

Minutes

Local Development Framework Panel

14th April 2010

Present:

Councillors	Present	Councillors	Present
G Butland	Yes	H J Messenger	Yes
A V E Everard	Yes	Lady Newton	Apologies
N R H O Harley	Yes	Mrs W D Scattergood	Yes
M C M Lager	Yes	Miss M Thorogood	Yes
N G McCrea	Yes	R G Walters	Yes

57 DECLARATIONS OF INTEREST

INFORMATION: The following declarations of interest were made:

Councillor M C M Lager declared a personal interest in Agenda Item 6 - Stage Two Highways Assessment of the Core Strategy – Final Draft as he lived in Chipping Hill, Witham which was referred to in the report. Councillor Lager declared a personal interest also in Agenda Item 12 - Suitable Accessible Natural Greenspaces as reference was made in the report to Whetmead Nature Reserve, Witham which was owned and managed by Witham Town Council of which he was a Member.

Councillor R G Walters declared a personal interest in Agenda Item 6 - Stage Two Highways Assessment of the Core Strategy – Final Draft in his capacity as Essex County Council's Deputy Cabinet Member for Highways. Councillor Walters declared a personal interest also in Agenda Item 11 - Great Notley Employment Growth Location – Proposed Uses in his capacity as a Member of Great Notley Parish Council.

In accordance with the Code of Conduct the Councillors remained in the meeting and took part in the discussion when the items were considered.

58 MINUTES

DECISION: The Minutes of the meeting of the Local Development Framework Panel held on 3rd February 2010 were confirmed as a correct record and signed by the Chairman.

59 QUESTION TIME

INFORMATION: There was one statement made a summary of which is contained in the Appendix to these Minutes.

INFORMATION: Consideration was given to a progress report on the preparation of documents required for the Local Development Framework.

In discussing the Evidence Base, it was noted that the Council would be required to approve a Stage 2 Water Cycle Study and to make this available as supporting evidence.

With reference to the Statement of Community Involvement it was proposed that Paragraph 5.4 should be amended by the deletion of the sentence ‘*The Council does not charge for pre-application advice.*’

DECISION:

- (1) That the Local Development Framework progress report be noted.
- (2) That the sentence ‘The Council does not charge for pre-application advice.’ be deleted from Paragraph 5.4 of the Statement of Community Involvement and the Paragraph amended to read as follows:-

‘The Council will encourage pre-application discussions for certain types of development. The objective of these discussions is to establish whether the principle of the development is acceptable and to clarify the format, type and level of detail required to enable the Council to determine the application. We strongly encourage developers to discuss their proposals with us at an early stage so that appropriate arrangements for pre-application consultation can be agreed. The Council will expect the costs of this consultation to be met by the developer.’

- (3) That the preparation of a Stage 2 Water Cycle Study for inclusion in the Local Development Framework Evidence Base be approved.

61 STAGE TWO HIGHWAYS ASSESSMENT OF THE CORE STRATEGY – FINAL DRAFT

INFORMATION: Members were reminded that at the last meeting of the Local Development Framework Panel consideration had been given to the draft Highways Study Stage Two. This assessed the combined impact of proposed growth locations on the transport networks in Braintree and Witham. The report had concluded that the sites proposed in the Core Strategy could be accommodated within the existing highway network and it suggested some junction amendments which would help to create additional capacity. However, some junctions in the centre of Witham had been identified as being overcapacity, with no improvements possible. In addition, it had been concluded that improvements to A12 slip roads would not be possible without an increase in the number of lanes on the A12.

It had been agreed, that in addition to some minor typographical corrections, the final draft of the Study should review the junctions in Witham town centre and that the views of the Highways Agency should be sought regarding the junctions onto the A12.

Members were advised that the final draft of the Study remained largely unchanged in relation to Braintree. However, whilst the proposed left in, left out access arrangement from Cuckoo Way/A131 to the Business and Innovation Park south-west of Great Notley continued to be supported, it had been suggested that access from the existing roundabout at Cuckoo Way might be possible. Councillor Butland, as a Ward Councillor for Great Notley and Chairman of Great Notley Parish Council expressed concern about this proposal particularly in view of the planning consents which had been granted in the vicinity for a petrol filling station, fast food outlets and the expansion of the Great Notley Tesco Store which could all lead to increased traffic in the area. It was noted that the detail of any junction arrangements would be covered as part of the Master Plan and planning application for the Business Park, but it was suggested that the Panel's concerns should be conveyed to the developer and Essex County Council.

With regard to Witham, the final Study had reviewed the Hatfield Road/Spinks Lane and Collingwood Road/Maldon Road town centre junctions. This review had concluded that these junctions would be able to accommodate future traffic growth and that there would only be moderate queues and delays during peak periods.

