

Minutes

Local Plan Sub-Committee 13th May 2021



Present:

Councillors	Present	Councillors	Present
J Abbott	Yes	P Horner	Yes (from 6.20pm)
K Bowers	Yes (virtually)	D Hume	Apologies
G Butland	Yes	Mrs W Scattergood	Yes
J Coleridge	Yes	Mrs G Spray (Chairman)	Yes
T Cunningham	Yes	P Thorogood	Yes
A Everard	Yes	J Wrench	Yes

At the commencement of the meeting, Councillor Mrs G Spray, the Chairman of the Local Plan Sub-Committee explained that this would be a hybrid meeting. The majority of Councillors and Officers were attending the meeting 'in person' at Causeway House, Braintree, but Councillor K Bowers had joined the meeting 'virtually'. Councillor Bowers would be able to participate in the debate on each Agenda Item, but he would not be able to vote.

5 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

Councillor J Abbott declared a non-pecuniary interest in Agenda Item 8 – 'Local Plan Section 2 Examination – Update' as he had submitted personal representations in response to public consultation on the draft Local Plan; and as Chairman of Rivenhall Parish Council, which had also submitted representations.

Councillor G Butland declared a non-pecuniary interest in Agenda Item 6 – 'Surface Water Management Plan – Update' and Agenda Item 7 – 'Braintree Infrastructure Delivery Plan - 2021 Update' as an elected Member of Essex County Council. Councillor Butland declared a non-pecuniary interest also in Agenda Item 8 – 'Local Plan Section 2 Examination – Update' as a non-remunerated Director of North Essex Garden Communities Ltd. Councillor Butland stated that this company was in the process of being wound-up.

Councillor T Cunningham declared a non-pecuniary interest in Agenda Item 6 – ‘Surface Water Management Plan – Update’ and Agenda Item 7 – ‘Braintree Infrastructure Delivery Plan - 2021 Update’ as an elected Member of Essex County Council.

Councillor Mrs G Spray declared a non-pecuniary interest in in Agenda Item 8 – ‘Local Plan Section 2 Examination – Update’ as she had in the past attended Board meetings of North Essex Garden Communities Ltd as a non-remunerated Director (without voting rights).

Councillor P Thorogood declared a non-pecuniary interest in Agenda Item 5 –‘Local Development Scheme 2021-2023 - Update May 2021’ as he had voted at the Coggeshall Neighbourhood Plan Referendum held on 6th May 2021; and as a supporter of ‘Coggeshall Residents Against Quarry’ (CRAQ).

Councillor Thorogood declared a non-pecuniary interest also in Agenda Item 6 – ‘Surface Water Management Plan – Update’ and Agenda Item 7 – ‘Braintree Infrastructure Delivery Plan - 2021 Update’ as an elected Member of Essex County Council.

Councillor Thorogood declared a non-pecuniary interest also in Agenda Item 8 – ‘Local Plan Section 2 Examination – Update’ as he had submitted personal representations in response to public consultation on the draft Local Plan.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the Items were considered.

6 **MINUTES**

DECISION: That the Minutes of the meeting of the Local Plan Sub-Committee held on 20th April 2021 be approved as a correct record and signed by the Chairman.

7 **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.

8 **LOCAL DEVELOPMENT SCHEME 2021-2023 - UPDATE MAY 2021**

INFORMATION: Consideration was given to a report on an updated version of the Local Development Scheme.

The Local Development Scheme was a project management document, containing details of planning documents which the Council would be producing and the

timetable for their production. The revised, draft Local Development Scheme for 2021-2023 (May 2021) was attached as an Appendix to the report. The document would replace the previous Local Development Scheme for the period 2021–2023, which had been approved in December 2020.

The Council was required to publish a Local Development Scheme setting out a rolling programme and identifying the key stages and timescales for the preparation of planning documents which would form Braintree District Council's Development Plan. The Council was also required to keep the Local Development Scheme up-to-date.

The main changes to the Local Development Scheme included references to the adoption of Section 1 of the Local Plan and progress on Section 2 of the Plan; an update on Neighbourhood Development Plans, including Coggeshall and The Salings; and an update to evidence base documents.

In considering this Item queries were raised regarding the status of the review of the Silver End Conservation Area Guide and any proposals for the refurbishment of Rickstones Neighbourhood Centre, Witham. As these queries could not be answered at the meeting, it was agreed that a response should be provided post-meeting.

DECISION: That the revised Local Development Scheme 2021–2023 (May 2021) be approved.

9 **SURFACE WATER MANAGEMENT PLAN - UPDATE**

INFORMATION: Consideration was given to a report on the Surface Water Management Plan and, in particular, to the 'Essex Pluvial Model Update: Braintree and Witham. Sept 2020'.

