

# Minutes

## Local Development Framework Panel

3rd February 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

Councillors J E Abbott and P J Hughes were also in attendance.

### 46 DECLARATIONS OF INTEREST

**INFORMATION:** The following declarations of interest were made:

Councillor J E Abbott declared a personal interest in Agenda Item 7 – Core Strategy Submission Draft as he was the Chairman of Rivenhall Parish Council which had submitted representations on the Core Strategy.

Councillor M C M Lager declared a personal interest in Agenda Item 7 – Core Strategy Submission Draft as he was a Member of Witham Town Council which had submitted representations on the Core Strategy.

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

### 47 MINUTES

**DECISION:** The Minutes of the meeting of the Local Development Framework Panel held on 18<sup>th</sup> November 2009 were confirmed as a correct record and signed by the Chairman.

### 48 QUESTION TIME

**INFORMATION:** There were four statements made a summary of which is contained in the Appendix to these Minutes.

## HIGHWAYS STUDY-STAGE 2: ASSESSMENT OF TRANSPORT IMPACT OF ALL GROWTH PROPOSED IN THE BRAINTREE DISTRICT COUNCIL CORE STRATEGY

**INFORMATION:** Mr Andrew Cook, Development Manager, Essex County Council, attended the meeting and presented this item and the accompanying report. The report summarised the main findings of the Stage 2 Assessment which had been carried out to ascertain the impact of proposed growth locations in the District on the highway network of Braintree and Witham.

Members were advised that Mouchel had been commissioned to undertake the highways assessment which had included an analysis of large sites with planning permission within existing town development boundaries; sites allocated for development in the existing Local Plan; and sites identified as part of the Strategic Housing Land Availability Assessment as ones which could come forward. It was noted that any highways schemes identified as being required to support development would be included in the Core Strategy as part of the infrastructure schedule.

It had been concluded that the proposed growth locations at Braintree and Great Notley could be accommodated satisfactorily within the local highway network, subject to a spine road being provided at the Panfield Lane site and the construction of suitably designed accesses from both locations onto the existing network. It was confirmed that the same situation would apply if an 18.5 hectare business park was to be developed at Great Notley instead of a smaller park.

For the proposed Witham growth locations, the assessment showed that these could be satisfactorily accommodated within the local highway network, subject to the Hatfield Road/Gershwin Boulevard roundabout being enlarged to include the main access to Lodge Farm and to changes to the Cypress Road/Braintree Road junction. In addition, the assessment recommended that should the A12 be increased to three lanes in each direction, junction 21 - Witham South should also be widened. However, the assessment had identified that some junctions in the centre of Witham would become increasingly congested by 2025 even if no growth took place. It was proposed therefore that discussions should be held with Essex County Council on further options for relieving congestion in Witham town including proposals for the Cypress Road/Braintree Road and Rickstones Road/Cressing Road mini roundabouts. In addition, the assessment predicted an increase in traffic using the A12 and, whilst this was unlikely to be due to increased local traffic, it was suggested that improvement works should be carried out to the A12 junctions around Witham and Rivenhall, particularly those with short slip roads, and that further discussions should take place with Essex County Council and the Highways Agency.

### **DECISION:**

- (1) That the content of the report be noted.
- (2) That further discussions take place between Braintree District Council and Essex County Council to seek ways of improving junctions in Witham town centre in order to reduce congestion.

- (3) That further discussions take place between Braintree District Council, Essex County Council and the Highways Agency to seek ways of improving the A12 junctions at Witham and Rivenhall.

50 ESSEX GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT AND PROPOSED GYPSY AND TRAVELLER AND TRAVELLING SHOWPERSONS ACCOMMODATION POLICY

**INFORMATION:** Consideration was given to a report on the findings of the 'Essex Gypsy and Traveller Accommodation Assessment' which had been published by Fordham Research in November 2009. The purpose of the Assessment had been to ascertain and quantify the accommodation and housing related support needs of gypsies and travellers across Essex in terms of residential sites, transit sites and bricks and mortar accommodation. Members were also requested to approve the wording of the proposed 'Gypsies and Travellers and Travelling Show-person's Policy (CS3) for inclusion in the submission draft of the Local Development Framework Review Core Strategy.