Members were advised that AECOM had been appointed to review the Study on behalf of the Highways Agency and a copy of their report was circulated at the meeting. AECOM had concluded that the findings of the Study were acceptable and that the proposed growth locations were unlikely to have a significant impact on traffic levels. However, AECOM had recommended that the Highways Agency should work with Braintree District Council and Essex County Council to ensure that the proposed level of development in Braintree and Witham could be accommodated with minimal impact on local Trunk roads.

The Stage Two Highways Assessment had concluded that the growth proposed in the Core Strategy could be accommodated within the existing road network, subject to some junction and capacity improvements. It had also been concluded that the anticipated level of congestion in Witham town centre was unlikely to take place if effective travel planning was implemented for new developments and if drivers sought alternative routes, times and modes of transport. Improvements to the A12 junctions were unlikely unless additional carriageway widening works were to take place.

DECISION: That the final draft of the Stage Two Highways Assessment and the analysis submitted by AECOM on behalf of the Highways Agency be approved as part of the evidence base for the Local Development Framework.

62 EQUALITY IMPACT ASSESSMENT OF THE CORE STRATEGY SUBMISSION DRAFT

INFORMATION: Members of the Panel were advised that Local Authorities were legally required to undertake an Equality Impact Assessment (EQIA) when reviewing or developing new policies, strategies and functions in order to determine whether there would be an adverse impact, illegal discrimination, or any unmet need, or requirements.

An EQIA had been undertaken with respect to the aims and objectives of the Submission Draft Core Strategy and it had concluded that there would be no adverse impact on the equality groups of age, disability, gender, race, religion/belief, sexual orientation and social inclusion.

The EQIA superseded the Assessment of the 'Draft Strategy for People and Places in the Braintree District to 2025' which had been approved by the Local Development Framework Panel on 3rd February 2010.

DECISION:

- (1) That the Equality Impact Assessment of the Submission Draft Core Strategy be approved, subject to the inclusion of the following recommendations as set out in the Assessment:-
 - That the Development Management Policies Development Plan Document (DPD) should consider the impact of design in reducing crime and fear of crime in developments.
 - That the Braintree District Access Group should be consulted on all DPDs to assess the impact of policies on race, gender and disability.
 - That the adopted Core Strategy should be made available in alternative formats and languages if required.
- (2) That when the Statement of Community Involvement is next revised it be amended to incorporate the second and third points stated in paragraph (1) above.

63 SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT OF THE CORE STRATEGY SUBMISSION DRAFT

INFORMATION: Members were advised that Essex County Council's Spatial Planning Group acting as consultants for Braintree District Council had undertaken a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) of the Core Strategy Submission Draft to assess and predict the economic, social and environmental effects that were likely to arise from its implementation. The Core Strategy would be subject to additional appraisal before adoption to take account of any amendments that might be approved by Members following the consideration of representations submitted during pre- submission public consultation.

The Core Strategy had been appraised based on fifteen sustainability objectives to determine whether or not significant effects were likely to emerge. The appraisal had examined the aims, objectives, strategic locations and policies of the Core Strategy and had suggested proposed mitigation measures where necessary.

The SA/SEA had concluded that overall the Core Strategy should have a significant positive impact in providing decent homes, promoting the vitality and viability of town centres and achieving sustainable levels of growth and prosperity.

In discussing this item, reference was made to the provision of open space and details of the following recommended standards were circulated:-

Hectares (ha) per 1,000 people

Parks and gardens

1.2ha in urban sub areas and rural settlements with a population of over 3,000

Outdoor sports provision	2.0ha
Amenity green spaces	0.8ha
Provision for children and young people	0.2ha
Total	4.2ha

DECISION:

- (1) That publication of the Sustainability Appraisal and Strategic Environmental Assessment be approved for pre-submission public consultation together with the Core Strategy.
- (2) That the Core Strategy be amended as follows to take account of mitigation measures proposed following the appraisal of its policies:-

Policy CS5 – ‘Small Scale Development in the Countryside’ to be amended to support the protection of the countryside as set out in Planning Policy Statement 4 and that a rural diversification policy be included in the Development Management Policies Development Plan Document rather than in the Core Strategy.

Policy CS10 – ‘Provision for Open Space, Sport and Recreation’ to be amended to require that open space provision is within certain distances of housing as set out in the Supplementary Planning Document.

64 BRAINTREE DISTRICT RETAIL UPDATE BY GVA GRIMLEY

INFORMATION: Members were reminded that as part of the preparation of the evidence base for the Local Development Framework, GVA Grimley had been engaged in 2005 by a consortium of local authorities to prepare a North Essex Retail Study. Subsequently, GVA Grimley had been instructed in January 2010 to review and update the Study in respect of the Braintree District.

