the receipt of the provisional finance settlement, the notice of the proposed referendum principles for shire district councils and the provisional allocation of Covid funding for 2021/22 a range of options of Council Tax increases for 2021/22, of 2.68%, 2%, 1% and Nil were provided for consideration by the Cabinet. For each option, the resultant shortfall in 2021/22 would be met from the unallocated General Fund balance and the shortfall for 2022/23 included the shortfall for 2021/22 which would still need to be addressed.

Members were advised that the options for Council Tax increases for 2021/22 were considered by the Performance Management Board on 3<sup>rd</sup> February 2021 and it was the opinion of Members that due to the impact of the Covid pandemic on local residents, that for this year the Council should not proceed with its original proposal of a 2% increase and should consider a lower option including a 0% increase.

It was noted that 0% increase would increase the withdrawal from the unallocated General Fund Balance to £320,165 in 2021/22 and also increase the estimated overall shortfall to be addressed over the following three years to £1.657million.

Cllr T Cunningham moved that there should be a 0% increase in Council Tax for the year 2021/22, this was seconded by Councillor McKee and was supported by Members and Group Leaders.

**DECISION: That it be Recommended to Council that the following be approved:**

1. The budget variations to the current base budget as detailed in Section 4 of the main report;
2. The additional income and cost reductions as detailed in Section 6 of the main report;
3. The allocation of Homelessness Prevention Grant of £411,824 for 2021/22 be earmarked for housing purposes;
4. The allocation of Local Council Tax Support Grant, of £189,919, be held in reserve and that authority be delegated to the Cabinet members for Housing and Finance and Performance Management to agree a scheme with the major preceptors on the use of the funds to provide support to vulnerable households;
5. The unavoidable revenue budget demands and new investments added to the Base Budget of £98,000 as detailed in Section 5.2 of the main report;
6. The unavoidable revenue budget demands and new investments required to meet one-off or time-limited expenditure of £465,140 as detailed in Section 5.3 of the main report and to fund as detailed in section 5.5 of the main report;
7. A provision of £1million be set aside in a new earmarked reserve from the unallocated General Fund Balance to meet the potential financial impact of Covid on the Council's finances that is not covered by support from the Government;
8. The Braintree District Council's Local Council Tax Support scheme for 2021/22 as detailed on the Council's website: Proposed Local Council Tax Support Scheme 2021/22;
9. The package of support to claimants experiencing difficulties as a result of the Local Council Tax Support scheme as detailed in Section 11.9 of the main

report, subject to a review of the effectiveness and value for money of the CAB money advice service with authority delegated to the Cabinet Member for Finance and Performance Management to agree and implement any changes as a consequence of the review;

10. The Council's discretionary fees and charges and housing rents for 2021/22 as detailed in the schedule on the Council's website;
11. Delegated authority is given to the appropriate Cabinet Members to determine the level of charges for Trade Waste collection, Environmental permits, core leisure and planning pre-application advice service and street naming and numbering for 2021/22;
12. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes;
13. The sum of £7,368,666 be transferred from the Business Rates Equalisation Reserve to offset the estimated deficit on the Business Rates Collection Fund as at 31st March 2021, which is required to be taken into account for the 2021/22 Budget;
14. To continue the Council's Discretionary Business Rate Relief schemes, as detailed in section 9.2 to the main report, for 2021/22;
15. Discretionary Council Tax discounts and exemptions for 2021/22 are:
  - Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
  - Discount applicable to vacant dwellings is set at 0% for the six month period;
  - Discount applicable to second homes is set at 0%;
  - Discretionary Council Tax Empty Homes Premiums charged on dwellings vacant for over two-years but less than five-years continue at 100%; on dwellings vacant for over five-years but less than ten-years continue at 200%; and on dwellings vacant for over ten-years be increased to 300%, with effect from 1st April 2021 and that this is duly published in a local newspaper within 21 days of this decision. In addition the refund arrangement, as detailed in section 13.5 of the main report;
16. The Council's Pay Policy for 2021/22 as detailed in Appendix B to the main report;
17. A transfer to the Revenue Account of £320,165 from the General Fund unallocated General Fund balance in 2021/22;
18. The estimated movements on the earmarked reserves as detailed in Appendix E to the main report;



### **Capital**

19. The General Fund Capital bids for 2021/22 listed in Appendix H to the main report;

### **Capital and Investment Strategy and Treasury Management Strategy**

20. The Capital and Investment Strategy including the authorised borrowing limit, operational borrowing boundary, the policy on Minimum Revenue Provision and prudential indicators as detailed in Appendix I to the main report;

21. The Treasury Management Strategy Statement including the schedule of investment counterparties and limits and prudential indicators as detailed in Appendix J to the main report;

### **Council Tax**

22. The proposed estimates (producing a Braintree DC Council Tax Requirement of £9,921,194) as detailed in Appendix C and the Council Tax for 2021/22 of £184.68 for a Band D property, having taking into consideration:

- The consultation feedback, if any, received and reported verbally at the meeting;
- The assessment of risks in the budget assumptions;
- The Equalities Impact Assessments and
- The Section 151 Officer's report (Corporate Director – Finance) on the robustness of the estimates and the adequacy of balances (Appendix G to the main report).

### **That Cabinet agreed to:**

23. Delegate authority to the Cabinet Member for Finance and Performance Management to agree requests for unspent budgets, at the year-end, to be carried forward to the following year.

**POST MEETING NOTE:** Due to the scheduling of Precepting Authority's meeting (Essex County Council) and the date of Braintree District Council's meeting of Full Council it is not possible to undertake the Council Tax resolution at this time as part of this agenda and normal process. Under Agenda item 7, the Council will be asked to create a Council Tax Committee which will be delegated authority from Council to consider the Council Tax Resolution Report.

**REASON FOR DECISION:** To determine the Budget and Council Tax level proposals for 2021/22 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

**Recommended Decision:****That Council approve the following:**

1. The budget variations to the current base budget as detailed in Section 4 of the main report;
2. The additional income and cost reductions as detailed in Section 6 of the main report;
3. The allocation of Homelessness Prevention Grant of £411,824 for 2021/22 be earmarked for housing purposes;
4. The allocation of Local Council Tax Support Grant, of £189,919, be held in reserve and that authority be delegated to the Cabinet members for Housing and Finance and Performance Management to agree a scheme with the major preceptors on the use of the funds to provide support to vulnerable households;
5. The unavoidable revenue budget demands and new investments added to the Base Budget of £98,000 as detailed in Section 5.2 of the main report;
6. The unavoidable revenue budget demands and new investments required to meet one-off or time-limited expenditure of £465,140 as detailed in Section 5.3 of the main report and to fund as detailed in section 5.5 of the main report;
7. A provision of £1million be set aside in a new earmarked reserve from the unallocated General Fund Balance to meet the potential financial impact of Covid on the Council's finances that is not covered by support from the Government;
8. The Braintree District Council's Local Council Tax Support scheme for 2021/22 as detailed on the Council's website: Proposed Local Council Tax Support Scheme 2021/22;
9. The package of support to claimants experiencing difficulties as a result of the Local Council Tax Support scheme as detailed in Section 11.9 of the main report, subject to a review of the effectiveness and value for money of the CAB money advice service with authority delegated to the Cabinet Member for Finance and Performance Management to agree and implement any changes as a consequence of the review;
10. The Council's discretionary fees and charges and housing rents for 2021/22 as detailed in the schedule on the Council's website;
11. Delegated authority is given to the appropriate Cabinet Members to determine the level of charges for Trade Waste collection, Environmental permits, core leisure and planning pre-application advice service and street naming and numbering for 2021/22;

12. That delegated authority is given to the appropriate Cabinet Member to agree variations to Trade Waste, Town Hall Centre, Building Control and Car Parking fees and charges for commercial purposes;
13. The sum of £7,368,666 be transferred from the Business Rates Equalisation Reserve to offset the estimated deficit on the Business Rates Collection Fund as at 31st March 2021, which is required to be taken into account for the 2021/22 Budget;
14. To continue the Council's Discretionary Business Rate Relief schemes, as detailed in section 9.2 to the main report, for 2021/22;
15. Discretionary Council Tax discounts and exemptions for 2021/22 are:
  - Discount applicable to empty dwellings undergoing major repairs is set at 0% for the twelve month period;
  - Discount applicable to vacant dwellings is set at 0% for the six month period;
  - Discount applicable to second homes is set at 0%;
  - Discretionary Council Tax Empty Homes Premiums charged on dwellings vacant for over two-years but less than five-years continue at 100%; on dwellings vacant for over five-years but less than ten-years continue at 200%; and on dwellings vacant for over ten-years be increased to 300%, with effect from 1st April 2021 and that this is duly published in a local newspaper within 21 days of this decision. In addition the refund arrangement, as detailed in section 13.5 of the main report;
16. The Council's Pay Policy for 2021/22 as detailed in Appendix B to the main report;
17. A transfer to the Revenue Account of £320,165 from the General Fund unallocated General Fund balance in 2021/22;
18. The estimated movements on the earmarked reserves as detailed in Appendix E to the main report;

### **Capital**

19. The General Fund Capital bids for 2021/22 listed in Appendix H to the main report;

### **Capital and Investment Strategy and Treasury Management Strategy**

20. The Capital and Investment Strategy including the authorised borrowing limit, operational borrowing boundary, the policy on Minimum Revenue Provision and prudential indicators as detailed in Appendix I to the main report;
21. The Treasury Management Strategy Statement including the schedule of investment counterparties and limits and prudential indicators as detailed in Appendix J to the main report;

### **Council Tax**

22. The proposed estimates (producing a Braintree DC Council Tax Requirement of £9,921,194) as detailed in Appendix C and the Council Tax for 2021/22 of £184.68 for a Band D property, having taking into consideration:

- The consultation feedback, if any, received and reported verbally at the meeting;
- The assessment of risks in the budget assumptions;
- The Equalities Impact Assessments and
- The Section 151 Officer's report (Corporate Director – Finance) on the robustness of the estimates and the adequacy of balances (Appendix G to the main report).

### **Purpose of Decision:**

To determine the Budget and Council Tax level proposals for 2021/22 to be submitted to Full Council for consideration, in accordance with the Budget and Policy Framework Procedure Rules contained in the Constitution.

Establishment of a Council Tax Committee		Agenda No: 7
Portfolio	Finance and Performance	
Corporate Outcome:	A high performing organisation that delivers excellent and value for money services Delivering better outcomes for residents and businesses and reducing costs to taxpayers	
Report presented by:	Councillor Graham Butland, Leader of the Council	
Report prepared by:	Kim Cole, Head of Governance and Monitoring Officer	
Background Papers:	Public Report	
None	Key Decision: No	
Executive Summary:		
Essex County Council, as a major precepting authority, are due to determine its Council Tax precept on 23 February 2021. As this will be after the Braintree District Council (the Council) full Council meeting, it is necessary to establish a Council Tax Committee, who will be responsible for the determining the Council Tax Resolution and the level of Council Tax for 2021/22 (inclusive of all precepts), in accordance with the Terms of Reference set out in this report.		
Recommended Decision:		
Council agrees:		
1. To establish a Council tax Committee, whose Terms of reference are set out at paragraph 2.2;		
2. Delegates the determination of the level of Council Tax for the year 2021/22 to the Council Tax Committee, for the avoidance of doubt the Committee shall have no power to amend the budget of Braintree District council;		
3. The Council Tax Committee shall be made up of 4 Members with the membership as set out in this report.		
Purpose of Decision:		
To establish a Council Tax Committee to enable the Council to determine the level of Council Tax for the year 2021/22.		

**Any Corporate implications in relation to the following should be explained in detail.**

<b>Financial:</b>	The approval of the Council Tax Resolution will authorise the Council Tax billing of residents of Braintree District Council. The amount to be raised for this Council is £9,921,194 (subject to agreement of Full Council on 22 <sup>nd</sup> February 2021).
<b>Legal:</b>	Article 4 of the Councils Constitution provides that it is a function of Council to make appointments to Committees unless the appointment is a Cabinet Function or has been delegated by Council to another Committee or Officer. Council is able to establish committees necessary for the discharge of Council Functions.
<b>Safeguarding:</b>	No matters arising out of this report
<b>Equalities/Diversity:</b>	If it has not been necessary to conduct an Equality Impact Assessment, please give reasons.
<b>Customer Impact:</b>	No matters arising out of this report
<b>Environment and Climate Change:</b>	No matters arising out of this report
<b>Consultation/Community Engagement:</b>	No matters arising out of this report
<b>Risks:</b>	Failure to have in place provisions through which the Council Tax could be approved, would have an impact on the Council.
<b>Officer Contact:</b>	Kim Cole,
<b>Designation:</b>	Head of Governance and Monitoring Officer
<b>Ext. No:</b>	2969
<b>E-mail:</b>	Kim.cole@braintree.gov.uk

## **1. Introduction**

- 1.1 The Local Government Finance Act 1992 requires Braintree District Council, as the billing authority, to set for each financial year the Council Tax rates for all areas within the district and for each category of dwelling, taking into account the Council Tax Base, Council Tax Requirement, and precepts notified to it by the major precepting authorities.
- 1.2 The Council Tax rates cannot be set until the date of the issue to the Council of the last precept capable of being issued to it by a major precepting authority for the financial year.
- 1.3 Essex County Council is meeting to set its Council Tax precept and budget for 2021/22 on 23<sup>rd</sup> February 2021. With this being after this Council's Full Council meeting to set its Council Tax and budget it is proposed to establish a Council Tax Committee to agree the Council Tax Resolution 2021/22 report, this approach was adopted by the Council in February 2014 to address similar circumstances.

## **2. The Council Tax Committee**

- 2.1 In establishing the Council Tax Committee, the following Terms of Reference will apply:
  - 2.1.1 To be required to exercise the Council's functions, powers and duties relating to the formal accepting of Council Tax precepts from precepting authorities and the setting of the overall Council Tax for the year 2021/22, in accordance with Chapter 3 of the Local Government Act 1992.
  - 2.1.2 To determine the level of Council Tax for the year 2021/22, for the avoidance of doubt the Committee shall have no power to amend the budget of the Council;
  - 2.1.3 To take such ancillary matters as necessary for the purposes of the above; and
  - 2.1.4 Shall consist of four Members of Council.
- 2.2 The Council Tax Committee is a committee of Council and therefore is required to adhere to the political proportionality rules. The Local Government and Housing Act 1989 states that it is permissible to agree allocations outside the usual proportionality requirements provided there is agreement to the alteration, and that the allocation of seats by the Council must give effect to the principles set out in the Act.
- 2.3 As a result, in order to ensure that the Council Tax Committee has representation from each of the political groups, the proposal is that one of the two seats allocated to the Conservative Group under the proportionality rules is allocated to the Labour Group, who otherwise would not have been allocated a seat. Accordingly there will be one Member from each of the Council's political groups, namely 1 Conservatives, 1 Green and Independent Group, 1 Halstead Residents Association, and 1 Labour Group as part of the membership of the Council Tax Committee.
- 2.4 The following Members have been appointed to the Council Tax Committee:

- Councillor Graham Butland;
- Councillor James Abbott;
- Councillor Jackie Pell; and
- Councillor David Mann.

2.5 The meeting of the Council Tax Committee will be held on 24 February 2021. The Council Tax Resolution Report will be published as part of the Council Tax Committee Agenda on 16 February 2021. The Agenda will be circulated to the Members of the Council Tax Committee and all other Members of the Council.

### **3. Recommended Decision:**

3.1 Council agrees:

- i. To establish a Council tax Committee, whose Terms of Reference are set out at paragraph 2.2;
- ii. Delegates the determination of the level of Council Tax for the year 2021/22 to the Council Tax Committee, for the avoidance of doubt the Committee shall have no power to amend the budget of Braintree District council;
- iii. The Council Tax Committee shall be made up of 4 Members with the membership as set out in this report.