It was reported that the Surface Water Management Plan had been produced by Essex County Council in 2016 and it included an assessment of surface water flood risk; designated Critical Drainage Areas; and an Action Plan to reduce flood risk. The 2016 Plan formed part of the evidence base of the 'Braintree District Draft Section 2 Local Plan'.

The 'Essex Pluvial Model Update: Braintree and Witham. Sept 2020' updated the Surface Water Management Plan 2016. The Update had utilised a different model to assess flood risk; it had removed a Critical Drainage Area and introduced new Areas; and it included a new Action Plan and updated mapping. The Action Plan was attached as an Appendix to the Agenda report.

As the Update proposed some material changes to the original document, the Local Plan Sub-Committee was requested to approve it as a material consideration in the

determination of planning applications and as part of the evidence base of the Draft Section 2 Local Plan.

In considering this Item, Members of the Sub-Committee raised concerns about flooding issues in the District, in particular at Rectory Lane, Rivenhall including an illegal discharge; and Church Lane, Bocking. These issues had not been properly addressed by Essex County Council as the Flood Authority. It was agreed that the Members should submit details of the issues and that these should be raised with Essex County Council and an urgent response requested.

DECISION: That the 'Essex Pluvial Model Update: Braintree and Witham. Sept 2020', including the updated Action Plan, be approved as a material consideration in the determination of planning applications and as part of the evidence base of the 'Braintree District Draft Section 2 Local Plan', subject to Essex County Council being requested to address the concerns expressed by Councillors at the Local Plan Sub-Committee's meeting on 13th May 2021 and to report back to Braintree District Council prior to the commencement of the Draft Section 2 Local Plan Hearings.

10 **BRAINTREE INFRASTRUCTURE DELIVERY PLAN - 2021 UPDATE**

INFORMATION: Consideration was given to a report on the draft Braintree Infrastructure Delivery Plan - 2021 Update. A copy of the draft Update was attached as an Appendix to the report.

The National Planning Policy Framework required Local Planning Authorities to work with other Authorities and providers to assess the quality and capacity of infrastructure and to take account of the need for strategic infrastructure.

The 2021 Update provided information on services and facilities being delivered to support the allocations and policies within Section 2 of the Local Plan and it would form part of the evidence base for Section 2. The document would also be used to guide negotiations relating to Section 106 Agreements for allocated sites, and in respect of strategic growth and forthcoming development sites in the District.

Significant changes had been made to the previous Delivery Plan published in 2017 in order to reflect the Local Plan Inspector's main modifications to Section 1 of the Local Plan and to provide an update on development sites for which planning permission had been granted.

It was noted that the Update was a draft document at this stage as Essex County Council, the Highways Authority, had not provided information required for the chapter relating to transport. This information was expected shortly. Furthermore, some minor updating, grammatical and typographical changes were required to the document overall. It was proposed therefore that the final version of the document

should be approved in consultation with the Cabinet Member for Planning and Infrastructure.

In considering this Item, Members of the Local Plan Sub-Committee raised a number of queries and highlighted discrepancies regarding the text of the Update document. These issues were noted by Officers and they would be addressed. Reference was also made to points raised by Feering Parish Council in E-Mail correspondence which had been received shortly before the start of the Sub-Committee's meeting.

DECISION:

- (1) That the Braintree Infrastructure Delivery Plan - 2021 Update be approved as part of the evidence base to support Section 2 of the Local Plan and the process for determining planning applications.
- (2) That Officers be authorised, in consultation with Councillor Mrs G Spray, Cabinet Member for Planning and Infrastructure, to approve the transport chapter of the Infrastructure Delivery Plan Update 2021 and minor changes to the remainder of the text.

11 **LOCAL PLAN SECTION 2 EXAMINATION - UPDATE**

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

It was reported that the dates for the oral examination of Section 2 were awaited, but it was anticipated that the Hearings would start in early July 2021. The Council had sought to bring forward the dates, but this had not been possible due to the Inspectors' commitments to the draft Plans of other Local Authorities. Once received, the Hearing dates would be published on the Council's website and notifications sent to people participating in the examination process and those who had asked to be kept informed about the Plan. It was anticipated that the Hearings would take place virtually and that members of the public and other interested parties would be able to watch them via live broadcasts.

All information relating to the examination of Section 2 of the Local Plan was available to view on the Council's website, including all relevant evidence base documents; correspondence with the Local Plan Inspector; topic papers; and any Statements of Common Ground.

It was anticipated that the Inspector's 'Matters, Issues and Questions' (MIQs) would be received soon. This was a list of the key matters and questions which the Inspector intended to address at the Hearings. The Council and other participants

in the examination process would be able to submit written answers to these questions before the Hearings.

DECISION: That the update on the examination of Section 2 of the Local Plan be noted.

The meeting commenced at 6.00pm and closed at 7.20pm.

Councillor Mrs G Spray
(Chairman)