

22nd June 2011
Local Development Framework Panel



Core Strategy Progress Report		Agenda No: 6
Corporate Priority: Environment is clean and green, business is encouraged and local economy prospers, housing and transport meet local needs.		
Report presented by: Eleanor Dash – Planning Policy Manager		
Report prepared by: Eleanor Dash – Planning Policy Manager		
Background Papers: - Core Strategy Submission Draft		Public Report – Public
Options: - To note the contents of this report.		Key Decision: NO
Executive Summary: This report updates Members on current progress with the Core Strategy.		
Decision: To note progress on the examination and adoption of the Core Strategy.		
Purpose of Decision: To inform Members of progress on the preparation and adoption of the Core Strategy.		
Corporate implications		
Financial:	Costs of the Hearing – (Planning Inspector and Programme Officer costs, plus accommodation and fees for consultants and for legal advice)	
Legal:	Examination is to determine whether Core Strategy is sound and in accordance with planning legislation.	
Equalities/Diversity	As set out in the Core Strategy	
Customer Impact:	Members of the public have made representations concerning the Core Strategy	
Environment and Climate Change:	As set out in the Core Strategy	
Consultation/Community Engagement:	There has been extensive consultation on Core Strategy	
Risks:	That Core Strategy is found unsound	
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1 Core Strategy Examination

1.1 The Core Strategy is currently being examined by Mike Moore, an independent Planning Inspector appointed by the Secretary of State. The examination determines whether the Core Strategy is legally compliant and sound. (There are three tests of soundness; the plan should be justified, effective and consistent with national policy.)

1.2 The Core Strategy hearing was held on five days between 18th May and 26th May. Appendix 1 sets out the Matters and Issues which were examined and the organisations/ persons who attended, totalling about 90 persons over the whole hearing. The persons who spoke at the hearing were mainly in one of four categories:-

- Persons objecting to the proposed growth locations.
- Agents/developers/landowners proposing other locations for development- including the Fritchway Settlement, Towerlands, land off Broad Road and Gosfield Airfield.
- Persons from statutory bodies giving evidence about infrastructure- including County Highways, Anglian Water Services, Network Rail and the Highways Agency.
- Planning Officers from the Council.

1.3 The Inspector stated at the end of the Hearing that he would be sending his report, on the soundness of the Plan, to the Council on 22nd July.

2 The Inspector's Report

2.1 The Inspector will send a 'Fact Check Report' to the Local Planning Authority on 22nd July, together with a letter to the Chief Executive, which will give his overall conclusions on the soundness of the plan.

2.2 The Local Planning Authority has two weeks in which to carry out a fact check on his report and send this back to the Inspector. The Council should not publish The Inspector's report at this stage. The Inspector will then respond to the matters raised in the fact checking and send the final report to the Local Planning Authority, which can then be published. This is likely to be during the third week of August.

2.3 The Inspector's report will set out his conclusions on the compliance of the plan, together with binding recommendations on changes to the Core Strategy that are required to make it sound. These are 'recommendations' as there is no statutory requirement for a Local Planning Authority to adopt a plan. However, if the Council did not adopt the Core Strategy, this would leave it without strategic policies and without land allocated for future development. As there is a requirement for the Council to provide a five year land supply, the lack of an adopted Core Strategy could lead to planning appeals on unallocated sites being allowed to meet this need.

2.4 If the final report is received by the end of August, this can be reported to the LDF Panel Meeting in September. If the Inspector finds the Plan to be sound, or sound with changes, the Core Strategy (or Core Strategy with changes) can be adopted by the Council in September.

3 Possible Delay

3.1 However, this process could be delayed by the publication of relevant Government planning policy statements prior to the receipt of the Inspector's report. The Inspector might then be required to request views on the implications of new policy on the Core Strategy.

An announcement on a new streamlined national planning framework is expected in the summer, which will replace all existing planning policy statements. If this new framework is published before the Final Report, this might lead to delay.

APPENDIX 1

BRAINTREE CORE STRATEGY

MATTERS, ISSUES AND QUESTIONS (Draft: 30 March 2011)

References to policies in brackets indicate against which main matter (or matters) they will be considered. Any issues relating to the Appendices in the Core Strategy, supporting text, the evidence base or other documents will be considered as appropriate under the relevant main matter.