<b>Section 1 Local Plan: Planning Inspector’s final report and process for adoption</b>		<b>Agenda No: 8</b>
<b>Portfolio</b>	<b>Planning</b>	
<b>Corporate Outcome:</b>	<b>Connecting People and Places</b>	
<b>Report presented by:</b>	<b>Councillor G. Spray, Cabinet Member for Planning</b>	
<b>Report prepared by:</b>	<b>Emma Goodings – Head of Planning and Economic Growth</b>	
<b>Background Papers:</b>		<b>Public Report</b>
<ul style="list-style-type: none"><li>• Submission Draft Local Plan</li><li>• Documents and correspondence set out on the examination website</li></ul>		<b>Key Decision: No</b>
<b>Executive Summary:</b>		
<p>Planning Inspector Roger Clews has issued his final report on the soundness and legal compliance of Section 1 of the Local Plan for North Essex, having considered the consultation responses on his recommended Main Modifications and the latest government household projections.</p> <p>With the incorporation of the Inspector’s final, slightly adjusted, set of recommended Main Modifications (which include the removal of the Colchester Braintree Borders and West of Braintree Garden Communities), the Section 1 Local Plan is sound and legally compliant.</p> <p>The modified version of the Section 1 Local Plan attached to this report includes the main modifications recommended by the Inspector and minor modifications agreed by officers of the three authorities to reflect those main modifications in the supporting text. It therefore meets the requirements to proceed to formal adoption. This paper brings a recommendation from the Local Plan Sub Committee to Full Council to adopt the Shared Strategic Section 1 Local Plan.</p>		
<b>Recommended Decision:</b>		
<p>That Council;</p> <p>a) Notes the findings of the Planning Inspector’s ‘Report on the Examination of the North Essex Authorities’ Shared Strategic Section 1 Plan received on 10<sup>th</sup> December 2020 (attached as <a href="#">Appendix 1</a> to this report) and his final ‘Schedule of Recommended Main Modifications’ (attached as <a href="#">Appendix 2</a>);</p>		

- b) approves the formal adoption of the 'Modified North Essex Authorities' Shared Strategic Section 1 Plan' (attached to this report) i.e. the new Section 1 Local Plan incorporating the Inspector's recommended main modifications in accordance with Section 23(3) of the Planning and Compulsory Purchase Act 2004.
- c) expresses its huge disappointment that the Examination of Section 2 has been delayed by the Planning Inspectorate and instructs the Portfolio Holder for Planning to write to the Inspectorate urging it to see if there is any way in which the Examination can be brought forward.

**Purpose of Decision:**

- a) To report the Local Plan Inspector's final conclusions on the legal compliance and 'soundness' of the Section 1 Local Plan for North Essex following consultation on his recommended 'Main Modifications' and the subsequent receipt of his final report on 10<sup>th</sup> December 2020;
- b) To report that, by incorporating the Inspector's recommended Main Modifications, the Section 1 Local Plan meets the tests for legal compliance and soundness - as required for a plan to proceed to formal adoption; and
- c) To seek the Local Plan Sub-Committee's agreement that the modified Section 1 Local Plan be recommended to Full Council for formal adoption.

Any Corporate implications in relation to the following should be explained in detail.	
<b>Financial:</b>	The costs of the Local Plan are met from existing budgets.
<b>Legal:</b>	There is a risk of legal challenge following the adoption of the Section 1 Local Plan if any party believes that the Inspector or the Councils have made any legal or procedural errors. This risk has however been minimised with the Inspector taking particular care to thoroughly examine legal and procedural matters, twice, as part of the examination process. However any party has the right to apply for a legal challenge if they so wish. There are no obvious grounds that would justify such a challenge.
<b>Safeguarding:</b>	No matters arising out of this report
<b>Equalities/Diversity:</b>	The Local Plan has been subject to an equalities impact assessment.
<b>Customer Impact:</b>	The Local Plan impacts on the whole District.
<b>Environment and Climate Change:</b>	The Local Plan has been subject to detailed environmental assessments which have been considered by the Planning Inspector.
<b>Consultation/Community Engagement:</b>	Section 1 of the Local Plan has now progressed through all of the necessary stages of public consultation and engagement and the Inspector's final recommended Main Modifications can be endorsed by the Councils without the need to carry out further consultation. The Inspector's amendments to the Modifications are not significant enough to warrant further consultation.
<b>Risks:</b>	Section 1 of the Local Plan was individually submitted by the North Essex Authorities but applies equally to all three Councils, therefore it is important that all three Councils take a consistent course of action and agree to formally adopt the plan. Should either Tendring District or Colchester Borough Councils make an alternative decision, Members at Braintree will need to consider their position.
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## **1 Background**

- 1.1 Section 1 of the emerging Local Plan ('the Section 1 Plan') was designed to set out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the plan originally included proposals for three new cross-boundary 'Garden Communities' along the A120 corridor. In contrast, 'the Section 2 Plan' for each of the three authorities contained more specific local policies and proposals relevant only to their individual area. Following the necessary stages of consultation, the Local Plans were submitted to the Secretary of State in 2017 to begin the process of independent examination.
- 1.2 The Secretary of State appointed an experienced Planning Inspector, Mr. Roger Clews, to undertake the examination for Section 1 of the Plan. The purpose of the examination was for the Inspector to ensure the Councils had followed relevant legal and procedural requirements and to test the plan for its 'soundness' - including its consistency with national planning policy.
- 1.3 Following the original examination hearings that took place in 2018, the Inspector wrote to the Councils to say that the evidence provided to support the Garden Communities was lacking and provided the authorities with options for how to progress a Local Plan towards adoption. The Councils selected the option of producing additional evidence and these were subsequently published for consultation in the summer of 2019 to allow residents and stakeholders the opportunity to consider the additional evidence and make any comments. Further examination hearings took place in January 2020 which focussed on the additional documentation.
- 1.4 On 15 May 2020, the NEAs received the Inspector's letter setting out his further post-examination conclusions. The main conclusion was that two of the three proposed Garden Communities i.e. the West of Braintree and Braintree Colchester Borders Garden Community were neither viable nor deliverable and, as a consequence, the Section 1 Local Plan did not meet the tests of soundness set out in the National Planning Policy Framework (NPPF). However the Inspector concluded that the Tendring Colchester Borders Garden Community was deliverable and that there could be a way of progressing the Local Plan towards adoption and he offered the authorities two options for how to proceed; i.e. to either propose and consult on main modifications to remove the Colchester Braintree Borders and West of Braintree Garden Community proposals from the Plan; or to withdraw the Plan from examination.
- 1.5 The authorities agreed to consult on the Inspector's recommended main modifications. This took place between 28<sup>th</sup> August and 9<sup>th</sup> October 2020. A total of 382 consultation responses were received from across North Essex to the main modifications, from 117 individuals or groups. This included local residents and Parish/Town Councils, land owners and agents and statutory consultees such as Historic England and Natural England. 66 of the comments were made to the modifications in general (and not necessarily commenting on any particular modification) and Policies SP7 Garden Communities and SP8 Tendring Colchester Borders Garden Community

(policies not being proposed for removal by the Inspector) were the areas which attracted the most number of comments. A further 6 comments were received in respect of the amended Habitats Regulation Assessment and 15 comments were received to the amended Sustainability Appraisal. The comments were collected by the NEAs and forwarded on to the Inspector for consideration. They can be viewed on the examination website following this link: [Braintree District Council - Section 1 Proposed Main Modifications \(objective.co.uk\)](https://www.objective.co.uk/braintree-district-council-section-1-proposed-main-modifications)

- 1.6 The inspector also invited participants in the examination to comment on the very latest 2018-based household projections that had been published by the Office for National Statistics in 2020 to help determine whether or not they represented a meaningful change that might justify alterations to the housing targets in Policy SP3 of the Local Plan (including the Braintree figure of 716 dwellings per annum). 59 comments were received which can be viewed on the examination website following this link: [Responses to Consultation on 2018- based Household Projections – Section 1 examination – Braintree District Council](#)

## 2 Inspector's Final Report

- 2.1 Following the Inspector's consideration of all the comments received, the NEAs on 10th December 2020 received his final report entitled 'Report on the Examination of the North Essex Authorities' Shared Strategic Section 1 Plan' which is [Appendix 1](#) to this report.
- 2.2 The non-technical summary from the Inspector's report provides a clear overview of his conclusions and is quoted below:

*“This report concludes that the North Essex Authorities’ [NEAs] Shared Strategic Section 1 Plan provides an appropriate basis for the planning of the NEAs’ area, provided that a number of main modifications [MMs] are made to it. The NEAs have specifically requested that I recommend any MMs necessary to enable the Plan to be adopted”.*

- 2.3 Essentially the Inspector has concluded that, subject to the incorporation of his final set of Main Modifications (which is [Appendix 2](#) to this report), the Section 1 Local Plan will meet the required tests which enable it to proceed to formal adoption. The recommended Main Modifications are mostly unchanged from those published for consultation with the exception of a number of minor 'adjustments' which are explained in his report.

## Legal compliance

- 2.4 The main body of the report reiterates the Inspector's conclusion that the plan meets with the various legal and procedural requirements including the Equalities Act, the legal Duty to Cooperate, Sustainability Appraisal, Habitats Regulation Assessment, Climate Change obligations and compliance with the Statements of Community Involvement.

## Soundness

- 2.5 The report then contains the Inspector's detailed conclusions on the soundness of the plan, focusing on five main issues:

*Main issue 1 – Are the housing requirement figures set out in Plan policy SP3 soundly based, and does the Plan effectively set out how its housing requirements are to be met, in accordance with national policy?*

*Main Issue 2 – Are the employment land requirement figures set out in policy SP4 soundly based, and does the policy effectively set out how those requirements are to be met?*

*Main Issue 3 – Are the Plan's proposals for the development of three garden communities in North Essex justified and deliverable, and does the Plan provide a justified and effective policy framework for their development, in accordance with national policy?*

*Main Issue 4 – Are the Plan's Vision, strategic objectives and spatial strategy justified, effective and consistent with national policy, and is the Plan period appropriately and correctly identified?*

*Main Issue 5 – Are the Plan's policies on the presumption in favour of sustainable development (SP1), on infrastructure and connectivity (SP5), and on place-shaping principles (SP6), sound?*

- 2.6 In respect of main issue 1 and the housing requirements, the Inspector has confirmed his earlier conclusions on the soundness of each of the three authorities' housing requirements, even having considered the implications of the 2018-based household projections. This confirms the housing figures of 716 dwellings per annum (dpa) for Braintree, 920dpa for Colchester and 550dpa for Tendring as being soundly based. The examination of the three authorities' individual Section 2 Local Plans will determine whether or not sufficient land has been identified to meet those requirements.
- 2.7 For issue 2 on employment land, the Inspector has recommended some adjustments to his original main modifications to reflect government's recent changes to the Use Classes Order which incorporate the old B1 'business' class into a new class 'E' that now includes other commercial uses including retail. To ensure Policy SP4 responds to this change, the adjusted modifications spell out the type of employment use that employment land will be identified for, rather than relying on the use class codes (such as 'B1' which no longer exists). The main conclusion however is that the modified employment land requirements set out in the Inspector's original modifications are confirmed as sound including the requirement of between 20.9 and 43.3 hectares of employment land in Braintree up to 2033.
- 2.8 For issue 3 on Garden Communities, the Inspector has confirmed his earlier conclusion that two of the three Garden Communities need to be removed from the Local Plan for it to be sound. The Inspector's recommended modifications to the plan deal with the removal of the Colchester Braintree Borders and West of Braintree Garden Communities and improvements to the policies specifically relating to the single remaining Garden Community on the Tendring Colchester border.

- 2.9 For issue 4 on the plan's vision, strategic objectives and spatial strategy, again the Inspector has confirmed his earlier conclusions that, subject to the recommended modifications, the strategy set out in the plan is sound. Furthermore, the Inspector has concluded that there is no need to extend the timeframe of the plan beyond 2033 so that it covers a full 15-year period post adoption (as preferred by the guidance in the NPPF) as it would unnecessarily delay the progress of the plan and, in any event, a review of the plan within five years would be required which could bring forward additional sites, as necessary, to meet development needs in the longer-term,
- 2.10 For issue 5 on policies on the presumption of sustainable development, infrastructure and connectivity and place-shaping principles, the Inspector has confirmed his earlier conclusions that modifications to the wording are required to make the plan sound.
- 2.11 Paragraph 127 and 28 set out the Inspector's overall conclusion and recommendation and these are replicated as follows:

*"The Section 1 Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above. The North Essex Authorities requested that I recommend main modifications to make the Section 1 Plan sound and legally compliant, and thus capable of adoption. I conclude that the duty to cooperate has been met and that, with the recommended main modifications set out in the Appendix, the North Essex Authorities' Shared Strategic Section 1 Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound."*

#### Recommended Main Modifications

- 2.12 The Inspector's recommended Main Modifications to the Section 1 Local Plan are set out in [Appendix 2](#) to this report and are, in the majority, unchanged from those published for consultation. The Inspector has however made a number of minor 'adjustments' to some of the modifications in response to comments received and changes in national policy – namely the change to the Use Classes Order in respect of B1 business use (as explained above). The adjustments are all minor in nature and do not require any further consultation.
- 2.13 The 'modified' version of the Section 1 Plan attached to this report and incorporates the Inspector's final Main Modifications and other minor consequential modifications that the Officers of the three authorities have agreed to make to supporting paragraphs to ensure the wording of the plan overall is consistent and properly reflects the more significant changes to the policies.

### **3 Adoption**

- 3.1 The authorities now have the confirmation from the Inspector that the modified version of the Section 1 Plan is sound and can therefore proceed to adoption. The choice of whether it is adopted independently of the three Councils'

Section 2 Local Plans or adopted as three whole plans following the completion of the Section 2 examinations lies with the Councils. The Inspector's advice, contained within paragraph 9 of his report is *"Following their receipt of this report, in accordance with section 23 of the 2004 Act it will be for each of the NEAs to decide whether and when to adopt the Section 1 Plan, including whether or not to adopt it in advance of their Section 2 Plan."*

- 3.2 Officers have taken advice on this point and barristers have advised that without good reason not to adopt the Local Plan, the Council could be at risk of High Court challenge and intervention by the Secretary of State to require the authority to adopt the Plan.
- 3.4 On adoption, in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Councils will be required to give notice of adoption through the publication of an 'Adoption Statement' that would be published on the website. In addition, the adopted plan itself, the Sustainability Appraisal and details of where the plan is available for inspection have to be published. A copy of the Adoption Statement has to be sent to everyone on the Councils' databases who had been asked to be notified of adoption and a copy has to be sent to the Secretary of State.
- 3.5 The Local Plan sub-committee considered the findings of the Inspectors report and the main modifications to the Plan at its meeting on the 4<sup>th</sup> February 2021 and has made an unanimous recommendation that full Council approve the recommendations set out within this report. This including adding recommendation c regarding the timing of the section 2 hearing sessions.

#### **4 Section 2 of the Local Plan**

- 4.1 The section 2 of the Braintree Local Plan was submitted at the same time as the section 1 Plan. The Planning Inspectorate have appointed Jameson Bridgwater and Anne Jordan to examine the section 2 Local Plan for Braintree (as well as being appointed to consider the Tendring and Colchester section 2 Plans). The authority has been given a provisional date of July 2021 for the hearing sessions, but this is subject to confirmation

#### **Recommendations**

That Council:

a) notes the findings of the Planning Inspector's 'Report on the Examination of the North Essex Authorities' Shared Strategic Section 1 Plan received on 10th December 2020 (attached as [Appendix 1](#) to this report) and his final 'Schedule of Recommended Main Modifications' (attached as [Appendix 2](#));

b) approves the formal adoption of the 'Modified North Essex Authorities' Shared Strategic Section 1 Plan' (attached to this report) i.e. the new Section 1 Local Plan incorporating the Inspector's recommended main modifications in accordance with Section 23(3) of the Planning and Compulsory Purchase Act 2004 .



c) expresses its huge disappointment that the Examination of Section 2 has been delayed by the Planning Inspectorate and instructs the Portfolio Holder for Planning to write to the Inspectorate urging it to see if there is any way in which the Examination can be brought forward.

# Braintree District Local Plan 2013-2033

## Section 1

### North Essex Authorities' Shared Strategic Section 1 Plan

Adopted January 2021





In accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended), Braintree Council, by decision at the meeting of Full Council on Monday 22nd February 2021, has formally adopted the Braintree District Local Plan 2013-2033: North Essex Authorities' Shared Strategic Section 1 Plan (hereafter the 'Section 1 Plan').

The 'Section 1 Plan' was prepared jointly by Braintree District Council, Colchester Borough Council, and Tendring District Council, – the 'local planning authorities' (LPAs) collectively known as the 'North Essex Authorities' (NEAs) to form the first part of each of the authorities' respective Local Plans.

Following examination by an independent Planning Inspector, a 'Final Report on the Examination of the North Essex Authorities' Shared Strategic Section 1 Plan' under section 21(9) of the Act, was received by Braintree District Council and the other NEAs on 10th December 2020. The above-mentioned report confirmed that, subject the Inspector's recommended 'main modifications' (pursuant to section 23(3) of the Act) (which have been agreed by the Council and incorporated into this document), the Section 1 Plan meets legal requirements of the national planning system and the 'tests of soundness' contained within national planning policy – as necessary for it to proceed to formal adoption.

