

# Minutes



## Local Plan Sub-Committee 9th September 2021

Present:

Councillors	Present	Councillors	Present
J Abbott	No	A Everard	Yes
K Bowers	Apologies	D Hume	Yes
G Butland	Yes	Mrs W Scattergood	Yes
J Coleridge	Yes	Mrs G Spray (Chairman)	Yes
T Cunningham	Apologies	P Thorogood	Yes
Mrs C Dervish	Apologies	J Wrench	Yes

At the commencement of the meeting, Councillor Mrs G Spray, the Chairman of the Local Plan Sub-Committee explained that as no formal decisions were to be taken this meeting of the Sub-Committee was being held via Zoom and broadcast on the Council's YouTube channel – Braintree District Council Committees at the following link:

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

### 12 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interest was declared:

Councillor G Butland declared a Non-Pecuniary Interest in Agenda Item 5 – 'Braintree District Draft Local Plan Section 2 Examination – Update' as an Elected Member of Essex County Council.

In accordance with the Code of Conduct, Councillor Butland remained in the meeting and he took part in the discussion when the Item was considered.

### 13 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Local Plan Sub-Committee held on 13th May 2021 be approved as a correct record and signed by the Chairman.

14 **QUESTION TIME**

**INFORMATION:** There were no questions asked or statements made.

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

15 **BRAINTREE DISTRICT DRAFT LOCAL PLAN SECTION 2 EXAMINATION - UPDATE**

**INFORMATION:** Consideration was given to an update report on the examination of Section 2 of the Braintree District Draft Local Plan.

Braintree District Council had submitted its Draft Local Plan to the Planning Inspectorate in October 2017. The Plan comprised two sections. Section 1 contained strategic cross boundary issues and it was shared with Colchester Borough Council and Tendring District Council. Section 1 of the Draft Plan had been subject to a formal examination process and it had been adopted, as modified, by Braintree District Council in February 2021. Section 2 of the Draft Plan contained policies relating to housing, employment, infrastructure, community facilities, the environment and open space within the Braintree District for the period up to 2033. Section 2 also included specific policies relating to proposed Strategic Growth Locations and other development sites.

The Planning Inspectorate had appointed Mr J Bridgewater and Ms A Jordan to examine Section 2 of the Draft Plan. On 24th May 2021, the Council had received a guidance note; details of the 'Matters, Issues and Questions' (MIQs) which the Inspectors intended to address; and the draft programme for the examination Hearings.

Written answers to questions raised by the Inspectors in the MIQs had been submitted by the Council and other participants in the examination process prior to the Hearings. The Council had also provided copies of 'Statements of Common Ground' that had been prepared with neighbouring Authorities, statutory consultees, and owners of Strategic Growth Locations, which informed the Inspectors about issues that had been agreed.

The oral Hearings had commenced on 6th July 2021 and they had taken place over a period of two weeks. The Hearings had been hosted virtually due to the on-going Covid-19 pandemic and they had been available to watch live via YouTube.

At the Hearings, the Inspectors had agreed to consider a point raised by the Williams Group about the Council's Sustainability Appraisal and, in particular, the proposed timing of its review. The Council and other participants had been given

the opportunity to respond to this in writing. Proposals to amend policies or text had also been suggested during discussion at the Hearings and the Inspectors had raised questions on various issues. The Council had subsequently submitted written responses to these questions and it had updated its list of proposed modifications to the Draft Plan. All information relating to Section 2 of the Draft Plan and the examination process was available to view on the Council's website.

Information was now awaited from the Inspectors as to the way forward and it was not known when this information would be received. If the Inspectors considered that the Draft Plan could be made sound subject to main modifications, the Plan would be subject to a six week period of public consultation. The Council's Sustainability Appraisal and Habitats Regulation Assessment would also be subject to review. The Inspectors would consider the responses submitted.

Subsequently, if the Inspectors considered that they had all the information required they would submit their final report. If the final report found the Draft Plan to be sound subject to modifications, the Council would be able to adopt the Plan. Other options available to the Inspectors included requesting further information or evidence; re-opening the Hearings to discuss matters further; or finding that the Draft Plan was not sound and could not be modified to make it so.

Further to the update, a question was raised by the Chairman of the Local Plan Sub-Committee on behalf of Councillor J Abbott regarding green buffers, which had been a point of discussion throughout the examination. Members of the Sub-Committee were advised that the Inspectors had requested further details about the green buffers, including why particular locations had been selected whilst others had not, and what the Council's methodology and decision making process had been. The Council had subsequently submitted this information to the Inspectors in writing. It was not known if the Inspectors would require this information to form part of the consultation process on the main modifications to the Draft Plan. The information was not currently publically available on the Council's website as this had not been requested by the Inspectors.

It was reported that the Inspectors appointed to conduct the examination of Braintree District Council's Draft Plan had also been appointed to conduct the examinations of Colchester Borough Council's and Tendring District Council's Draft Plans. Tendring District Council had carried out public consultation in July 2021, but it was yet to receive a final report from the Inspectors. In response to a query by Councillor A Everard, it was reported that Members could subscribe to Tendring District Council's website and its community engagement page, which provided updates about the Draft Plan and, in particular, the garden community proposed for that area. Colchester Borough Council had held its examination Hearing sessions in late April 2021, but it was yet to publish its main modifications, or to carry out public consultation.

Officers were hopeful that Section 2 of Braintree's Draft Plan would be complete by the end of the current calendar year. However, this was reliant on how quickly the Sustainability Appraisal review could be completed and how quickly the Inspectors could review the main modifications and submit their final report.

The Chairman advised Members that a question had been raised by Councillor D Mann at the Cabinet meeting held on 6th September 2021 regarding the number of homes granted planning permission during the first quarter of the year; whether or not these homes related to applications for outline planning permission; and if the homes would contribute towards the Council's five-year housing land supply. The Head of Planning and Economic Growth advised Members that the Council updated its housing land supply position for the period 1st April to 31st March once a year. Any new homes granted planning permission in the first quarter of the year did not form part of the housing land supply figure at this stage, although some sites which had previously been granted outline planning permission and were subject to reserved matters approvals were likely to have been accounted for in the figure and there was some element of double counting. In future, it was likely that reserved matters applications would be removed from the new homes figure in order to minimise double counting and to provide a more realistic figure.

**DECISION:** That the update on the examination of Section 2 of the Braintree District Draft Local Plan be noted.

The meeting commenced at 6.00pm and closed at 6.26pm.

Councillor Mrs G Spray  
(Chairman)