Those shown in *italics* are individuals/organisations that the Inspector wishes to invite but who either have no right to be heard or have said that they do not wish to give oral evidence.

Procedural Matters and Legal Compliance

(will be dealt with mainly at the Pre Hearing Meeting)

Matter 1: Spatial Strategy (CS1, CS4)

Main issue - Whether the overall spatial strategy is soundly based, presenting a clear spatial vision for the District in accordance with national and regional policies.

- a) Does the Core Strategy contain an appropriate spatial vision and objectives for the District?
- b) Do the policies in the Core Strategy reflect the identified spatial vision and objectives?
- c) Have reasonable alternatives to the overall strategy been considered?
- d) Is there a clear audit trail showing how and why the preferred strategy was arrived at?
- e) Are the different categories in the Core Strategy settlement hierarchy soundly based?
- f) Have settlements been allocated to the appropriate category in the settlement hierarchy?
- g) Is the strategy sufficiently flexible to respond to an unexpected change in circumstances?

Attendees:

Braintree South Alliance	Bermac Properties plc
Clients of Strutt and Parker	Crown Estate Office
HDPL	Mssrs Hosford
Mersea Homes and Hills Group	Systemafter Ltd

Matter 2: Housing (CS1)

Main issue - Whether the overall level of housing provision and its distribution are justified and appropriate.

- a) Does the overall scale of housing provision accord with the requirements of the East of England Plan and what weight should be attached to the Government's intention to revoke the Plan?
- b) Does the Core Strategy assist in providing a continuous supply of deliverable sites so that the housing requirements of the next 5 years can be delivered?
- c) Is the Core Strategy likely to result in an adequate supply of developable sites in the plan period beyond 5 years?

- d) Should an allowance be made for the fallout of some sites that currently have planning permission in assessing the provision of housing land?
- e) Does the Core Strategy provide for an appropriate mix of new housing?
- f) Are there any implications for the Core Strategy and its evidence base arising from the changes to PPS3 in respect of the deletion of the national indicative minimum density for housing and the revised definition of previously developed land to exclude gardens?
- g) Has the distribution of housing between the different settlements been justified by the evidence base and does it accord with national and regional policy?
- h) Does the Core Strategy provide an appropriate framework for dealing with the housing needs of Halstead?
- i) Is there an adequate strategy for bringing previously developed land into housing use? Should there be a local previously developed land target and trajectory?

Attendees:

J Andrews	Philip Barlow
Bellway Homes and the Raven Group	Bermac Properties plc
Braintree South Alliance	Clients of Strutt and Parker
Crest Strategic Projects Ltd	Crown Estate Office
Geoffrey Dench	Doreen Harman
George Harris	HDPL
Mssrs Hosford	Richard Long
Mersea Homes and Hills Group	S Norris
Redrow Homes (Eastern) Ltd	Rivenhall Parish Council
Systemafter Ltd	The Unex Group
Witham Town Council	Robert Wright

Matter 3: Affordable Housing (CS2)

Main issue - Whether the Core Strategy makes appropriate provision for affordable housing.

- a) Should the Core Strategy set an overall, plan-wide target for the provision of affordable housing?
- b) Are the different targets and thresholds for affordable housing in rural and urban areas justified by the evidence base?
- c) Has the effect of affordable housing provision on the overall viability and deliverability of development been appropriately considered?
- d) Have the targets for social-rented and intermediate affordable housing, lifetime homes and wheelchair standard units been justified by the evidence base?
- e) Will the Core Strategy deliver sufficient affordable homes in Halstead or in rural locations?

Attendees:

Crest Strategic Projects Ltd	Crown Estate Office
Mersea Homes and Hills Group	Redrow Homes (Eastern) Ltd
The Unex Group	

Matter 4: Gypsies and Travellers and Travelling Showpeople (CS3)

Main issue - Whether the Core Strategy has adequately addressed the accommodation needs of the travelling community in accordance with national and regional policy.

- a) Does the evidence base justify a departure from the requirements of the Revision to the East of England Plan, July 2009 having regard to the Government's intention to revoke Regional Strategies?
- b) Does the Core Strategy accord with the requirements of Circulars 01/2006 and 04/2007 having regard to the Government's intention to revoke the Circulars?