The formal adoption of the Section 1 Local Plan by Braintree District Council has the effect of replacing, in part, **a number of the strategic policies contained within the Braintree District Core Strategy, adopted in 2011 and Local Plan 2005?** The Braintree District Local Plan and Core Strategy will be replaced, in full, on the formal adoption of Section 2 of Local Plan which contains further specific local policies and proposals applicable to the Braintree District only.



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## Introduction



# 1 Introduction

## Shared Strategic Plan

- 1.1** North Essex is a vibrant and attractive place to live and work. It has a rich archaeological, natural and built heritage that continues to influence local character, which is distinguished by its extensive legacy of human habitation from Palaeolithic times onwards. The area has experienced significant population, housing and employment growth in recent years and this is forecast to continue. The local authorities and their partners wish to respond to this opportunity by planning positively for the area as a whole. Working together to address some of the key strategic issues in North Essex will get the best outcomes for current and future communities. In particular, it will deliver sustainable development that respects local environments and provides new jobs and essential infrastructure.
- 1.2** For these reasons Braintree District Council, Colchester Borough Council and Tendring District Council have agreed to work together to address strategic planning matters across their areas. Collectively they are known as the North Essex Authorities.
- 1.3** The North Essex local Authorities border a large number of other local authorities who will continue to be engaged and involved on an active and ongoing basis on strategic cross border issues. These authorities include Babergh, Chelmsford, Maldon, Mid Suffolk, West Suffolk, South Cambridgeshire, Uttlesford, and Suffolk and Cambridgeshire County Councils.
- 1.4** Essex County Council (ECC) is a key partner in its strategic role for infrastructure and service provision and as the Highway Authority, Lead Local Flood Authority, Local Education Authority and Minerals and Waste Planning Authority.
- 1.5** An initial outcome of this collaboration is this strategic planning chapter, which each of the local planning authorities have included in their Publication Local Plan. The Local Plans together with the Essex Minerals Local Plan and the Essex and Southend-on-Sea Waste Local Plan (prepared by ECC) and any Neighbourhood Plans, form the Development Plan for the respective areas.

## The Need for a Strategic Approach

- 1.6** In Essex, as elsewhere, the influences of population and economic growth do not stop at administrative boundaries. Settlement patterns, migration flows, commuting and strategic infrastructure needs all have significant influences within and between local authority areas.
- 1.7** Local Plans are the main vehicle for conveying an area's growth requirements and how these will be accommodated. However, individual local authority boundaries cannot encapsulate the geographies of issues that transcend those boundaries. Through active and on-going collaboration the authorities can jointly plan, manage and review strategic objectives and requirements for the effective implementation of sustainable development (including minerals and waste) and enhanced environments.

- 1.8** The geographic and functional relationship between the authorities' areas is demonstrated by the fact that, with Chelmsford City Council, they form a single Housing Market Area (HMA) for planning purposes; and they are a major part of the Haven Gateway, an established economic partnership. Within this context, the forecast levels of future population growth together with the geography of North Essex means that considerations for future growth will include options that have clear cross-boundary implications. These include both the expansion of existing towns and villages as well as possible new communities.
- 1.9** Consequently, Braintree, Colchester and Tendring, together referred to in this plan as the North Essex Authorities, have agreed to come together and prepare a common Section 1 Local Plan because of their shared desire to promote a sustainable growth strategy for the longer term; and the particular need to articulate the strategic priorities within the wider area and how these priorities will be addressed. Central to this is the effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure.
- 1.10** Uttlesford District Council, Maldon District Council as well as other neighbouring authorities, sit within separate housing market areas. However the authorities are actively and continuously engaged to ensure that cross-boundary and strategic issues are dealt with.
- 1.11** The Localism Act 2011 places a Duty to Co-operate on local planning authorities and other public bodies. This requires them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The National Planning Policy Framework (NPPF) adds to this statutory duty as it expects local planning authorities to demonstrate evidence of having co-operated effectively to plan for issues with cross-boundary impacts.
- 1.12** This strategic Section 1 of the authorities' Local Plans reflects the Duty to Co-operate as it concerns strategic matters with cross-boundary impacts in North Essex. Section 2 of each plan contains policies and allocations addressing authority-specific issues.
- 1.13** Against this background, the main purposes of this strategic chapter of the Local Plan are to:
- Articulate a spatial portrait of the area, including its main settlements and strategic infrastructure, as a framework for accommodating future planned growth;
  - Provide a strategic vision for how planned growth in North Essex will be realised; set strategic objectives and policies for key growth topics;
  - Set out the numbers of additional homes and jobs across the area that will be needed covering the period to 2033. The choices made, particularly in relation to the location of garden communities, will also set the framework for development well beyond the plan period; and
  - Highlight the key strategic growth locations across the area and the necessary new or upgraded infrastructure to support this growth.

## Spatial Portrait

- 1.14** Braintree, Colchester and Tendring districts are located to the north of Essex between the east coast ports and London Stansted airport. The principal towns are Braintree, Colchester and Clacton-on-Sea and a number of secondary settlements: Witham, Halstead, Wivenhoe, Tiptree, Brightlingsea, Manningtree, Harwich, Walton and Frinton. The Key Diagram at 10.1 identifies the settlements that link with the main roads and/or rail infrastructure.
- 1.15** Beyond these settlements much of the area has a rural character.
- 1.16** The area covered by this strategic planning approach comprises a large part of the Haven Gateway, an established partnership area which is identified in a range of existing strategy and investment documents. The Haven Gateway includes the Essex administrative areas of Braintree, Colchester, Maldon and Tendring Councils and extends northwards into parts of Suffolk.
- 1.17** The area's strategic road and rail network is heavily used, particularly given the proximity to and connectivity with London. The principal roads are the A12 and A120, while the A130, A131, A133 and A414 also form important parts of the strategic road network.
- 1.18** The Great Eastern Main Line provides rail services between London Liverpool Street and the East of England, including Witham, Chelmsford, Colchester and Clacton-on-Sea. It also carries freight traffic to and from the Haven Ports including Harwich International Port, which handles container ships and freight transport to and from the rest of the UK. Harwich is also one of the major UK ports for ferry and cruise departures.
- 1.19** Crossrail is expected to start operating in the first part of this plan period with services commencing just south of Chelmsford in Shenfield. The opportunities that Crossrail will bring in terms of additional capacity and quicker journeys to a wider choice of destinations will be a contributor to the continued attractiveness of north Essex as a place to live and to do business.
- 1.20** The growing demand for the use of airports, including London Stansted, will create additional associated pressures on road and rail infrastructure. The County Council, along with South East Local Enterprise Partnership, local and national agencies and other organisations, will also need to work collaboratively with the Local Planning Authorities to ensure infrastructure meets demand for enhanced economic growth.
- 1.21** Braintree and Colchester are the major centres of employment within the strategic area. While there are high levels of commuting to London, many residents work and live within the area with significant commuting across borough and district boundaries, reflecting a functional economic geography.
- 1.22** The area has a mixed economy focused on the service sector, including wholesale and retail, business services, tourism, health and education, alongside manufacturing, logistics and construction. Due to the extensive rural area outside urban settlements, agriculture and its related industries play an important part in the overall economy.

- 1.23** This rurality also means that there are large areas of open countryside, including protected natural and historic landscapes. Areas of importance for nature conservation are to be found particularly along the coast and river estuaries, while the villages and towns include many built heritage assets.
- 1.24** A more detailed assessment of the characteristics of each area is provided in the second part of this Local Plan.

## Key Strategic Issues: Opportunities and Challenges

- 1.25** Due to its strong economic base, proximity to London and attractiveness as a place to live and work, North Essex has seen significant growth over recent years. The area is well-placed and connected to key growth points in the wider region including London, Cambridge and Stansted Airport and as a result is likely to continue to be a successful location for growth. In particular Braintree and Colchester have regularly exceeded planned house building targets and this is expected to continue. Planning for and managing future population growth requires an appropriate response from the local authorities to ensure that sufficient homes, employment premises and land, and supporting social and other infrastructure are provided in a sustainable way.
- 1.26** Notwithstanding its strong economic base and steady growth, the North Essex area faces a range of challenges, notably the need to improve economic and social conditions across the area and reduce health inequalities, pockets of deprivation, infrastructure deficits and low skills; the need to ensure that the infrastructure needed to support continued housing and jobs growth is in place at the right time; and the need to ensure that continued growth continues to conserve and where possible enhance the historic and natural environment including landscape and habitat creation, and will also seek net environmental gains, possibly making use of the Defra biodiversity accounting metric 2.0 to account for possible effects.
- 1.27** The education, health and other service needs of a growing population must be addressed, requiring careful planning to assess future needs such as pupil numbers and further adult education needs. The assessed need must in turn be translated into new or expanded education, health and other facilities which are available to meet the needs of new communities at the appropriate time. The ageing profile of residents also requires a proactive response to provide the right type of homes, including independent living and supporting services; as well as sufficient healthcare facilities to support both older residents and the population as a whole.
- 1.28** New development should be located and designed so that day-to-day needs of residents can be met locally and be accessible by sustainable forms of transport, including walking and cycling, and wherever possible reduce the number of car based trips. Growth will create demand for additional road and rail use with the associated need for new and upgraded infrastructure. Future planned growth provides the opportunity to address some of these infrastructure needs, although growth locations and sites need to be considered carefully with regard to the balance of providing necessary infrastructure and the viability and deliverability of development.
- 1.29** The NPPF expects local authorities to set out the strategic priorities for the area in the Local Plan. Of those listed in the Framework and based on the above key issues, this strategic plan chapter addresses:

- the homes and jobs needed in the area
- the provision of infrastructure for transport and telecommunications
- the provision of education, health, and community infrastructure, and
- conservation and enhancement of the natural and historic environment, including landscape.

## Vision for the Strategic Area

**1.30** It is important that addressing growth at any spatial scale is founded on a clear vision of how and where change should occur. The vision for North Essex sets this out at a strategic level and provides a context for the more detailed vision for the growth of each individual authority's area. The joint vision set out below should be read in conjunction with the vision for each local authority set out in Section 2 of each Local Plan. The high housing need identified for North Essex, constraints in many existing urban areas and the desire to support a sustainable form of development in the long term, as part of the strategy for the development has led to the Local Plans proposing standalone new settlements that follow the principles of Garden Cities.

### Vision for North Essex

*North Essex will be an area of significant growth over the period to 2033 and beyond, embracing positively the need to build well-designed new homes, create jobs and improve and develop infrastructure for the benefit of existing and new communities.*

*It will continue to be an attractive and vibrant area in which to live and work, making the most of its rich heritage, town centres, natural environment, coastal resorts, excellent educational facilities and strategic transport links which provide access to the ports, Stansted Airport, London and beyond. Rural and urban communities will be encouraged to thrive and prosper and will be supported by adequate community infrastructure.*

*Sustainable development principles will be at the core of the strategic area's response to its growth needs, balancing social, economic and environmental issues. Green and blue infrastructure and new and expanded education and health care facilities enabling healthy and active lifestyles will be planned and provided along with other facilities to support the development of substantial new growth; while the undeveloped countryside and the natural and historic environment will be conserved and enhanced. Key to delivering sustainable development is that new development will address the requirement to protect and enhance the historic environment and settlement character.*

*At the heart of our strategic vision for North Essex is a new garden community, to be sensitively integrated within the existing historic built and natural environment, and based on Garden City principles.*

*The garden community provides an opportunity to create the right balance of jobs, housing and infrastructure in the right locations and will attract residents and businesses who value innovation, community cohesion and a high quality environment, and who will be provided with opportunities to take an active role in managing the garden community to ensure its continuing success.*



*Residents will live in high quality, innovatively designed, homes, accommodating a variety of needs and aspirations, located in well-designed neighbourhoods where they can meet their day-to-day needs. There will be a network of tree-lined streets and green spaces, incorporating and enhancing existing landscape features and also accommodating safe and attractive routes and space for sustainable drainage solutions; and leisure and recreation opportunities for both residents and visitors of the garden community.*

*Suitable models for the long term stewardship of community assets will be established and funded to provide long term management and governance of assets. All Garden City principles as specified in the North Essex Garden Communities Charter will be positively embraced including where appropriate, new approaches to delivery and partnership working for the benefit of the new community. Central to this will be the comprehensive planning and development of the garden community, and the aligned delivery of homes and supporting infrastructure.*

## Strategic Objectives

- 1.31** The following strategic objectives are designed to support the vision for the area and provide a basis for the development of strategic topic-based policies that will help in achieving the vision.
- 1.32** Providing Sufficient New Homes – to provide for a level and quality of new homes to meet the needs of a growing and ageing population in North Essex; to achieve this by ensuring the availability of developable land in appropriate locations and that the market delivers a suitable mix of housing types and tenures.
- 1.33** Fostering Economic Development – to strengthen and diversify local economies to provide more jobs; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.
- 1.34** Providing New and Improved Transport & Communication Infrastructure – to make efficient use of existing transport infrastructure and to ensure sustainable transport opportunities are promoted to support new and existing communities. Where additional capacity is required in the form of new or upgraded transport infrastructure to support new development, ensuring that this is delivered in a phased & timely way to minimise the impact of new development. To ensure that enabled communication is provided as part of new developments as enabled communication is essential for modern living and broadband infrastructure and related services will be essential for business, education and residential properties.
- 1.35** Addressing Education and Healthcare Needs – to provide good quality educational opportunities as part of a sustainable growth strategy, including practical vocational training and apprenticeships linked to local job opportunities. To work with partners in the NHS, Public Health and local health partnerships to ensure adequate provision of healthcare facilities to support new and growing communities.
- 1.36** Ensuring High Quality Outcomes – to promote greater ambition in planning and delivering high-quality sustainable new communities. Overall, new development must secure high standards of urban design and green infrastructure which creates attractive and sustainable places where

people want to live and spend time. New development needs to be informed by an understanding of the historic environment resource gained through the preparation of Historic Impact Assessments, and to conserve and enhance the significance of heritage assets including any contribution made to their significance by their settings.

## Strategic Issues and Policies

**1.37** This section includes the Councils' response to the opportunities and challenges facing the wider area, in the form of strategic policies that will help to deliver the vision and objectives. These policies only cover those matters that are of strategic relevance to all three authorities. Policies that address local matters are included in the following section of the plan. The Plan as a whole, including both Sections 1 and 2, will supersede previous Local Plan Policies and allocations upon its adoption. A list of the policies superseded by Section 1 and Section 2 of the Plan respectively is included as an appendix to each section.

## Presumption in Favour of Sustainable Development



## 2 Presumption in Favour of Sustainable Development

### Presumption in Favour of Sustainable Development

- 2.1** The authorities will apply a presumption in favour of sustainable development in accordance with guidance in the National Planning Policy Framework.

#### Policy SP 1

##### Presumption in Favour of Sustainable Development

When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work pro-actively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Development that complies with the Plan will be approved without delay, unless material considerations indicate otherwise.

- 2.2** A Habitats Regulations Assessment (HRA) was completed for Section 1 of the Plan. The loss of off-site habitat, water quality and increased recreational disturbance were identified as issues with the potential to result in likely significant effects on European Sites, without mitigation to address the effects.
- 2.3** The Appropriate Assessment (AA) identified a number of avoidance and mitigation measures to be implemented, to ensure that development proposals in the Plan will not result in adverse effects on the integrity of any Special Area of Conservation, Special Protection Area or Ramsar site, and are HRA compliant.
- 2.4** To mitigate for the loss of off-site habitat, the AA identified the need for wintering bird surveys for the Tendring/Colchester Borders Garden Community as part of any project level development proposals and masterplanning (see also paragraph 8.3 and Policy SP8 paragraph F.20).
- 2.5** To protect water quality, the AA recommended the inclusion of policy safeguards to ensure that adequate water and waste water treatment capacity or infrastructure upgrades are in place prior to development proceeding.
- 2.6** Recreation activities can potentially harm Habitats Sites. The AA identified disturbance of water birds from people and dogs, and impacts from water sports/watercraft as the key recreational threats to Habitats Sites.

- 2.7** To mitigate for any increases in recreational disturbance at Habitats Sites, the AA identified the need for a mitigation strategy. Natural England's West Anglian Team identified the Essex coast as a priority for a strategic and proactive planning approach as it is rich and diverse ecologically, and many of the coastal habitats are designated as Habitats Sites. Consequently, 12 local planning authorities in Essex have prepared an Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).
- 2.8** The Essex Coast RAMS sets out specific avoidance and mitigation measures by which disturbance from increased recreation can be avoided and mitigated thus enabling the delivery of growth without adversely affecting Habitats sites. These measures are deliverable, realistic, underpinned by robust up to date evidence, precautionary and provide certainty for developers around deliverability and contributions. The Essex Coast RAMS Strategy Document was completed in 2019 and is supported by a SPD.