Members were reminded that following a review of the East of England Regional Spatial Strategy it had been concluded that 50 authorised gypsy and traveller pitches should be provided in the Braintree District by 2011 with a further increase in provision of 3% per annum up to 2021. This meant that there was a total requirement for 67 pitches and it was anticipated that most of these could be accommodated on existing sites. The 'Accommodation Assessment' had also indicated a need for short-stay sites to be provided for gypsies and travellers and for additional accommodation for travelling show-people. The report had concluded that six short-stay travellers sites and one travelling show-person's plot should be provided in the Braintree District between 2008 and 2021.

**DECISION:**

- (1) That the Essex Gypsy and Traveller Accommodation Assessment - Final Report November 2009 (Fordham Research) be approved as part of the Local Development Framework evidence base.
- (2) That the wording of Policy CS3 - Gypsies and Travellers and Travelling Show-persons be approved for inclusion in the submission draft of the Local Development Framework Core Strategy, as follows:-.

'Policy CS3 Gypsies and Travellers and Travelling Show-persons

The Council will identify sites in suitable locations to provide a minimum of 50 residential pitches for gypsies and travellers caravans by 2011 and a total of 66 pitches by 2021.

Provision will also be made for 5 transit pitches for gypsies and travellers by 2013 and a total of 6 transit pitches by 2021 and for an additional 1 plot for travelling show-persons by 2021.'

WORKING DRAFT OF SECTIONS OF THE CORE STRATEGY SUBMISSION DRAFT RELATING TO SPATIAL PORTRAIT, VISION, AIMS AND OBJECTIVES, HOUSING POLICY, AFFORDABLE HOUSING, GYPSIES AND TRAVELLERS, RURAL ECONOMY, TOWN CENTRE REGENERATION AND RETAILING, TRANSPORT AND SITE SPECIFIC BOUNDARIES OF GROWTH LOCATIONS

**INFORMATION:** Consideration was given to the working draft of the Core Strategy Submission Document.

Members of the Panel were reminded that the One District - One Vision draft joint Core Strategy and Sustainable Community Strategy had been published in October 2008 and that, following public consultation and the consideration of representations, the Panel had approved some changes to the draft Core Strategy. It had been necessary to separate the Core Strategy from the Sustainable Community Strategy in order that the Core Strategy could be found sound by the Planning Inspectorate.

Additional policy documents and evidence base studies had been produced since the public consultation and these had resulted in further changes to the draft Core Strategy. These documents included the Sustainability Appraisal of the Preferred Options Core Strategy, the Braintree Town Centre Study, the Habitat Regulation Assessment, the Affordable Housing and Developer Contributions Study, the Regional Gypsy Policy, the Gypsy and Traveller Assessment, the draft Strategic Housing Land Availability Assessment and the Transport Assessment Stage Two.

Members were advised that, in accordance with Government Guidance contained in Planning Policy Statement 12, the draft Core Strategy Submission Document included the specific boundaries of proposed strategic sites. This would clearly define growth location boundaries and would assist in the preparation of future Master Plans for these areas.

Members were requested to approve the working draft of the Core Strategy Submission Document to enable the Council, on 15<sup>th</sup> February 2010, to approve the final draft of the document for pre-submission consultation.

In discussing this report, Members were advised that the timetable for consideration of the Core Strategy had changed slightly and details of the revised dates were circulated. It was anticipated that the Inspector's report would now be published towards the end of April 2011, with the Core Strategy being formally adopted towards the end of June 2011.