Matter 5: The Local Economy (CS4)

Main issue - Whether the Core Strategy would help to sustain and strengthen the local economy and support regeneration.

- a) Is the minimum job growth target for the District justified by the evidence base, particularly in the context of the decision not to proceed with a second runway at Stansted?
- b) Does the Ministerial Statement of 23 March 2011 on Planning for Growth have any implications for the Core Strategy?
- c) Will the Core Strategy result in an adequate supply of employment land throughout the plan period?
- d) Have the strategic employment sites at Great Notley and north-west Braintree been justified by the evidence base?
- e) Is there an appropriate mix of employment uses proposed at Great Notley, including Class B8?
- f) Have the infrastructure implications of the Great Notley strategic site clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?
- g) Does the Core Strategy provide an appropriate framework for employment development at Halstead?
- h) Does the Core Strategy provide sufficient support for employment growth in rural locations? Is it appropriate for the Core Strategy to promote mixed use regeneration sites in Key Service Villages at Sible Hedingham and Silver End?
- i) Should further employment or mixed use sites be supported or identified elsewhere? Should an extension to Eastways employment area, Witham be included?
- j) Has the protection of existing employment sites in sustainable locations in Policy CS4 been justified by the evidence base in the context of PPS4, Policy EC2? Should the Core Strategy provide guidance on the possible redevelopment of existing employment sites and premises for other uses?
- k) Does the Core Strategy provide sufficient guidance on the phasing and delivery of employment land generally?

Attendees:

<i>Anglian Water</i>	J Andrews
Barratt Homes (Eastern Counties)	CML Micro & Chelmsford Diocese Board of Finance
Countryside Properties plc	Environment Agency
<i>Essex County Council</i>	HDPL
Hunwick Engineering Ltd	Richard Long
Mersea Homes and Hills Group	The Unex Group
Wicks Construction Ltd	

Matter 6 – The Countryside (CS5)

Main issue – Whether the Core Strategy provides an appropriate framework for the maintenance and enhancement of the countryside.

- a) Does Policy CS5 accord with national policy for the countryside, particularly PPS4 and PPS7?
- b) Does Policy CS5 provide sufficient strategic guidance for the consideration of development proposals in the countryside?

Matter 7: Town Centre Regeneration and Retailing (CS6)

Main issue – Whether the Core Strategy provides a sound basis for town centre regeneration and retailing

- a) Has the Core Strategy adequately addressed the need for additional floorspace for retail and town centre uses?
- b) Does the approach to the locations identified for regeneration in Policy CS6 and to any additional proposals for retailing and town centre uses accord with national policy in PPS4?
- c) Has the hierarchy of centres in Policy CS6 been justified by the evidence base? Have the different locations been allocated to the appropriate category in the hierarchy? Are there other locations that should be included?
- d) Does the Core Strategy provide an appropriate framework for retail development at Halstead?
- e) Has the designation of Marks Farm Neighbourhood Centre as a District Centre been justified by the evidence base?
- f) Has the inclusion of Local Centres within the north-west Braintree growth location and Maltings Lane, Witham been justified by the evidence base?
- g) Does the requirement for retail impact assessments in Policy CS6 accord with national policy in PPS4?

Attendees:

J Andrews	Braintree Leisure
Martin Robeson Planning Practice	Mersea Homes and Hills Group
The Unex Group	

Matter 8: Growth Locations – Braintree (CS1, CS4)

Main issue – Whether the growth locations for Braintree are soundly based and deliverable

- a) Has the selection of growth locations for Braintree been the result of a robust site selection process? Is there a clear audit trail showing how and why the preferred growth locations were arrived at?
- b) Is the growth location at north-west Braintree (off Panfield Lane) justified by the evidence base?
- c) Has the scale and mix of development at north-west Braintree been supported by the evidence base?
- d) Have the infrastructure implications of north-west Braintree clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?
- e) Has the relocation of the football stadium as part of north-west Braintree been justified by the evidence base?
- f) Is there appropriate justification for the phasing of housing at the north-west Braintree growth location?