## Policy SP 2

### **Recreational disturbance Avoidance and Mitigation Strategy (RAMS)**

Contributions will be secured from development towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS).



# Spatial Context

## 3 Spatial Context

- 3.1** Future growth will contribute to maintaining and enhancing a well-connected network of sustainable settlements across North Essex. New homes, jobs, retail and leisure facilities serviced by new and upgraded infrastructure will be accommodated as part of existing settlements according to their scale, sustainability and role, and by the creation of a strategic scale new settlement embracing the principles in the North Essex Garden Community Charter. The countryside will be protected and enhanced.
- 3.2** For the majority of settlements these issues are addressed in the second section of the Local Plan dealing with each authority's area. However, it is relevant here to set out the spatial context of the North Essex Area as it relates to the main settlements and strategic-scale new development.
- 3.3** In Braintree District the growth will be mainly addressed via a mixture of urban extensions and new communities. Braintree town, as the largest service centre in the District, will have a number of new urban extensions. Over 4,000 new homes will be allocated in this area. The other main focus for development will be the A12 corridor with the main town of Witham and service villages of Hatfield Peverel, Kelvedon and Feering with allocations of over 2,000 new homes. Other parts of the District, including the town of Halstead, will have smaller allocations to reflect a more local need and make the best use of brownfield sites, recognising that these areas are not as sustainable.
- 3.4** In Colchester Borough, the urban area of Colchester will continue to be a focus for growth due to its pre-eminent role as a centre for jobs, services and transport, with 4,000 new homes expected to be delivered over the Local Plan period. The urban area of Colchester, however, has a limited and diminishing supply of available brownfield sites, so a new community is included in the spatial hierarchy as a sustainable option for further growth of homes and jobs, to the east of Colchester on the border with Tendring District. Approximately 1,050 new homes will be allocated in the Rural District Centres of Tiptree, West Mersea and Wivenhoe. Smaller sustainable settlements will receive limited allocations proportionate to their role in the spatial hierarchy.
- 3.5** In Tendring District the spatial hierarchy promotes growth in settlements that are the most accessible to the strategic road network, public transport and offer a range of services. Clacton and Harwich with Dovercourt are classified as strategic urban settlements and will accommodate around 5,000 new homes. A new cross-boundary garden community will be located in the west of the district and to the east of Colchester. The smaller urban settlements of Frinton with Walton and Kirby Cross, Manningtree with Lawford and Mistley, Brightlingsea and Weeley will accommodate between 1,500 and 2,500 new homes. The rural service centres and smaller rural settlements will accommodate around 1,500 new homes including a windfall allowance.
- 3.6** The new Garden Community is identified as new a new settlement in Colchester and Tendring Section 2 settlement hierarchies. Over time the Garden Community will grow to influence the area's spatial hierarchy and will be included in the tiers underneath the sub-regional centre role played by Colchester. Future reviews of the plans will address this point, but the Garden Community will not grow to a size that will affect the spatial hierarchy within the plan period to 2033.

## Policy SP 3

### Spatial Strategy for North Essex

Existing settlements will be the principal focus for additional growth across the North Essex Authorities area within the Local Plan period. Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area.

Future growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting. Re-use of previously developed land within settlements is an important objective, although this will be assessed within the broader context of sustainable development principles, particularly to ensure that development locations are accessible by a choice of means of travel.

In Section 2 of its Local Plan each local planning authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs.

Beyond the main settlements the authorities will support diversification of the rural economy and conservation and enhancement of the natural environment.

As part of the sustainable strategy for growth, the Tendring / Colchester Borders Garden Community will be developed and delivered at the broad location shown on Key Diagram 10.2 and on the Colchester and Tendring Local Plans Policies Maps. This new community will provide a strategic location for homes and employment within the Plan period in North Essex. The expectation is that substantial additional housing and employment development will be delivered in the Garden Community beyond the current Local Plan period.



## Meeting the need for New Homes



## 4 Meeting the need for New Homes

- 4.1** Provision of sufficient housing is critical to meet the needs of a growing population and for the effective functioning of local economies.
- 4.2** The North Essex Authorities are committed to plan positively for new homes and to significantly boost the supply of housing to meet the needs of the area, including the need to provide a workforce for forecast jobs. To meet the requirements of national policy to establish the number and type of new homes, the authorities commissioned Peter Brett Associates to produce an Objectively Assessed Housing Need Study building on earlier work. This was first published in July 2015 and updated in November 2016. It meets the requirements of the NPPF to prepare a Strategic Housing Market Assessment (SHMA).
- 4.3** Detailed analysis in the report suggests that a Housing Market Area comprising Braintree, Colchester, Chelmsford and Tendring Council areas forms a sound basis for assessing housing need.
- 4.4** Demographic projections are the starting point for assessing how much housing will be required across an area. Based on 2014 national projections covering the period 2013 to 2037, the conclusion reached is that the objectively assessed need across the Housing Market Area is 2,999 new homes a year over the period 2013 – 2037. The total requirement across north Essex, excluding Chelmsford City Council's area, is 2,186 new homes per year.
- 4.5** This figure includes a figure of 550 new homes per year for Tendring. Calculation of housing need in the District is complicated by uncertainty arising from unattributed population change (UPC).
- 4.6** Evidence on overall levels of affordable housing provision elsewhere in the Districts will be set out in more detail within the individual Local Plans and will take account of identified needs. The Tendring Colchester Garden Community needs to be a mixed and balanced community and will be expected to provide 30% affordable housing.
- 4.7** The Garden Community will be expected to provide suitable sites for Gypsies and Travellers. Additional requirements for sites to meet District wide needs will be set out in Section Two of each District/Borough Local Plan.
- 4.8** The North Essex Authorities will identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their individual housing requirements set out in Policy SP4 below. Each authority will incorporate an additional buffer as required by national planning policy to ensure choice and competition for land.

## Policy SP 4

### Meeting Housing Needs

The local planning authorities will identify sufficient deliverable sites, developable sites and/or broad locations for their respective plan period, to meet the housing requirements in the table below, and will incorporate additional provision to ensure flexibility and choice and competition for land.

Each authority will maintain a sufficient supply of deliverable sites to provide for at least five years' worth of housing, plus an appropriate buffer in accordance with national policy, and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan. The annual housing requirement figures set out below will be used as the basis for assessing each authority's five-year housing land supply, subject to any adjustments in Section 2 of each plan to address any undersupply since 2013.

The authorities will review their housing requirements regularly in accordance with national policy requirements, and in doing so will have regard to the housing needs of the wider area.

Local Authority	Housing requirement per annum	Total minimum housing requirement for the plan period (2013 – 2033)
Braintree	716	14,320
Colchester	920	18,400
Tendring	550	11,000
<b>Total</b>	<b>2,186</b>	<b>43,720</b>



# Providing for Employment

## 5 Providing for Employment

- 5.1** A key objective for the area is to strengthen and diversify local economies to provide more jobs and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.
- 5.2** Braintree District's employment is relatively focused on industrial-type sectors, including construction and manufacturing. London Stansted airport, in neighbouring Uttlesford, plays a significant role in employing residents of the District and through the indirect economic benefits associated with proximity to such a large employment hub.
- 5.3** Retail is the second largest sector by employment and plays an important role in sustaining the District's three key town centres. The financial and insurance sector, where Braintree District traditionally has a relatively small proportion of employment, has seen some strong growth in recent years. This may be a growth sector in the future.
- 5.4** Colchester is the dominant urban centre within the Essex Haven Gateway. The Borough has developed a strong economy, linked to its "central place" functions and to the town's historic character, cultural activities and the university. Major retail and leisure services are also located both within and adjacent to Colchester town.
- 5.5** Health, education and retail each provide over 10% of employee jobs and collectively contribute 42% to the Borough's total employment. A further six major Groups each account for between 5 – 10% of total jobs: Manufacturing; Construction; Accommodation and Food Services; Professional, Scientific & Technical; Business Administration & Support Services; and Arts, entertainment, recreation, etc.
- 5.6** Tendring District has a diverse economy with local employment across a range of activities. Health, retail and education are the largest sectors in terms of the number of jobs and together represent 45% of the District's total employment.
- 5.7** Within the western part of Tendring district, the economy and labour market of Manningtree is influenced by its relative proximity to Colchester and good transport links to London. The interior of the District is largely rural and is characterised by a high-quality environment, interspersed with small settlements.
- 5.8** Opportunities have been identified for Tendring to develop potential future strengths in offshore wind and the care and assisted living sector.
- 5.9** As part of the work to assess housing requirements, an analysis of economic forecasts was undertaken together with demographic projections to establish the inter-relationship between population growth, forecasts of new jobs and the number of new homes needed to accommodate these levels of growth. Employment forecasts have been developed using two standard models (East of England Forecasting Model (EEFM) and Experian 2016) which forecast total job growth for each of the local authorities based on past trends. Each local authority has been advised on the most appropriate modelling figure to use in the context of reconciling job and housing demand. The forecast growth figures for the housing area for the period 2013-2037 are as set

out in Policy SP5. Employment Land Needs Assessments have been carried out by each authority which set out the amount of employment land that is required within the Plan period. In terms of specific B use land provision, each local authority has undertaken work to establish what quantum of employment land would be required within the Plan period to meet the demand identified below for additional B use employment land. These B use employment areas are distributed between each local authority area and based on achieving a sustainable balance between jobs and the available labour force through population growth. As noted above, calculations of employment land required are affected by a range of issues that lead to different employment land portfolios for each local authority area, resulting in a proportionately greater quantum of new floorspace per job in Braintree and Tendring than in Colchester. This is a function of the prominence of higher density office requirements in Colchester and lower density logistics and industrial uses in Braintree and Tendring. The table in Policy SP5 below sets out the three authorities' employment land (B Class uses) requirements for the period 2016 – 33 for two plausible scenarios, baseline and higher growth. These two bookends provide flexibility to allow for each authority's supply trajectory to reflect their differing requirements. Site specific employment allocations meeting the needs of different sectors in each local authority are set out in Section 2 of their Local Plan.

- 5.10** Braintree, Colchester and Tendring commissioned work to explore the employment opportunities associated with the development of innovative Garden Communities based on the likely demographic profile of these new communities and to develop quantified scenarios for future employment growth. The consultants concluded that assuming political commitment and proactive delivery on the part of local authorities, Garden Communities had the potential to deliver one job per household, in line with the Garden Communities charter, and to support employment growth in surrounding areas. The Tendring Colchester Border Garden Community is considered to perform well in employment terms given the opportunities provided by its location adjacent to the University Essex.
- 5.11** Employment forecasts for the three authorities accordingly factor in the longer-term aspirations for employment growth arising from the positive spin-offs associated with Garden Communities. It is important to note, however, that while job numbers can be expected to grow at a consistent rate, current trends point to overall lower requirements for additional B1 floorspace. This reflects the growth of home working enabled by enhanced digital connectivity; the continuing decline of manufacturing with its need for large floor areas; and the prevalence of 'hot desking' leading to lower requirements for office floorspace.

## Policy SP 5

### Employment

A strong, sustainable and diverse economy will be promoted across North Essex with the local planning authorities pursuing a flexible approach to economic sectors showing growth potential across the Plan period.

In order to meet the requirements for office, research & development, industrial, storage and distribution uses and to maintain appropriate flexibility in provision to meet the needs of different sectors, Section 2 of each plan will allocate employment land to ensure that provision is made within the ranges set out in the table below.

**Hectares of employment land required** for office, research & development, industrial, storage and distribution uses:

	<b>Baseline</b>	<b>Higher Growth Scenario</b>
Braintree	20.9	43.3
Colchester	22.0	30
Tendring	12.0	20.0
<b>North Essex</b>	<b>54.9</b>	<b>93.3</b>

# Infrastructure and Connectivity



## 6 Infrastructure and Connectivity

- 6.1** A coordinated and integrated approach to infrastructure planning and delivery is required to implement the vision for North Essex. Provision of appropriate and timely infrastructure to support growth will be central to the area's continuing prosperity, attractiveness and sustainability. Section 1 of the Local Plan highlights strategic and cross-boundary infrastructure, identifying the strategic transport infrastructure projects required to underpin delivery of the planned growth in the area including the proposed Garden Community, and sets priorities for other infrastructure requirements such as education, healthcare, digital connectivity, water supply and wastewater infrastructure and treatment. Section 2 of the Local Plan contains the infrastructure requirements for allocations made in that section of the plan. The Infrastructure Delivery Plan (IDP) provides the phasing and costing of infrastructure requirements for the Garden Communities and the Section 2 allocations required within the plan period. The infrastructure planning process will include the identification of funding sources, and may include using appropriate mechanisms of shared public sector delivery financing mechanisms and the implementation of a strategic infrastructure tariff or other suitable mechanisms to apply across North Essex.

### A Garden Community

- 6.2** The challenge in the Garden Community will be to create a community in which people move around in a different way to most of the existing towns in North Essex. Networks need to give priority to people for short everyday trips to link people to work, education, retail, leisure, creating an independent safe environment.
- 6.3** The new garden community will seek to manage travel demand, providing retailing, jobs, services and facilities within the site to help reduce the need to travel, and integrate and connect with the rest of North Essex and beyond through transport infrastructure and measures that promote sustainable travel patterns and reduce adverse impacts on the highway network. The North Essex Garden Communities Charter seeks to ensure that land use planning of the new community maximises the provision and use of sustainable transport internally and connects externally to key urban centres. Given the Charter's commitment to the timely delivery of infrastructure, policies SP8-9 will ensure that key transport projects align with housing and employment delivery.
- 6.4** To maximise the use of public transport new forms of high quality rapid transit networks will be provided to serve existing urban centres such as Colchester; key destinations such as the University of Essex; and key transport interchanges in North Essex. To achieve the desired step change in sustainable transport, policy will require that this infrastructure will be funded and its delivery phased to align with the development phases.

### B Transportation and Travel

- 6.5** North Essex is well placed in the context of connections by road, rail, air and sea to the wider region and beyond, and these connections will need to be strengthened as part of developing sustainable transport networks.

- 6.6** The challenge is to provide North Essex with a sustainable transport system that provides good access to jobs and services, to support economic growth. Growth promoted through the new Local Plans, particularly via large scale new developments where delivery will extend beyond the plan period, provides an opportunity to prioritise, facilitate and deliver larger scale transport infrastructure projects that can significantly improve connectivity across and within the area. A focus on sustainable transport in and around urban areas and the Garden Community will positively alter travel patterns and behaviour to reduce reliance on the private car.
- 6.7** The Local Plans seek to improve transport infrastructure to enable the efficient movement of people, goods and ensure that new development is accessible by sustainable forms of transport. Measures designed to encourage people to make sustainable travel choices such as better public transport provision, car clubs, electric vehicle charging points and provision of cycle links and foot ways will also be required to achieve such a change. It will also help to enhance air quality and improve health and well-being.
- 6.8** Braintree, Colchester and Tendring will continue to work closely with government departments, Highways England, Essex County Council, Network Rail, rail and bus operators, developers and other partners to better integrate all forms of transport and improve roads and public transport and to promote cycling and walking. Key projects during the plan period will see improvements to the A12, A120, Great Eastern Main Line including rail services, and provision of rapid transit connections in the Garden Community and the adjacent urban areas. An integrated and sustainable transport system will be delivered that supports economic growth and helps deliver the best quality of life.