The conclusions and key recommendations of the Study were appended to the Agenda report. These had been used to inform the town centres and retailing part of the Core Strategy including Policy CS6.

DECISION: That the Retail Study Update by GVA Grimley dated March 2010 be endorsed as part of the evidence base for the Local Development Framework.

65 STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT – FINAL DRAFT

INFORMATION: The Panel was advised that the Strategic Housing Land Availability Assessment (SHLAA) was a key part of the evidence base for the Local Development Framework. It identified and assessed sites that had development potential for housing and included information on the likely timescales for site development.

Following its consideration by the Panel on 18th November 2009, the SHLAA had been updated to include a new section on sites adjacent to Key Service Villages and Halstead which demonstrated that further development sites were available if required. Information contained in the SHLAA had been used to calculate the Housing Trajectory in the Core Strategy and this showed that the Council had identified sufficient housing land to meet the required five year housing land supply.

It was noted that the final draft of the SHLAA was available to view on the evidence base section of the Council's Planning Policy web site.

DECISION: That the Strategic Housing Land Availability Assessment be approved as part of the Local Development Framework evidence base.

66 GREAT NOTLEY EMPLOYMENT GROWTH LOCATION – PROPOSED USES

INFORMATION: Members were advised that Policy CS4 of the draft Core Strategy approved by the Council on 15th February 2010 restricted the employment uses permitted at the Great Notley Growth Area to B1 (light industrial and business) and B2 (general industrial).

However, a representation had been received from the developer requesting an amendment to the policy to include a B8 (storage and distribution) use. In support of the representation, the developers had submitted a report prepared by Savills and the RETRI Group which argued that the inclusion of a B8 use would act as a catalyst to the development of the site and would lead to the earlier provision of employment at this location. The consultants' report stated also that the wage output of a development which included B8 jobs would be higher than a development restricted to a B1 use.

The report had been assessed by Michael Beaman and Roger Tym and Partners on the Council's behalf, who had confirmed that the inclusion of a B8 use was likely to improve the viability of the development and hence its earlier delivery.

In discussing this report, Members of the Panel expressed concern about changing the designated uses at this site to include B8 and it was felt that the area should be considered as a whole. Reference was made to the site's location near to Great Notley Country Park at a gateway to Braintree and it was considered important that the existing warehouse development at Great Notley adjacent to the A120 should not be replicated. Furthermore, no reference had been made in the consultants' report to the heavy vehicle movements which could arise if a B8 use was to be permitted.

DECISION: That no amendment be made to Policy CS4 of the Core Strategy to permit the inclusion of a B8 use within the Great Notley Growth Area.

67 SUITABLE ACCESSIBLE NATURAL GREENSPACES

INFORMATION: Members were reminded that at its meeting on 3rd February 2010 the Local Development Framework Panel had approved the Habitat Regulation Assessment (HRA) as part of the evidence base for the Core Strategy. The HRA had recommended the allocation of Suitable Accessible Natural Greenspaces (SANGs) as a mitigation measure to offset the potential impact of residential development in the Braintree District on the Blackwater estuary, Colne estuary and Abberton Reservoir Special Protection Areas (SPAs). The SANGs would provide alternative areas for recreation with a view to reducing visitor pressure on the SPAs.

The Flitch Way; Great Notley Country Park, Great Notley; the Blackwater Rail Trail, Witham; John Ray Park, Braintree; the River Brain Walk, Braintree; the River Blackwater, Bradford Street, Braintree; Whetmead Nature Reserve, Witham; and

Hedingham Dismantled Railway/ Riverwalk, Sible Hedingham had been identified as suitable SANGs and these sites had been assessed using guidance published by Natural England.

Natural England had been consulted on the SANGs and they had stated that the level of mitigation provided by them was adequate.

DECISION: That the Suitable Accessible Natural Greenspaces report be approved as part of the Habitat Regulation Assessment.

68 CORE STRATEGY SUBMISSION DRAFT - CHANGES

INFORMATION: It was reported that the submission draft of the Core Strategy had been approved by the Council on 15th February 2010, subject to pre-submission consultation and to the Local Development Framework Panel agreeing any final amendments.

Members were advised that the draft Core Strategy had been subject to a Sustainability Appraisal and to an Equality Impact Assessment and it had been sent to key partners for their comments. This process had identified a number of amendments and the main changes proposed were set out in the Agenda report. Some further minor changes had been suggested by key partners as outlined in paragraph 2.3 of the report. It was proposed that details of these should be sent to Members of the Panel by E-Mail within the next week for consideration prior to their approval by the Chairman.