- g) Have reasonable alternatives to the growth locations been considered – (i) Fritchway Settlement; (ii) Dorewards Hall; (iii) Land between Broad Road and A131; (iv) Towerlands site?
(Growth location at Great Notley will be dealt with under Matter 5)

Attendees:

<i>Anglian Water</i>	Braintree Football Club
Crest Strategic Projects Ltd	Environment Agency
<i>Essex County Council (Highways)</i>	Fritchway Settlement
<i>Highways Agency</i>	Mersea Homes and Hills Group
The Unex Group	

Matter 9: Growth Locations - Witham (CS1)

Main issue - Whether the growth locations for Witham are soundly based and deliverable

- a) Has the selection of growth locations for Witham been the result of a robust site selection process? Is there a clear audit trail showing how and why the preferred growth locations were arrived at?
- b) Is the growth location at north-east Witham (off Forest Road) justified by the evidence base?
- c) Have the infrastructure implications of north-east Witham clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?
- d) Is the growth location at south-west Witham (off Hatfield Road) justified and deliverable?
- e) Have the infrastructure implications of south-west Witham clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?
- f) Is there appropriate justification for the phasing of housing at the north-east and south-west Witham growth locations?
- g) Have reasonable alternatives to the growth locations been considered – Conrad Road?

Attendees:

<i>Anglian Water</i>	Philip Barlow
B Bastiaansen & G Gildea	Bellway Homes and the Raven Group
Nicola Blyth	CWO Parker Grandchildren's Settlement
Geoffrey Dench	Environment Agency
<i>Essex County Council (Highways)</i>	John Getty
Doreen Harman	George Harris
<i>Highways Agency</i>	Mersea Homes and Hills Group
Scott Pearman	Redrow Homes (Eastern) Ltd
Rivenhall Parish Council	Witham Town Council
Robert Wright	

Matter 10: Transport (CS7)

Main issue – Whether the transport priorities are soundly based

- a) Does Policy CS7 provide an adequate basis for the achievement of more sustainable forms of transport and travel?

- b) Are the strategic transport improvements prioritised in Policy CS7 justified by the evidence base?
- c) Are there any implications for the Core Strategy arising from the change to PPG13 that removes the requirement for parking standards for residential development to be expressed as a maximum?

Attendees:

Essex County Council (Highways)	<i>Network Rail</i>
The Unex Group	

Matter 11: Natural and Built Environment (CS8, CS9)

Main issue - Whether the Core Strategy makes adequate provision for sustainable development and the protection of the natural and built environment.

- a) Does Policy CS8 deal appropriately with pollution, the use of resources and waste generation?
- b) Does the approach to designated areas in Policy CS8 make sufficient distinction between nationally important sites and those of regional or local interest in accordance with PPS9?
- c) Does the approach to those features of sustainable construction included in Policy CS9 accord with national policy, particularly the Supplement to PPS1, and is it justified by the evidence base?

Attendees:

Mersea Homes and Hills Group	
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Matter 12 – Open Space, Sport and Recreation (CS10)

Main issue – Whether the Core Strategy provides an appropriate framework for open space, sport and recreation in accordance with national policy.

- a) Are the open space standards included in Policy CS10 supported by the evidence base?
- b) Do the requirements in Policy CS10 accord with the tests in Circular 05/2005 and the Community Infrastructure Levy Regulations?

Attendees:

Mersea Homes and Hills Group	The Unex Group
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Matter 13: Delivering the Strategy and the Monitoring Framework (CS11)

Main issue – Whether the Core Strategy has clear mechanisms for delivery, implementation and monitoring.

- a) Can the scale and location of development proposed be accommodated by water and wastewater infrastructure without unacceptable harm to the water environment?
- b) Have the key infrastructure requirements in Table 2 and Appendix 4 been justified by the evidence base? Is there sufficient commitment at this stage from the relevant organisations responsible for delivery?
- c) Is it clear what infrastructure is required for the first 5 years of the plan and who is going to fund and provide it?

- d) Is it clear which elements of infrastructure are critical to the delivery of the Core Strategy and whether there is a reasonable prospect of their delivery? What would be the consequences for the strategy if any of the critical infrastructure was not delivered?
- e) Does the Core Strategy identify sufficient targets and milestones to enable the delivery of policies to be measured? Are the circumstances under which remedial action would be triggered sufficiently clear?

Attendees:

<i>Anglian Water</i>	Environment Agency
<i>Essex County Council</i>	Mersea Homes and Hills Group
Crest Strategic Projects Ltd	The Unex Group