### **The Inter-Urban Road Network**

- 6.9** The A12 is set to have major improvements as part of the Government's Roads Investment Strategy (RIS1 and RIS), with the aim of improving capacity and relieving congestion. The A12 is being widened between junction 19 (Chelmsford) and junction 25 (A120 interchange) to increase safety, improve journey time reliability, provide a benefit to the local road network, and in doing so support long term sustainable growth. Highways England (HE) has announced its preferred route between junction 19 and 23 (October 2019) and between junction 23 and 25 in August 2020. The A12 J19 to J25 widening scheme will go ahead as part of the Road Investment Strategy 2 (RIS2) programme, and is now a fully funded scheme. It is expected the route will be open for traffic in 2027 – 2028. RIS2 stated that the A12 scheme will need to take account of the evolving proposals for the A120 Braintree to A12 improvements, and any potential future road link to the improvements for the A120 will be incorporated into the A12 scheme.
- 6.10** The A120 is a key east-west corridor across Essex providing access to London Stansted Airport in the west to the Harwich ports in the east and serving the economies of Braintree, Colchester and Tendring, with links to Chelmsford via the A130.
- 6.11** Consultation on A120 route improvement options between Braintree and the A12 ended in March 2017. ECC has identified a favoured route which has been recommended to Highways England and the Department of Transport for inclusion in Road Investment Strategy 2 (RIS2), which is the next funding period for the strategic road network and will run from 2020 to 2025. In addition a series of short term interventions will be delivered along the route to improve safety and relieve congestion. The A120 from the A12 to Harwich is subject to a Highways England

Route Based Strategy and improvements to this section of road are expected over the plan period. ECC and Highways England have progressed work with regards a new and improved A120 between Braintree and the A12. The new A120 is necessary to help address the volume of existing A120 movements which by far exceeds the current standard of carriageway provision. The route will be instrumental in catering for growth in the corridor and will provide a better route for freight traffic, improve safety and relieve existing communities from a range of externalities such as through traffic, noise, severance and poor air quality. ECC has identified its favoured Route D which would join the A12 south of Kelvedon. In March 2020 the government announced its Road Investment Strategy (RIS2) which included a commitment to progressing further development work on the A120 dualling to prepare the scheme for delivery. The A120 dualling scheme will be considered for inclusion in the RIS3 programme (2025 – 2030), and is now considered a pipeline project to be progressed by Highways England.

## **Rail**

- 6.12** The Anglia Route Study prepared by Network Rail (March 2016) shows that while capacity varies along the Great Eastern Main Line, capacity to accommodate growth is limited and is particularly constrained in peak times from Chelmsford to London. Improvements are required along the line to accommodate growth and provide a faster more competitive service across the region.
- 6.13** The Study identifies a package of improvements necessary to respond to the need for increased capacity, which are seen as priorities to enable growth, improve services and journey reliability.
- 6.14** A franchise was awarded to Greater Anglia for passenger services in the region which commenced in 2018 followed by the replacement of the entire fleet of trains to add capacity.

## **Public Transport, Walking and Cycling**

- 6.15** Alternative forms of transport to the private car (public transport, walking, and cycling) to travel to work and other trips are essential in managing congestion and to accommodate sustainable growth. The levels of growth proposed in the Local Plans will require that the consequent need to travel is managed. Travel planning and smarter choices initiatives will be promoted to ensure that all residents have good access to local jobs, services and facilities, preferably by either walking or cycling. For longer trips and in rural areas where there are fewer local services and employment opportunities, public transport will be promoted.
- 6.16** Essex County Council prioritises passenger transport (bus, minibus, taxi and community transport) according to the 'Getting Around in Essex Strategy'. The County Council will work in partnership with stakeholders to improve bus services and their supporting infrastructure to provide a real alternative to the private car. This will be achieved by identifying opportunities for a better bus network (routes, frequency, community based services); integrating school and commercial bus networks; the implementation of travel planning (work, business, school and health); provision of digital information measures; provision of park and ride; and supporting the growth in key commuter and inter urban routes. Conventional local bus services, and in particular improving existing services, will be an important part of promoting sustainable travel across North Essex, and will complement the new high quality rapid transit network.

- 6.17** Through implementation of the Essex Cycling Strategy (2016), Cycling Action Plans have been prepared in all the NEAs to increase cycle levels; identify safety issues; identify gaps on key routes; identify ways of closing gaps; and create better cycle connectivity to key employment areas, development zones and schools. The provision of continuous cycle routes and a coherent cycle network will encourage people to make short trips by bicycle rather than by car.

### **Policies and Delivery Mechanisms for Sustainable Transport**

- 6.18** Creating development that is accessible by different modes of transport, especially walking and cycling and the use of public transport is essential to promoting sustainable development as it reduces car dependency. An important policy tool to achieve this is a people orientated transport hierarchy i.e. prioritising walking and providing access for people with mobility impairment; cycling; public transport; cars (for occupiers on site and visitors); powered two wheelers; and commercial vehicles). The modal hierarchy will be used to ensure that if not all modes can be satisfactorily accommodated, those towards the top of the hierarchy are considered first and given greater priority.
- 6.19** Sustainable transport management will be based on promoting modes which minimise environmental impact and promote social inclusion. It is important that developments are well located in relation to existing walking, cycling and public transport networks, and where appropriate provide enhanced facilities, as this will ensure that there is the maximum potential to use these modes as attractive alternatives to cars.

## **C Social Infrastructure**

### **Education**

- 6.20** New development must provide for the educational needs of new communities and this is set out in more detail within the Infrastructure Delivery Plan. This will involve the expansion of existing schools where feasible and the construction of new schools, together with provision for special educational needs, early years and childcare places. Education requirements will need to be based on a strong understanding of future pupil numbers, with co-operation between county, district and borough councils. A range of educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training, apprenticeships, and further and higher education.
- 6.21** New schools are an important place-making component of Garden Communities where early provision is usually critical in providing core social infrastructure to help a new community thrive, improve social integration and support the creation of sustainable travel patterns and a healthy environment.

### **Healthcare**

- 6.22** Local authorities have a role in creating a healthy community. The North Essex Authorities will work closely with relevant stakeholders such as the NHS, Public Health and local health partnerships, developers and communities to ensure that future development in North Essex takes into account the need to improve health and wellbeing of local residents (and workers) including access to appropriate health and care infrastructure to support new and growing

communities. Requirements are set out in more detail within the Infrastructure Delivery Plan. This will be particularly important given the ageing profile of existing and future residents. There is already a need for more and better quality health care facilities across North Essex with some areas having relatively poor access to health care facilities. The Garden Community will provide the conditions for a healthy community through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and which is accessible by walking and cycling and public transport. Support will be given to meet cross-boundary need for hospice facilities.

## **D Digital Connectivity**

**6.23** The NPPF indicates how high quality communications infrastructure is essential for economic growth and social well-being. The availability of high speed and reliable broadband, particularly in rural areas, is a key factor in unlocking new development opportunities and ensuring that people can access services online and work from home. The Government is committed to making gigabit-enabling connectivity available to all premises in the UK by 2025 and the Local Plan can contribute towards achieving this goal by requiring developers to ensure such technology is in place.

**6.24** Fast broadband connections and telecommunications are an increasingly important requirement to serve all development. New development should contribute to the creation of a comprehensive and effective network in both urban and rural areas to promote economic competitiveness and to reduce the need to travel. The priority is to secure gigabit-enabling connectivity to all existing and new developments. Developers are encouraged to engage with communication network providers at the earliest opportunity. Where provision is possible preference is indicated for open-access infrastructure, enabling multiple service providers access to end users.

## **E Water Supply and Wastewater**

**6.25** The authorities will need to work with Anglian Water, Affinity Water, Environment Agency and developers to ensure sufficient capacity and provision of an adequate water supply and foul drainage and wastewater treatment to support growing communities as outlined in the Integrated Water Management Strategy and Infrastructure Delivery Plan. This will be particularly important as water supplies continue to be threatened by climate change and pressures from continuing growth and development. Water provisions need to be protected and it is essential for adequate water and wastewater infrastructure to be in place to accommodate the demands of growth and development in accordance with the Water Framework Directive and the Habitats Directive. The new Garden Community has the opportunity to minimise demand and wastewater generation, through exploring opportunities at both the strategic and local level.

## Policy SP 6

### Infrastructure & Connectivity

All development must be supported by the provision of the infrastructure, services and facilities that are identified to serve the needs arising from the development.

The requirements in section A of this policy apply only to the Tendring / Colchester Borders Garden Community, whilst the remaining sections B, C, D and E apply to all allocations and development proposals in the North Essex Authorities area.

#### A. Tendring / Colchester Borders Garden Community

1. The Development Plan Document (DPD) for the Tendring / Colchester Borders Garden Community will include:

- a) An infrastructure delivery strategy and phasing plan that sets out how infrastructure, services and facilities will be provided. Infrastructure delivery will align with each development phase and be supported by suitable mechanisms to deliver the infrastructure both on and off-site;
- b) Details of the design and delivery of Route 1 of the rapid transit system, and a programme for the integration of the garden community into the system. The route will be designed to accommodate future route enhancements and technology improvements; and
- c) Target modal shares for each transport mode and details of sustainable transport measures to support their achievement.

2. Before any planning approval is granted for development forming part of the Tendring / Colchester Borders Garden Community, the following strategic transport infrastructure must have secured planning consent and funding approval:

- a) A120-A133 link road: and
- b) Route 1 of the rapid transit system as defined in the North Essex Rapid Transit System: From Vision to Plan document (July 2019).

3. Sustainable transport measures will be provided from first occupation at the Tendring / Colchester Borders Garden Community to support the achievement of the target modal shares as defined in the DPD for the garden community.

4. Other strategic infrastructure requirements for the Tendring / Colchester Borders Garden Community are set out in sections D, E and F of Policy SP9, and will be further defined in the DPD for the garden community.



## B. Transportation and Travel

The local planning authorities will work with government departments, Highways England, Essex County Council, Network Rail, rail and bus operators, developers and other partners to deliver the following;

- Changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles;
- A comprehensive network of segregated walking and cycling routes linking key centres of activity;
- Improved urban and inter-urban public transport, and new and innovative ways of providing public transport, including:
  - high quality rapid transit networks and connections in and around urban areas with links to the new garden community;
  - maximising the use of the local rail network to serve existing communities and locations for large-scale growth;
  - a bus network providing a high-frequency, reliable and efficient service, integrated with other transport modes serving areas of new demand;
  - promoting wider use of community transport schemes;
- Increased rail capacity, reliability and punctuality, and reduced overall journey times by rail;
- New and improved road infrastructure and strategic highway connections to reduce congestion and provide more reliable journey times along the A12, A120 and A133, specifically:
  - Improved access to and capacity of junctions on the A12 and other main roads;
  - A dualled A120 from Braintree to the A12.
- Innovative strategies for the management of private car use and parking including the promotion of car clubs and car sharing, and provision of electric car charging points.

## C. Social Infrastructure

The local planning authorities will work with relevant providers and developers to facilitate the delivery of a wide range of social infrastructure required for healthy, active and inclusive communities, minimising negative health and social impacts, both in avoidance and mitigation, as far as is practicable.

### Education

- Sufficient school places will be provided in the form of expanded or new primary and secondary schools together with early years and childcare facilities that are phased with new development, with larger developments setting aside land and/or contributing to the cost of delivering land for new schools where required.
- Practical vocational training, apprenticeships, and further and higher education will be provided and supported.

## **Health and Wellbeing**

- Healthcare infrastructure will be provided as part of new developments of appropriate scale in the form of expanded or new facilities including primary and acute care; pharmacies; dental surgeries; opticians; supporting community services including hospices, treatment and counselling centres.
- Require new development to maximise its positive contribution in creating healthy communities and minimise its negative health impacts, both in avoidance and mitigation, as far as is practicable.
- The conditions for a healthy community will be provided through the pattern of development, good urban design, access to local services and facilities; green open space and safe places for active play and food growing, and which are all accessible by walking, cycling and public transport.

## **D. Digital Connectivity**

Comprehensive digital access to support business and community activity will be delivered through the roll-out of ultrafast broadband across North Essex to secure the earliest availability of full fibre connections for all existing and new developments (residential and non-residential). All new properties will allow for the provision for ultrafast broadband in order to allow connection to that network as and when it is made available.

## **E. Water & Waste water**

The local planning authorities will work with Anglian Water, Affinity Water, the Environment Agency and developers to ensure that there is sufficient capacity in the water supply and waste water infrastructure to serve new development. Where necessary, improvements to water infrastructure, waste water treatment and off-site drainage should be made ahead of the occupation of dwellings to ensure compliance with environmental legislation.





# Creating Quality Places

## 7 Creating Quality Places

- 7.1** The North Essex area has a great variety of natural environments, and wonderful towns and villages. It is critical that new development must incorporate high standards of place-making along with urban and architectural design to respect the character of these environments. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate.
- 7.2** Networks of green and blue infrastructure should be provided across new developments, linking new developments within existing networks of open space. These areas can be multi use, providing space for natural species and habitats as well as space for informal recreation, walking, cycling and equestrian links.
- 7.3** This requirement for high design standards will apply across all scales of new development as well as to infrastructure projects. Enhancements to the public realm, landscaping measures and attention to architectural detail will be important features that the authorities will wish to see included in new developments. Strategic scale and more local green infrastructure can make a vital contribution to quality of place, biodiversity gains, alleviating recreational pressure, and health outcomes if properly integrated into the design and delivery of new development. The Defra biodiversity accounting metric 2.0, or future iterations of this, can be used to accurately assess habitat impacts. Sustainable Drainage Systems (SuDS) provide abundant opportunities to introduce wildflower strips and soft landscaping to a development or urban area. This not only brings an attractive feature to the area for people but acts as a wildlife corridor, connecting the rivers, ditches, hedges, verges and gardens, allowing movement of wildlife throughout an area, connecting to the wider environment and therefore greatly enhancing the biodiversity value of the site.

## Policy SP 7

### Place Shaping Principles

All new development must meet high standards of urban and architectural design. Development frameworks, masterplans, design codes, and other design guidance documents will be prepared in consultation with stakeholders where they are needed to support this objective.

All new development should reflect the following place shaping principles, where applicable:

- Respond positively to local character and context to preserve and enhance the quality of existing places and their environs;
- Provide buildings that exhibit individual architectural quality within well-considered public and private realms;
- Protect and enhance assets of historical or natural value;
- Incorporate biodiversity creation and enhancement measures;
- Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car;
- Provide a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods;
- Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place;
- Provide streets and spaces that are overlooked and active and promote inclusive access;
- Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;
- Provide an integrated and connected network of biodiverse public open space and green and blue infrastructure, thereby helping to alleviate recreational pressure on designated sites;
- Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions; and
- Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.



## Cross Boundary Garden Community

## 8 Cross Boundary Garden Community

- 8.1** A key element of the spatial growth strategy for North Essex is the development of a new sustainable garden community.
- 8.2** Garden communities were amongst a range of options which were considered by the local authorities to deliver their housing and employment needs. A number of sites of sufficient scale to accommodate a garden community were identified through the Call for Sites, the Strategic Land Availability Assessment (SLAA) and wider evidence gathering processes by each of the local authorities. All these options were evaluated and the assessments can be seen as part of the Sustainability Appraisal.
- 8.3** An Appropriate Assessment has also been completed to consider the effects of proposals in Section 1 on the integrity of the European sites either alone or in combination with other plans and projects. At the Screening Stage the likely significant effects on European Sites, either alone or in combination with other plan and projects, were loss of offsite habitat, recreational impacts and water quality. These issues were further considered through the Appropriate Assessment.
- Loss of off-site habitat - To mitigate for the loss of off-site habitat, the Appropriate Assessment identified the need for wintering bird surveys for the Tendring Colchester Borders Garden Community as part of any project level development proposals and masterplanning, to determine the sites individual importance for golden plover and lapwing and inform mitigation proposals. Depending on the findings of the wintering bird surveys, development may need to be phased to take into account the cumulative numbers of SPA birds. In the unlikely but possible event that cumulative numbers of SPA birds affected are likely to exceed the threshold of significance (i.e >1% of the associated European Site), appropriate mitigation in the form of habitat creation and management in perpetuity, either on-site or through provision of strategic sites for these species elsewhere, will be required. Where that mitigation requires the creation and management of suitably located habitat, feeding productivity for these SPA species should be maximised, and such mitigatory habitat would need to be provided and fully functional prior to development which would affect significant numbers of SPA birds.
  - Recreational Impacts - To mitigate for any increase in recreational pressures at the European sites, the Appropriate Assessment recommended the production of Recreational disturbance Avoidance and Mitigation Strategies (RAMS) for the Colne & Blackwater, Stour and Orwell SPAs/Ramsar sites and Essex Estuaries SAC.
  - Water quality – To ensure that the water quality of the European Sites are not adversely affected by growth proposals in Section 1, the Appropriate Assessment recommended the inclusion of policy safeguards to ensure that adequate water treatment capacity exists prior

to developments proceeding and a commitment that the phasing of development would not exceed water and sewage infrastructure capacity and that the necessary infrastructure upgrades would be in place prior to developments coming forward.

- The three authorities are committed to implementing the recommendations in the Section 1 Appropriate Assessment and these will be further progressed through the Strategic Growth DPDs.