DECISION: That the changes to the Core Strategy Submission Draft as set out in the Agenda report be approved, subject to Members of the Panel being consulted on the proposed minor changes set out in paragraph 2.3 of the report and that the Chairman of the Local Development Framework Panel be authorised to approve these.

69 CORE STRATEGY SUBMISSION DRAFT – CONSULTATION ARRANGEMENTS

INFORMATION: Consideration was given to a report on the proposed arrangements for consultation on the Core Strategy.

It was proposed that the Strategy should be subject to a six week public consultation period, that the representations received should be reported to the Local Development Framework Panel during June and July 2010 and that the Core Strategy should be submitted to the Secretary of State in August 2010.

In discussing this report, reference was made to the forthcoming General Election and it was suggested that the start of the proposed consultation period should be delayed until after the Election.

It was suggested also that a notice of the consultation process should be published in the Halstead Gazette, the Haverhill Echo and the Essex Chronicle as well as the Braintree and Witham Times.

DECISION: That the consultation arrangements for the Core Strategy as set out in the report be approved, subject to the start of the public consultation period being delayed until after the General Election.

Post Meeting Note:- The consultation period has been amended to 10th May 2010 - 24th June 2010.

70 BOROUGH OF ST EDMUNSBURY CORE STRATEGY - UPDATE

INFORMATION: Members were reminded that the Borough of St Edmundsbury Core Strategy submission document had included a proposal for a growth location of 2,500 dwellings and associated community facilities to the north-east of Haverhill and policy CS12 of the Strategy – ‘Haverhill Growth Locations’ included a statement that the development would “*Deliver a north-east relief road for Haverhill between the A143 and the A1017 and the local distributor road network*”. Braintree District Council had submitted a formal objection to this proposal on the basis that St Edmundsbury Borough Council had not completed a transport assessment to show whether the proposed growth could be accommodated without there being an adverse impact on surrounding areas including Sturmer, and because no evidence had been submitted of the need for the proposed relief road, which was likely to be located partly within the Braintree District.

Subsequently, the Borough Council had published a Haverhill Transport Assessment which had concluded that the transport associated with the development could be accommodated on the road network and that there was no requirement for a north-east relief road. Instead, a spine road linked to Coupals Road (north of the Haverhill golf course) was being suggested.

Essex County Council’s Highways Officers had reviewed the Assessment on behalf of Braintree District Council and had concluded that it met the District Council’s concerns. However, they had indicated that there were still issues to be resolved regarding the site and its impact on Sturmer and had highlighted the need for Essex County Council and Braintree District Council to be involved in future stages of the development.

The District Council had subsequently submitted a further statement to the Planning Inspector appointed to examine the St Edmundsbury Core Strategy accepting the findings of the Haverhill Transport Assessment and requesting that all references to the relief road between the A143 and A1017 be deleted. On this basis, the District Council had withdrawn its objection. Sturmer Parish Council had also accepted the conclusions of the Haverhill Transport Assessment.

DECISION: That the further developments relating to the Borough of St Edmundsbury Core Strategy be noted.

Urgent Business

The Chairman agreed to consider the following matter as an item of Urgent Business in order to advise Members of the Panel about recent developments in connection with the Government’s Eco Towns’ initiative.

71 ECO HOUSING AND THE A120

INFORMATION: Members were reminded that proposals had been put forward by developers for major new growth areas along the A120 corridor adjacent to the Braintree District boundary. In response, Officers representing those local authorities

affected by the proposals had highlighted the need for an independent analysis to be carried out to assess the impact of such development on the A120.

Members were advised that in March 2010 a joint bid had been submitted by a partnership of Braintree, Colchester, Essex, Tendring and Uttlesford Councils and the Haven Gateway Partnership for a grant from the Government's Eco Towns Fund. The bid had been successful and the grant would be used to finance an independent analysis of how growth along the A120 might impact on the area and be sustainable. Reports on the findings would be submitted to future meetings of the Panel.

DECISION: That the report be noted.

The meeting commenced at 6.00pm and closed at 8.00pm.

Councillor N G McCrea

(Chairman)

APPENDIX

LOCAL DEVELOPMENT FRAMEWORK PANEL

14TH APRIL 2010

PUBLIC QUESTION TIME

Summary of Questions Asked / Statements Made During Public Question Time

Statement Relating to Agenda Item 6 – Stage Two Highways Assessment of the Core Strategy – Final Draft and Lodge Farm, Witham

Statement by Mr Scott Pearman, 10 Witham Lodge, Witham, CM8 1HG

Mr Pearman spoke on the findings of the draft Highways Study Stage Two and, in particular, on the review of the anticipated effect of proposed growth locations on junctions in Witham town centre. Mr Pearman considered that the findings of Mouchel's report and review were seriously flawed and he urged the Council not to accept them.