- 8.4** Due to the scale of development proposed across North Essex and the infrastructure constraints which exist in many of the existing main settlements, new garden communities were considered the most deliverable and sustainable option, providing a major long-term supply of new homes if they could be delivered to the right standards at the right time.
- 8.5** A new community will address housing and employment growth planned for North Essex within the plan period and beyond in a sustainable way that meets the vision and strategic objectives, and provides a quality of development and community that would not occur in the absence of a holistic approach to planning and delivery. In the absence of commitment and a policy framework that secures the principles of garden communities development in the identified location would not be acceptable. Other options for meeting the growth would have to be considered.
- 8.6** The Tendring/Colchester Borders Garden Community will be a planned new settlement that responds directly to the regional, local and individual site context and opportunities to create development underpinned by a series of interrelated principles which are based on the Town and Country Planning Association (TCPA) Garden City Principles, adapted for the specific North Essex context as set out in the North Essex Garden Communities Charter.
- 8.7** The Garden Community is located within a Minerals Safeguarding Area. In line with the Essex Minerals Local Plan, the Mineral Planning Authority requires a Minerals Resource Assessment to be undertaken to assess if the sites contain a minerals resource that would require extraction prior to development. Should the viability of extraction be proven, the mineral shall be worked in accordance with the phased delivery of the non-mineral development.



## Policy SP 8

### Development & Delivery of a New Garden Community in North Essex

The following new garden community is proposed at the broad location shown on Map 10.2.

Tendring/Colchester Borders, a new garden community which will deliver between 2,200 and 2,500 homes, 7 hectares of employment land and provision for Gypsies and Travellers within the Plan period (as part of an expected overall total of between 7,000 and 9,000 homes and 25 hectares of employment land to be delivered beyond 2033).

The garden community will be holistically and comprehensively planned with a distinct identity that responds directly to its context and is of sufficient scale to incorporate a range of homes, employment, education & community facilities, green space and other uses to enable residents to meet the majority of their day-to-day needs, reducing the need for outward commuting. It will be comprehensively planned from the outset, with delivery phased to achieve the whole development, and will be underpinned by a comprehensive package of infrastructure.

A Development Plan Document (DPD) will be prepared for the garden community, containing policies setting out how the new community will be designed, developed and delivered in phases, in accordance with the principles in paragraphs i-xiv below. No planning consent for development forming part of the garden community will be granted until the DPD has been adopted. All development forming part of the garden community will comply with these principles.

- i. Community and stakeholder participation in the design and delivery of the garden community from the outset and a long-term community engagement and activation strategy.
- ii. The public sector working pro-actively and collaboratively with the private sector to design, and bring forward the garden community, deploying new models of delivery where appropriate and ensuring that the cost of achieving the following is borne by landowners and those promoting the developments: (a) securing a high-quality of place-making, (b) ensuring the timely delivery of both on-site and off-site infrastructure required to address the impact of the new community, and (c) providing and funding a mechanism for future stewardship, management, maintenance and renewal of community infrastructure and assets. Where appropriate, developers will be expected to contribute towards publicly-funded infrastructure, including a contribution towards the A120-A133 link road. Given the scale of and time period for development of the new garden community, the appropriate model of delivery will need to secure a comprehensive approach to delivery in order to achieve the outcomes outlined in points (a) - (c) in this paragraph, avoid a piecemeal approach to development, provide the funding and phasing of both development and infrastructure, and be sustainable and accountable in the long term.
- iii. Promotion and execution of the highest quality of planning, design and management of the built and public realm so that the Garden Community is characterised as a distinctive place that capitalises on local assets, respects its context, and establishes an environment that promotes health, happiness and well-being.
- iv. Sequencing of development and infrastructure provision (both on-site and off-site) to ensure that the latter is provided ahead of or in tandem with the development it supports to address

the impacts of the new garden community, meet the needs of its residents and establish sustainable travel patterns. To ensure new development does not have an adverse effect on any European Protected or nationally important sites and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity must be available ahead of the occupation of dwellings.

- v. Development that provides for a truly balanced and inclusive community and meets the housing needs of local people including a mix of dwelling sizes, tenures and types, provision for self- and custom-built homes, provision for the aging population; and provision for Gypsies and Travellers; and that meets the requirements of those most in need including the provision of 30% affordable housing in the garden community.
- vi. Provide and promote opportunities for employment within the new community and within sustainable commuting distance of it.
- vii. Plan the new community around a step change in integrated and sustainable transport systems for the North Essex area that put walking, cycling and rapid public transit networks and connections at the heart of growth in the area, encouraging and incentivising more sustainable active travel patterns.
- viii. Structure the new community to create sociable, vibrant and walkable neighbourhoods with equality of access for all to a range of community services and facilities including health, education, retail, culture, community meeting spaces, multi-functional open space, sports and leisure facilities.
- ix. Develop specific garden community parking approaches and standards that help promote the use of sustainable transport and make efficient use of land.
- x. Create distinctive environments which are based on comprehensive assessments of the surrounding environment and that celebrate natural and historic environments and systems, utilise a multi-functional green-grid to create significant networks of new green infrastructure including a new country park at the garden community, provide a high degree of connectivity to existing corridors and networks and enhance biodiversity.
- xi. Secure a smart and sustainable approach that fosters climate resilience and a 21st century environment in the design and construction of the garden community to secure net gains in local biodiversity, highest standards of energy efficiency and innovation in technology to reduce the impact of climate change, the incorporation of innovative water efficiency/re-use measures (with the aim of being water neutral in areas of serious water stress), and sustainable waste and mineral management.
- xii. Ensure that the costs and benefits of developing a garden community are shared by all landowners, with appropriate measures being put in place to equalise the costs and land contributions.
- xiii. Consideration of potential on-site mineral resources through a Minerals Resource Assessment as required by the Minerals Planning Authority.
- xiv. Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long term development, stewardship and management of their community.

## Policy SP 9

### Tendring/Colchester Borders Garden Community

The Development Plan Document (DPD) required for the Tendring / Colchester Borders Garden Community by Policy SP8 will define the boundary of the new community and the amount of development it will contain. The adoption of the DPD will be contingent on the completion of a Heritage Impact Assessment carried out in accordance with Historic England guidance. The Heritage Impact Assessment will assess the impact of proposed allocations upon the historic environment, inform the appropriate extent and capacity of the development and establish any mitigation measures necessary. The DPD will be produced in consultation with the local community and stakeholders and will include a concept plan showing the disposition and quantity of future land-uses, and give a three dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications; together with a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, physical and environmental infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD and any application for planning permission for development forming part of the garden community must be consistent with the requirements set out in this policy.

For the Plan period up to 2033, housing delivery from the garden community, irrespective of its actual location, will be distributed equally between Colchester Borough Council and Tendring District Council. If, after taking into account its share of delivery from the garden community, either of those authorities has a shortfall in delivery against the housing requirement for its area, it will need to make up the shortfall within its own area. It may not use the other authority's share of delivery from the garden community to make up the shortfall.

The DPD and any planning application will address the following principles and requirements in the design, development and delivery of the new garden community:

#### A. Place-Making and Design Quality

1. The development of a new garden community to high standards of design and layout drawing on its context and the considerable assets within its boundaries such as woodland, streams and changes in topography, as well as the opportunities afforded by the proximity of the University of Essex campus to create a new garden community that is innovative, contemporary and technologically enabled, set within a strong green framework with new neighbourhood centres at its heart. It will be designed and developed to have its own identity and be as self-sustaining as possible recognising its location close to the edge of Colchester. It will secure appropriate integration with Colchester and the nearby University of Essex campus by the provision of suitable walking and cycling links and rapid public transport systems and connections to enable residents of the new community to have convenient access to town centre services and facilities in Colchester as well as Elmstead Market. Clear separation will be maintained between the new garden community and the nearby villages of Elmstead Market and Wivenhoe. Safeguarding the important green edge to Colchester

will be essential with a new country park provided along the Salary Brook corridor and incorporating Churn Wood.

2. Detailed masterplans and design guidance, based on a robust assessment of historic and natural environmental constraints and opportunities for enhancement, will be adopted to inform and guide development proposals and planning applications for the garden community.

## **B. Housing**

3. A mix of housing types and tenures including self- and custom-build and starter homes will be provided on the site, including a minimum of 30% affordable housing. The affordable housing will be phased through the development.
4. New residential development will seek to achieve appropriate densities which reflect both context, place-making aspirations and opportunities for increased levels of development around neighbourhood centres and transport hubs.

## **C. Employment and Jobs**

5. The garden community will make provision for a wide range of jobs, skills and training opportunities. The DPD will allocate about 25 hectares of B use employment land within the garden community. This may include provision for office, research & development, light industrial and/or other employment generating uses towards the south of the site in proximity to the existing University of Essex and Knowledge Gateway and provision for office, research & development, industrial, storage and distribution uses towards the north of the site close to the A120.
6. High speed and reliable broadband will be provided and homes will include specific spaces to enable working from home.

## **D. Transportation**

7. A package of measures will be introduced to encourage smarter transport choices to meet the needs of the new community and to maximise the opportunities for sustainable travel. Policy SP6 requires planning consent and full funding approval for the A120-A133 link road and Route 1 of the rapid transit system to have been secured before planning approval is granted for any development at the garden community. Additional transport priorities include the provision of a network of footpaths, cycleways and bridleways to enhance permeability within the site and to access and to access the adjoining areas; park and ride facilities and other effective integrated measures to mitigate the transport impacts of the proposed development on the strategic and local road network. Longer term transport interventions will need to be carefully designed to minimise the impacts on the strategic and local transport network and fully mitigate any environmental or traffic impacts arising from the development.
8. Foot and cycle ways shall be provided throughout the development and connecting with the surrounding urban areas and countryside, including seamlessly linking key development areas to the University of Essex, Hythe station and Colchester Town Centre.

9. Primary vehicular access to the site will be provided off the A120 and A133. Any other road improvements required to meet needs arising from the garden community will be set out in the DPD and further defined as part of the masterplanning process.
10. Other specific transport-related infrastructure requirements identified through the Strategic Growth Development Plan Document and masterplans for this garden community will be delivered in a phased manner.

## **E. Community Infrastructure**

11. District and neighbourhood centres of an appropriate scale will be provided to serve the proposed development. The centres will be located where they will be easily accessible by walking, cycling and public transit to the majority of residents in the garden community.
12. Community meeting places will be provided within the local centres.
13. Increased primary healthcare capacity will be provided to serve the new development as appropriate. This may be by means of new infrastructure or improvement, reconfiguration, extension or relocation of existing medical facilities.
14. A secondary school, primary schools and early-years facilities will be provided to serve the new development.
15. A network of multi-functional green infrastructure will be provided within the garden community incorporating key elements of the existing green assets within the site. It will include community parks, allotments, a new country park, the provision of sports areas with associated facilities; and play facilities.
16. Indoor leisure and sports facilities will be provided within the new community, or contributions made to the improvement of off-site leisure facilities to serve the new development.

## **F. Other Requirements**

17. The delivery of smart, innovative and sustainable water efficiency/re-use solutions that fosters climate resilience and a 21st century approach towards water supply, water and waste water treatment and flood risk management. Taking a strategic approach to flood risk through the use of Strategic Flood Risk Assessments and the updated Climate Projections 2019 and identifying opportunities for Natural Flood Risk Management. Provision of improvements to waste water treatment plant including an upgrade to the Colchester Waste Water Treatment Plan and off-site drainage improvements aligned with the phasing of the development within the plan period and that proposed post 2033. To ensure new development does not have an adverse effect on any European Protected or nationally important site and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity must be available ahead of the occupation of dwellings.
18. Landscape buffers between the site and existing development in Colchester, Wivenhoe and Elmstead Market.
19. Conserve and where appropriate enhance the significance of heritage assets (including any contribution made by their settings) both within and surrounding the site. Designated heritage assets within the garden community area include Grade II listed Allen's Farmhouse, Ivy Cottage, Lamberts, and three buildings at Hill farmhouse. Designated heritage assets nearby include the grade I listed Church of St Anne and St Lawrence, grade II\* listed Wivenhoe



House, Elmstead Hall and Spring Valley Mill and numerous grade II listed buildings as well as the grade II listed Wivenhoe Registered Park and Garden. Harm to the significance of a designated heritage asset should be avoided in the first instance.

20. Avoidance, protection and/or enhancement of biodiversity assets within and surrounding the site; including Bullock Wood SSSI, Ardleigh Gravel Pits SSSI, Wivenhoe Pits SSSI and Upper Colne Marshes SSSI and relevant European protected sites. Contributions will be secured towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. Wintering bird surveys will be undertaken at the appropriate time of year as part of the DPD preparation to identify any offsite functional habitat. Should any be identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on- or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.
21. Provision of appropriate buffers along strategic road and rail infrastructure to protect new development.
22. Provision of appropriate design and infrastructure that incorporates the highest standards of innovation in energy efficiency and technology to reduce impact of climate change, water efficiency (with the aim of being water neutral in areas of serious water stress), and sustainable waste / recycling management facilities.
23. Measures to support the development of the new community including provision of community development support workers (or other provision) for a minimum of ten years from initial occupation of the first homes and appropriate community governance structures.
24. Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long term development, stewardship and management of their community.
25. Allocation of additional land within the garden community, to accommodate University expansion, which is at least equivalent in size to the allocation in the Colchester Local Development Framework Site Allocations document October 2010.



# Delivery, Implementation & Monitoring



## 9 Delivery, Implementation & Monitoring

- 9.1** The North Essex Authorities will work together to deliver cross-authority strategic proposals contained in section 1 of their plans, including the garden community. This entails consideration of appropriate models for the governance, funding and comprehensive delivery of this innovative large scale and long term growth project in line with the principles set out in policy SP8. In view of the scale and long term nature of the proposed garden community, the authorities intend to have a significant role in how the community is phased and delivered and to ensure that the infrastructure and other supporting measures to support the residents of the new community are delivered in advance of or at the same time as new homes. This should also help ensure delivery throughout different economic cycles.
- 9.2** The North Essex Authorities will monitor these section 1 policies to ensure that they are effective and delivering the intended outcomes, including their collective implications for the area as a whole. Monitoring of Section 1 objectives and outcomes as outlined in the table below will be assessed regularly by the authorities in their annual Authority Monitoring Reports (AMR), in addition to the monitoring of the individual Section 2 of each Local Plan. It should be noted that where there is an unacceptable delay in delivery of development and/or infrastructure occurs, the local authorities will use mechanisms and powers including establishing locally-led Development Corporations and the use of Compulsory Purchase Orders, to intervene.

### 9.3 Table 1: Monitoring Requirements for Section 1

Section One Objectives	Section One Policies	Targets	Key Indicators in Authority Monitoring Reports
Providing sufficient new homes  Fostering economic development  Providing new and improved infrastructure  Addressing education and healthcare needs  Ensuring high quality outcomes	SP1 Presumption in favour of Sustainable Development	Delivery of new development in accordance with the Development Plan	Record of planning decisions including appeals
	SP2 Recreational disturbance Avoidance and Mitigation Strategy	Secure contributions from development towards mitigation measures	Monitor levels of mitigation contributions received
	SP3 Spatial Strategy for North Essex	Deliver a new Garden Community as the most sustainable options for large scale, long term growth	Local authority agreement and delivery of governance, community involvement, stewardship arrangements and funding arrangements for the new Garden Community
	SP4 Meeting Housing Needs	Deliver new housing in line with spatial strategy and Objectively Assessed Need targets	Market and affordable housing completions per annum (net)
	SP5 Employment	Deliver new employment land in line with spatial strategy and evidence base targets	Amount of floorspace development for employment and leisure by type

continued on next page

**Table 1: Monitoring Requirements for Section 1 (continued)**

Section One Objectives	Section One Policies	Targets	Key Indicators in Authority Monitoring Reports
	SP6 Infrastructure and Connectivity	<p>Delivery of identified infrastructure schemes including transport, education, community, healthcare, green/blue infrastructure and environmental protection</p> <p>Increase modal share of non-motorised transport</p>	<p>Identify and monitor progress of strategic infrastructure projects</p> <p>Monitor modal splits and self-containment via Census and measure traffic levels on key routes</p>
	SP7 Place Shaping Principles	<p>Approved DPDs, masterplans &amp; other planning &amp; design guidance prior to the commencement of development of the new Garden Community. Deliver communities that are sensitively integrated into the existing historic built and natural environment</p>	<p>Monitor availability of DPDs and other planning guidance relative to the submission &amp; determination of planning applications for the development it relates to. Planning permissions granted without objection from relevant statutory consultees and local authority specialist advisors</p>
	SP8 Development and Delivery of a New Garden Community in North Essex	<p>Development and delivery of a new Garden Community</p>	<p>Local authority agreement and delivery of governance, community involvement, stewardship arrangements and funding arrangements for new Garden Community</p>

Section One Objectives	Section One Policies	Targets	Key Indicators in Authority Monitoring Reports
	SP9 Tendring/Colchester Borders Garden Community	Deliver a sustainable new community in accordance with guidance as adopted	Delivery rates of all development including supporting infrastructure as documented in housing trajectories and other monitoring data

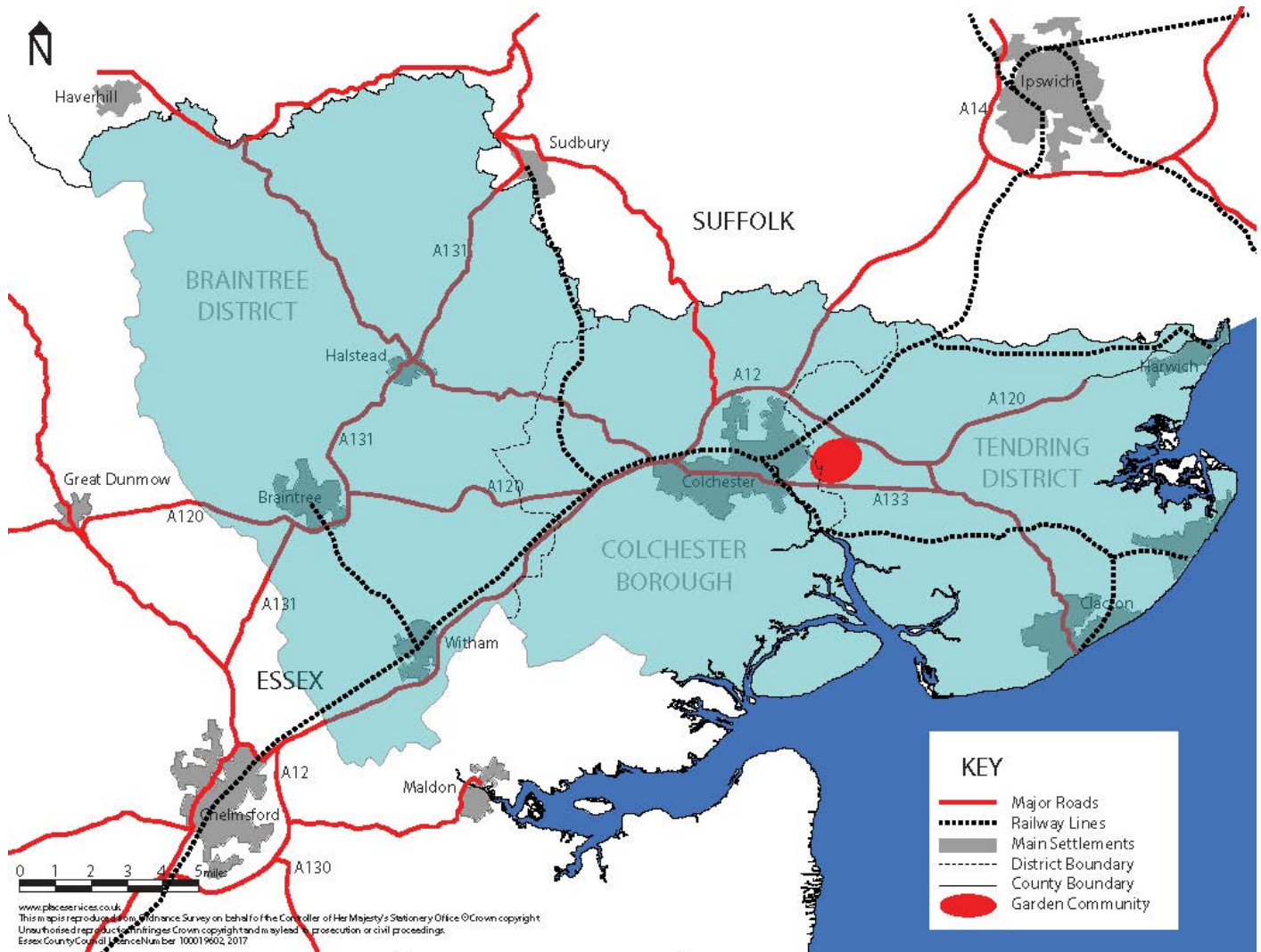


Appendices & Maps

# 11 Appendices & Maps

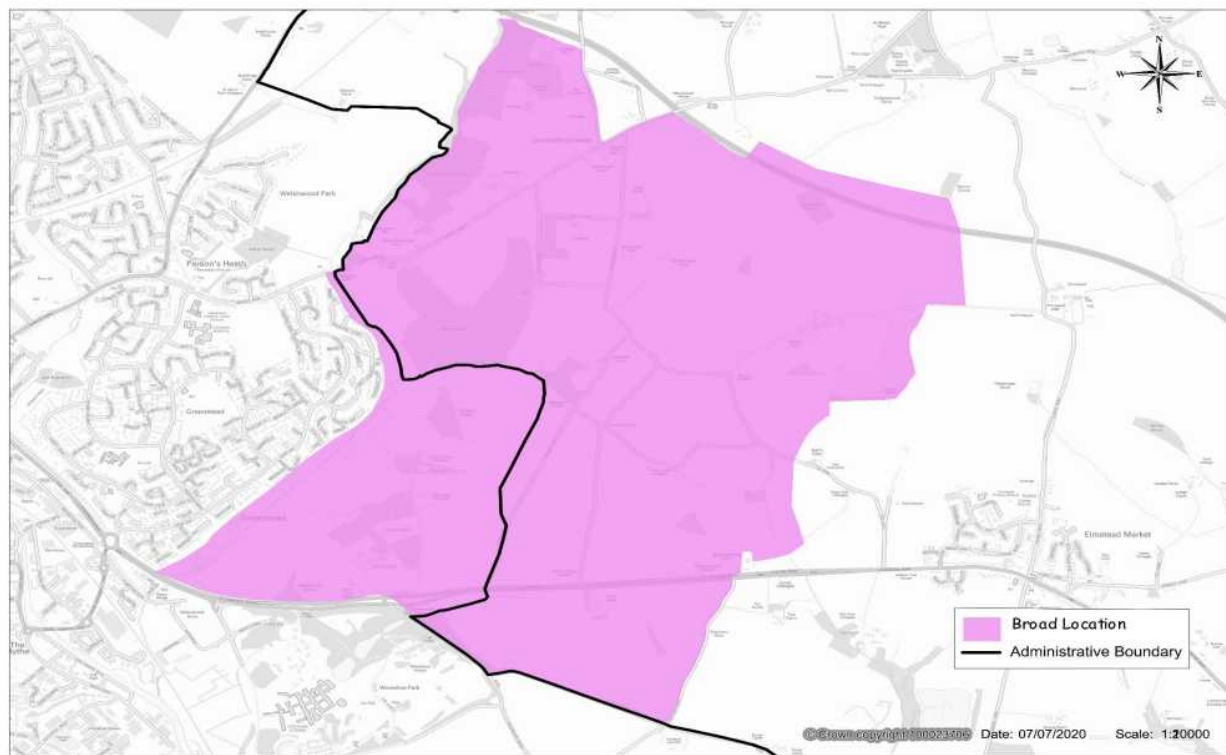
## Appendix A: List of policies superseded by Section 1 of the Plan

Section 1 Local Plan Policy		Policies superseded by the Section 1 Local Plan Policy		
Policy Number	Policy Title	Braintree District Council 2011 Core Strategy	Colchester Borough Council Adopted Core Strategy 2014 Focused Review	Tendring District Council Adopted 2007 Local Plan
<b>SP1</b>	Presumption in Favour of Sustainable Development	-	-	-
<b>SP2</b>	Recreational disturbance Avoidance and Mitigation Strategy (RAMS)	-	-	-
<b>SP3</b>	Spatial Strategy for North Essex	CS1	H1	QL1
<b>SP4</b>	Meeting Housing Needs	CS3	H1	HG1
<b>SP5</b>	Employment	CS4	CE1	QL4
<b>SP6</b>	Infrastructure and Connectivity	CS11	SD2	-
<b>SP7</b>	Place Shaping Principles	CS9	-	QL8 / QL9 / QL10 / QL11 (in part)
<b>SP8</b>	Development and Delivery of a New Garden Community in North Essex	-	-	-
<b>SP9</b>	Tendring / Colchester Borders Garden Community	-	-	-



**10.1 Key Diagram**





## 10.2 Tendring Colchester Borders Garden Community - Broad Location





**CABINET REPORT TO FULL COUNCIL**

**Agenda No: 9**

**1. Introduction**

In order to facilitate the transaction of business at this virtual meeting of the Full Council this report covers the activities of all Cabinet Members. This follows the process used at previous meetings.

**2. Councillor Graham Butland - Leader of the Council**

Since the last meeting of the Council I have attended twenty meetings as follows:-

- Ministerial Webinars & Briefings – 7 meetings
- Essex COVID-19 Local Outbreak Engagement Board – 4 meetings
- East of England COVID-19 Regional Briefing - 1 meeting
- South East LEP – 3 meetings
- Success Essex Board – 2 meetings
- Essex Health & Wellbeing Board – 1 meeting
- East of England LGA Assembly – 1 meeting
- Transport East – 1 meeting

I have continued to keep all Councillors updated with full information as it has been received.

In addition to the above I have spent considerable time engaged with the NHS over the provision of vaccination centres in the District. From my first email on 7<sup>th</sup> January I have been consistently chasing local NHS managers about the poor service that was being offered to many residents in the District. Several elderly residents were required to travel considerable distances to obtain their first vaccination. I am pleased that the situation has improved during the last two weeks due, in part, to Chelmsford Racecourse coming on stream as a Mass Vaccination Centre.

Throughout this latest period of COVID restrictions I am proud of the way in which our staff have ensured that the Council continues to provide our core services as well as supporting other agencies with pandemic related tasks. I am particularly delighted that the work of our operations staff has been publicly recognised with a number of residents leaving very supportive comments on the Council's Facebook page.

### **3. Councillor Kevin Bowers – Cabinet Member for Homes**

#### Rough Sleepers

There are currently 5 individuals accommodated in hotels under a discretionary power due to the public health crisis. All of those accommodated at the first lockdown have moved on to other accommodation, either with the assistance of local housing projects or into the private rented sector with financial support. We will work with the current 5 (and any new rough sleepers identified) to help them resolve their longer-term housing needs but this very much requires a partnership approach to improve the chances of tenancy sustainment. Peabody Outreach are working with this group to ensure registration with a GP so as not to miss out on vaccination.

#### Affordable Housing

Construction sites were disrupted by lock-down during the first quarter of 2020/21 but have remained open and active since then. In spite of recording no completions during the first quarter, we had 179 new affordable homes completed during the next 2 quarters and expect to reach a minimum of 220 completions by the end of the financial year. We also have a very healthy development programme for 2021/22, when we expect over 250 new affordable homes to be completed. If there is a downturn in the housing market, it is likely to affect the numbers of new schemes being developed in the years beyond 2021/22 and we are working with partner housing associations to see how we can maintain completions even if mainstream developers slow their programmes.

The new homes are well dispersed around the District, with developments under way or nearing completion in the 3 main towns, plus:-

- Coggeshall
- Cressing
- Earls Colne
- Great Yeldham
- Hatfield Peverel
- Ridgewell
- Silver End

#### Domestic Abuse

The Council was part of a successful funding bid last year with a number of other councils to help enable the charity, Next Chapter to provide a range of services. Next Chapter have recently appointed a Domestic Abuse Housing Practitioner to provide advice and support to residents in the district who are experiencing domestic abuse.

This service and a wide range of domestic abuse information, advice and support can be accessed via the Essex Compass website:- <https://www.essexcompass.org.uk/>

#### **4. Councillor David Bebb – Cabinet Member for Finance and Performance**

##### Finance and Performance

Collection of Council Tax and Business Rates as at 31st December:

- Council tax – 84.63% with £82.891million collected compares to 86.2% for same period last year;
- Business rates – 81.99% with £21.66million collected, compares to 84.58% for the same period last year.

##### Grant Payments

The Revenues Team continues to work with the Economic Development Team to ensure eligible businesses in the District receive the appropriate Business Support Grant payments, on behalf of the Government: there are currently ten schemes open covering a number of periods, determined for each Tier and Lockdown arrangement in place.

##### Local Council Tax Support Hardship Fund

The amount allocated to council tax accounts, £150 per working age claimant in receipt of Local Council Tax Support, totals £827,506 and represents 93% of the allocation received from Government.

##### NHS Test and Trace payments

As at 31st December, the Benefits Team had received 563 applications from residents, who had been told by NHS Test and Trace to self-isolate, for a payment of £500. 312 were rejected as they did not meet the eligibility criteria for either the standard or discretionary schemes. 93 applicants received payment under the standard scheme and 52 applicants received payment under the discretionary scheme. A further 106 applications are in progress and awaiting further information before a decision is made. The Council has received initial funding of £51,500 for the standard scheme and £31,109.32 for the discretionary scheme. From January, the Council has accepted additional funding of £308,000 from Essex County Council to expand our discretionary scheme with the aim that more people who have been told to self-isolate receive the payment and therefore help contain the spread of the virus.

##### Customer Services Centre

The average call answering time was 22 seconds for December, with 80% of calls answered within 15 seconds: total number of calls received 6,173 and emails received 3,186.

## **5. Councillor Mrs Wendy Schmitt – Cabinet Member for Environment & Place**

### **Recycling of Small Waste Electric and Electronic Equipment (WEEE)**

On 20<sup>th</sup> January 2021, the Council launched a trial amenity recycling collection service for small electrical items such as kettles, toasters, irons, radios, toothbrushes, etc. to prevent this waste going into the residual waste stream. This followed an announcement last year by Essex Libraries that they could no longer offer their usual recycling collection points for small WEEE owing to the coronavirus. Residents will instead be able to drop off their small electrical items to our collection vehicles which will stop at designated sites local to them. The service will operate on Wednesdays on a rolling 4-weekly schedule as follows:-

Week 1 – Witham and Kelvedon

Week 2 – Braintree and Great Notley

Week 3 – Halstead, Bulmer and Earls Colne

Week 4 – Steeple Bumpstead, Great Yeldham and Sible Hedingham

In addition, residents who book a Special Collection may now include up to 4 small items of WEEE free of charge (on top of the items they pay for).

The service is being advertised on the Council's website and via social media channels and, if it proves successful, there is an option for it to become permanent.

### **Street Scene Enforcement - FPNs and Prosecutions**

As part of their routine enforcement work during November and December 2020, Street Scene Enforcement Officers issued 14 Statutory Notices including a Closure Notice to protect a victim of domestic abuse and 10 Fixed Penalty Notices (8 for littering, 1 for fly-tipping and 1 for smoking in a smoke free place).

In addition, a number of prosecutions were taken as listed below.

- A male from Witham for transporting waste without the necessary authorisation and Duty of Care offences. He failed to attend court and a warrant (without bail) was issued for his arrest.
- A male from Great Baddow for fly-tipping along Hatfield Road, Witham. He failed to attend court and the case was proven in his absence. He was fined and ordered to pay costs and a victim surcharge totalling £1,224.
- A male from Witham for smoking in a taxi and then littering the cigarette butt. He pleaded guilty and was fined and ordered to pay costs and a victim surcharge totalling £282.00.
- A couple from Castle Hedingham whose dog strayed and displayed aggression towards a woman and child and attacked their dog causing serious injuries. They failed to attend court but were subsequently arrested and released on bail. They have been summoned to attend court on 12<sup>th</sup> February 2021 to enter pleas to the offence under Section 3 of the Dangerous Dogs Act 1991.

- A couple from Stambourne whose dog was dangerously out of control and caused injuries to a person and a dog. Their court case was adjourned until 23<sup>rd</sup> February 2021 when they will be required to enter pleas to the offence under Section 3 of the Dangerous Dogs Act 1991.

### Retiring Staff

We have lost or will lose 128 years professional knowledge and skills over the next few months.

Dave Jarvis left the Council on 20<sup>th</sup> December 2020 after 38 years working for the Building Control Service.

In March 2021 Jon Goldsmith will be retiring after over 48 years' service for Braintree Council. John has worked both for Building Control and Environmental Health.

Dave Chaplin is taking early retirement from the Health Protection Team after working for the Council for 42 years as an Environmental Health Officer.

### OT extension

In 2019 approval was given to run a one year pilot scheme in conjunction with Chelmsford and Maldon to recruit a Senior Occupational Therapist to aid the discharge of patients from hospital, to help with Disabled Facilities Grants and improve connections with the Health Service.

Over the last two years the pilot has developed into a much broader support scheme for the Council and patients alike, and has extended its remit to include the prevention of readmission to hospital. The Council's Housing Team has also made use of the Occupational Therapist for the speedy assessment of void homes for suitability for a disabled client, or advising in relation to mutual exchanges and new builds.

This pilot is due to complete in April 2021. I have agreed to extend the scheme for a further three years with funding from the Better Care Fund.

### Communications campaigns

#### *Christmas recycling campaigns*

In the lead up to Christmas, in addition to the usual messages around Christmas waste collection changes, several campaign messages were released to encourage people to purchase wrapping paper and Christmas cards that can be recycled and the promotion of ideas for eco-friendly gifts. A number of videos were produced to support the campaign messages.

Christmas tree recycling messages were promoted encouraging people to take their real trees along to one of the special 9 collection points or alternatively cut the tree up and put in their green wheeled bin or compost bin.



### *WEEE campaign*

The WEEE campaign launched in January offering residents a new way to recycle their unwanted small waste Electrical and Electronic Equipment (WEEE) at new drop off points across the Braintree district. Full details on locations and specific collection dates can be found on our website: <https://www.braintree.gov.uk/recyclingweee>.

### *Contamination campaign*

A new campaign entitled 'Soggy and sad' was released to encourage people to keep the cardboard they put out for recycling dry to avoid contamination.



## **6. Councillor Mrs Gabrielle Spray – Cabinet Member for Planning**

### Local Plan Section 1 and Section 2 update

Following the final report into the Shared Section 1 Local Plan received from the Inspector on 10<sup>th</sup> December 2020, there is a substantive paper on this agenda which seeks the adoption of the Section 1 Local Plan for Braintree District. This will replace some, but not all of the policies within the 2011 Core Strategy and as such is added to the Council's Development Plan alongside the Core Strategy and the 2005 Local Plan Review.

Once the Section 2 is adopted then the Core Strategy and Local Plan Review 2005 will be replaced in their entirety. The Council has been in correspondence with the Inspectors appointed to examine Section 2 and a provisional date for the examination has been set for the first two weeks in July 2021. Whilst this is later than we hoped, it will still allow us to proceed through to adoption before the end of this year.

### New Scheme of Delegation

Following the meeting of Full Council on 7<sup>th</sup> December 2020, the new Scheme of Delegation came into effect on 1<sup>st</sup> January 2021. In accordance with the transitional arrangements that were agreed, applications which were received on or before 31<sup>st</sup> December 2020 which would have been reported to the Planning Committee for determination in accordance with the criteria of the old Scheme of Delegation, will be referred to Members at Planning Committee for determination.

Officers are currently identifying the number of legacy applications which will need to be reported to the Planning Committee under the transitional arrangements. To assist with the management of Planning Committee agendas, it has been agreed that the Part A and Part B split of the agenda will be retained for this interim period. This will enable Members to consider any Part B applications en-bloc. It is anticipated that the revised agenda format, which removes the Part A/B split, will be introduced in April after the AGM.

#### Enforcement Cases, Appeals and Legal Issues

The Planning team have been dealing with a number of high profile and complex cases across the District. Some of these comprise Planning Enforcement Cases where work is being undertaken to take further enforcement action where breaches of planning control have taken place, involving either prosecution or direct action. In addition, there have been several planning and enforcement cases where there are complex legal issues involved. This includes a recent case where the team successfully secured an injunction from the High Court to prevent the unauthorised occupation of a site and to prevent any further unauthorised development from taking place. Such cases are consuming a great deal of Officer time and resource and are being dealt with as professionally as always alongside the usual caseload.

Lastly, and as Members will be aware, there have been three recent public inquiries in connection with speculative development proposals in Rayne, Finchingfield, and Cressing. We have now received confirmation from the Planning Inspectorate that an appeal has been lodged in connection with the Brook Green site, and a public inquiry has been scheduled for April. As with the other recent public inquiries, this appeal will consume a considerable amount of Officer resource in order to put up a robust defence of the Council's reasons for refusal.

### **7. Councillor Tom Cunningham – Cabinet Member for Economic Development and Infrastructure**

#### Business Support Measures update

The team continues to support the business community in the District, dealing with very many enquiries and questions from businesses through phone calls and emails and via social media. This includes making referrals to businesses to our partner organisations including Lets Do Business and the Best Growth Hub where businesses can access bespoke support and mentoring.

#### Industrial Estate Improvement

The industrial estate improvement bidding round closed at the end of December and I have very happy to announce that nine businesses have been awarded a total of £46,250 to support a range of physical improvements to their business premises which will improve both the look and sustainability of both the units and their wider surroundings. Companies involved are based in Witham, Braintree, Halstead and the rural areas.

### Catapult vaccine centre

Officers met with senior officers involved in the Cell and Gene Therapy Catapult, which is based in the former Benchmark Vaccine premises in Braintree, in January 2021. The meeting discussed multiple ways in which the Council and the centre can work together including on skills, supply chain and infrastructure issues. I look forward to continuing to update on this exciting partnership as the work continues.

### Response to Covid Economic Recovery

Officers are starting the process of renewing our 'Plan for Growth', the Council's economic growth plan. The current plan is now four years old and with the changing economic situation it is a good time to have the discussion about what areas of the economy the Council should be focusing on. The first stage will be a thorough review of the data and I look forward to updating Members as this review progresses.

## **8. Councillor Peter Tattersley - Cabinet Member for Health & Wellbeing**

### Leisure

All of the Council's leisure sites are closed under the current COVID lockdown restrictions. Following some confusion and concern about lack of information from users of the facilities, our leisure contractor, Fusion, is maintaining a strong presence on social media and have improved their communication with their members and parents of swim school pupils.

All direct debit payments have been frozen and other fees are not being collected. All clubs and stakeholders have been credited for their bookings.

Fusion's Contract Manager and Maintenance Technician are carrying out maintenance, security and compliance checks on the buildings and grounds where they hold the Contract.

The Council is continuing to monitor the leisure sites where it is responsible for maintenance, even though they are currently mothballed.

Works to renew and improve the Halstead Artificial Grass Pitch will, subject to Cabinet approval, be planned to begin on 22<sup>nd</sup> February 2021. Cabinet was programmed to consider the project and funding details at its meeting on 8<sup>th</sup> February 2021.

The Council is keen to maintain other activity options throughout the lockdown and there is an online activity programme offered via the YouTube channel of workout classes that are suitable for all the family.

### Emotional Health and Wellbeing

Planning for the Council's Livewell Child and Wellbeing agenda to return when the schools reopen is continuing. Funding from the first national lockdown was allocated to a number of schools to deliver health and wellbeing projects and we will be working with

local schools to discuss the most appropriate timing for these to be reintroduced. Projects include the use of arts and crafts, nature, play therapy and music.

Feedback from earlier schemes was positive and the relatively low cost was proving to be very beneficial. The experience gained will help determine projects which can be offered to more schools across the District when the current lockdown ends.

#### **9. Councillor Frankie Ricci – Cabinet Member for Communities, Culture & Tourism Portfolio**

##### Essex Police Christmas Gift Appeal

We supported Essex Police (Braintree Community Policing Team) with their Christmas present appeal and staff assisted in the packing of bags of presents to be delivered to children and families in need across the District. Over 500 bags of presents were delivered or given to children of families over the Christmas period. Donations from the local community were overwhelming and feedback from families who have received presents was very positive.

##### Councillors Community Grant Scheme

At the end of December 2020 a total of 44 Councillors' Community Grants had been awarded to the value of £45,475. This represents 45.4% of the amount available. Eight councillors have used their full allocation and eight have made no grants as yet.

Proposals for the continuation of the grants are being considered as part of the budget papers, and we are looking at options for carry forward of this year's grants due to the difficulty for some groups to operate through the COVID pandemic restrictions.

##### Community Transport

We took 258 bookings during November and December and made 532 journeys. The team assisted the Salvation Army in the delivery of Christmas dinners to individuals and families. We are supporting our Community Transport customers that have no other means of transport to their Covid vaccination appointments at the sites across the District. In the first two weeks of this service we have taken 77 individuals.

##### Maltings Lane Community Facility

The Steering Group has been working with the architects to develop initial plans for the community facility. The team are currently working on refining costs and developing funding options to support the S106 allowances and enable the project to move forward.

#### **10. Councillor John McKee – Cabinet Member for Corporate Transformation**

##### Victoria Square Development

Works continue to progress well but there is now a risk of a few weeks delay due to inclement weather and the site management team being required to self-isolate following one site manager testing positive for Covid-19. This is being closely reviewed.

Due diligence continues with Eastlight Community Homes for the sale of the 35 apartments. Exchange of contracts anticipated end January 2021. Some progress has been made in negotiations in respect of the Live Well Hub, but the pace remains unsatisfactorily slow.

It is proposed to instruct a marketing agent in January 2021, to attract occupiers for the retail and restaurant units.

It is now planned to include public toilets by reducing the size of the retail unit and planning consent was received in January.

#### I-Construct

Construction works are progressing well with the completion of the steel frame. The contractor has recovered a proportion of the 6 weeks delay caused by compliance with the pre-commencement planning conditions.

#### Horizon 120

Infrastructure works continue to progress well despite the inclement weather and extensive flooding on site. One site engineer recently tested positive for Covid which required the remaining Balfour Beatty team to self-isolate and get tested. The interruption was short-lived and works continued as scheduled.

CareCo intend to complete their purchase on 1<sup>st</sup> February 2021 and to commence construction as soon as possible thereafter.

Essex X-Ray have completed their purchase and expect to start construction in April/May.

Solicitors are instructed on the sale of a further 6.1 acres, facilitating a 130,000ft<sup>2</sup> building by the end of the calendar year, a potential 2.7 acres plot and the EOS scheme (speculative build of light industrial units) proposed for a site in Zone B.

#### Horizon 120 Enterprise Centre

Significant progress has been achieved with confirmation of the £7 million, SELEP grant allocation.

Stage 3 design has been completed and the LDO planning checklist submitted and approved. Stage 4 design is now nearing completion.

3 contractors have been invited to tender, via the LHC Framework, and are demonstrating active engagement with detailed clarification requests and attendance at mid-tender review meetings. Tenders are due to be received by mid-February.

The internal project team is now focussing on equipping the building, plans for the marketing and management of the workspaces and the development of a business support programme to be delivered within the building.

#### ICT

The new BDC Website was launched in November 2020 with an aim to have a more mobile friendly and accessible site to meet the new Government Regulations and improve facilities for customers. Following the launch of the new site, the team have reviewed and analysed the effectiveness of the site. The results are impressive and improvement was achieved in all areas measured and now meets the Government's new standards.

We are continuing to update content to make it easy to read for customers and will feed in customer's views to make further improvements.

## **11. COVID-19 Update**

### COVID-19 update

#### Situation update

The Braintree District average case rate has declined over recent weeks but the number of new cases remains very high. Hospitals are still experiencing pressures, as is the care sector.

Very sadly, covid deaths in Essex continue to exceed 200 per week. We have seen a doubling in the cumulative number of covid deaths across the county since the start of December.

More details and up to date information can be found here:

<https://www.essex.gov.uk/local-outbreak-control-plan/data-cases-in-essex-by-district>

Through our communication channels we continue to encourage everyone to adhere to the guidance and follow the rules of hand, face, space, to work from home where possible, and always socially distance. We have changed and increased on site messages in our town centres including bus stop advertising.

#### Testing

Following the pilot for PCR testing distribution at Causeway House which was arranged between DHSC and ECC, community Covid-19 testing in Essex is changing to focus on rapid testing for individuals without Covid-19 symptoms.

The PCR tests collected from Causeway House were available until Thursday 28<sup>th</sup> January 2021 for members of the public to collect for themselves and/or members of their household. This was well received by residents and we received very positive feedback about the ease of using this service.

During the three and a half weeks the distribution centre was operational at Causeway House, a total of 7,500 PCR test kits were given out and 3,025\* returned via the dedicated courier service. \*This figure is correct as of 28.1.21, tests are still being returned.

Quick and free lateral flow tests are now available for individuals who do not have symptoms of Covid-19. These tests deliver faster results (in approx. 30 minutes) and are currently being carried out at Witham Town Football club as well as other sites in the County.

#### Vaccinations

As of the 29<sup>th</sup> January, we have three GP vaccination services run by Primary Care Networks in our District:

- Pump House Surgery, Earls Colne
- Fern House Surgery, Witham
- St Michael's Health Centre, Braintree

Vaccination sites are launching in a phased way so the NHS can ensure sites are ready to receive patients and the vaccines have been safely delivered. Consideration is being given to put a site closer to the north of our district too and we are currently working with the NHS to identify a suitable venue.

The first people to be vaccinated will be older care home residents and staff, the over 80s, frontline NHS and care staff and all those who are clinically extremely vulnerable.

Residents will be communicated with directly when it is their turn to take up the vaccine.

You can find the latest vaccination information here: <https://eput.nhs.uk/news-events/coronavirus/coronavirus-vaccine/>

### Covid Ambassadors

As part of our work to support our town centres during the pandemic, the Council is piloting COVID ambassadors to engage with residents and businesses in local high streets and town centres to ensure COVID guidance is being followed and to ensure the safety of those shopping for essential goods and working in the town centre.

### Community Support

Our teams continue to work with Community 360 and voluntary sector partners to help vulnerable people who are shielding or need support. This includes our Community Transport Service, who are supporting our CT customers to access vaccinations where they have no alternative arrangements.

Our Councillor Community Grant scheme remains focussed on helping communities to deal with COVID response and recovery. We have also been working with Essex County Council to provide funding to some of our voluntary groups who are supporting vulnerable people in the community.

### Business support

Over £3.6 million has been paid out in grants to businesses since the introduction of restrictions in October. We have three different grant schemes currently open to applications covering several different payment periods. The team is working as hard as they can to get all the grants paid out to eligible businesses as soon as possible.

The application window for the Additional Restrictions Grant, covering the lockdown from 5 November to 2 December, is now closed. We are amending the policy and broadening the scheme to enable more businesses to be eligible. The next phase, covering the period from December, will open soon.

We will automatically start processing payments to the businesses entitled to the one off top-up [Closed Businesses Lockdown](#) grant next week.

More information on the grants available to businesses can be found on our [website](#).

#### Organisational Impact

The Organisation has been impacted by COVID absences and an increase in demand for COVID support, but officers continue to manage this where possible and mitigate impacts on service delivery.

Our teams continue to support the track and trace programme and compliance management of COVID measures.

There has been particular pressure on those staff who are home schooling whilst working or with carer responsibilities, and we are putting arrangements in place to support them during this time.

Members will continue to be updated if there are any impacts on services or if longer term project deadlines are impacted by resources.

Councillor Graham Butland  
Leader of the Council

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<b>List of Public Minutes Published Since Last Council Meeting</b>		<b>Agenda No: 10</b>
<b>Portfolio</b> Not applicable <b>Corporate Outcome:</b> Not applicable <b>Report presented by:</b> Not applicable <b>Report prepared by:</b> Chloe Waight, Governance Business Officer		
<b>Background Papers:</b>		<b>Public Report</b>
Published Minutes of the meetings listed within the report below.		<b>Key Decision: No</b>
<b>Executive Summary:</b>  Since the last Council meeting held on 7 <sup>th</sup> December 2020, the following Minutes have been published for meetings held in public session: <ul style="list-style-type: none"> <li>(1) <a href="#">Planning Committee – 10th November 2020</a></li> <li>(2) <a href="#">Corporate Governance Group – 12th November 2020</a></li> <li>(3) <a href="#">Performance Management Board – 18th November 2020</a></li> <li>(4) <a href="#">Corporate Governance Group – 19th November 2020</a></li> <li>(5) <a href="#">Cabinet – 23rd November 2020</a></li> <li>(6) <a href="#">Planning Committee – 24th November 2020</a></li> <li>(7) <a href="#">Partnership Development Group – 25th November 2020</a></li> <li>(8) <a href="#">Council – 7th December 2020</a></li> <li>(9) <a href="#">Planning Committee - 8th December 2020</a></li> <li>(10) <a href="#">Local Plan Sub-Committee - 14th December 2020</a></li> <li>(11) <a href="#">Planning Committee - 15th December 2020</a></li> <li>(12) <a href="#">Planning Committee - 19th January 2021</a></li> </ul>		
<b>Recommended Decision:</b>  Members are invited to note the Minutes published.		
<b>Purpose of Decision:</b>  Not applicable.		