With reference to employment, it was reported that the East of England Plan predicted a net growth of 10,000 new jobs in the Braintree District over the period 2001 – 2026, whereas the Cambridge Econometrics Study predicted a growth of 14,000 jobs. Members of the Panel agreed that a target of 14,000 should be included in the Core Strategy. A Member also drew attention to flood alleviation matters and it was agreed that reference should be made to these within the Core Strategy, subject to discussion with the Environment Agency. It was suggested also that the Glossary to the Core Strategy should include a reference to the definition of rural areas and small villages.

**DECISION:** That it be **Recommended to Council** that the working draft of the Core Strategy Submission Document be approved for the purpose of pre-Submission

Consultation, subject to the new jobs target for the District for the period 2001 – 2026 being amended to 14,000 and to the changes identified above.

## 52 THE LOCAL DEVELOPMENT SCHEME

**INFORMATION:** The Panel received a report setting out the proposed revised Local Development Scheme.

Members were reminded that the Council was required to produce a Local Development Scheme. This was a project management document containing information about the Development Plan Documents which the Council would be producing, and the timetable for their publication.

**DECISION:** That the Local Development Scheme 2009 - 2012 and the timetable for the production of Development Plan Documents be approved and submitted to the Secretary of State for approval, subject to present planning arrangements remaining as Government policy.

## 53 THE CORE STRATEGY AFFORDABLE HOUSING POLICY – THRESHOLD FOR URBAN AREAS

**INFORMATION:** At its meeting on 18<sup>th</sup> November 2009, the Local Development Framework Panel had considered a report by Three Dragons Consultants on affordable housing provision developer contributions and recommendations for inclusion in the Core Strategy Affordable Housing Policy. However, whilst the Panel had supported the recommended affordable housing contribution for both urban and rural areas of the District and the dwelling threshold for the rural areas, the threshold of 15 dwellings, or 0.5 hectares (ha) for urban areas had not been accepted and it had been agreed that further information should be sought. Members had expressed concern that a number of planning applications had been received in the past for the development of 14 dwellings on urban sites, which had avoided the need to provide affordable housing and it was suggested that a lower threshold of 10 dwellings, or 0.33ha might be more appropriate.

Three Dragons Consultants had suggested that a threshold of 15 dwellings or 0.5 ha, as set out in Planning Policy Statement 3, was appropriate for the provision of affordable housing on development sites in urban areas and that there was no justification for adopting a lower threshold.

An assessment of residential land availability in all urban Wards within the Braintree District as at April 2009 had subsequently been undertaken which showed that 79.3% of dwellings had been provided on sites with capacity for 15 dwellings or more, 9.1% on sites of between 11 – 14 dwellings, and 5.1% on sites of 6 – 10 dwellings. In view of the low percentage supply of dwellings on sites of between 11 and 14 dwellings it was not considered that a departure from the national policy threshold was justified.

**DECISION:** That a threshold of 15 dwellings or 0.5 ha for the provision of affordable housing on development sites in the urban Wards of Braintree and Bocking, Halstead and Witham be included in the Core Strategy Affordable Housing Policy.

**INFORMATION:** Members were reminded that in December 2007, Chelmsford Borough Council and Braintree District Council had jointly been awarded Growth Area Funding to support the delivery of new housing, employment and associated infrastructure. The award of funding was to be based on a joint Programme of Development and made available in annual instalments between 2008 and 2011. In July 2009, the Minister for Housing and Local Government had announced a proposal to switch £128m nationally from the Growth Area Fund to support affordable housing and revised allocations for Growth Area Funding had been announced. The total funding available to the two Councils for the period 2008 to 2011 was now approximately £111m, of which Braintree's share was approximately £4m capital and £231,800 revenue.

The Growth Area Fund required local governance to determine priorities for expenditure and to oversee the delivery of projects. A Braintree Programme Board had originally been established to carry out this role, but it had subsequently been agreed that the Local Development Framework Panel should have responsibility.

The Braintree Programme Board had agreed that the priorities for expenditure should be delivering employment growth; the purchase of employment land and the provision of infrastructure – land north of Springwood Industrial Estate, Braintree; delivering housing growth; the purchase of land and a contribution to site development costs, Braintree; infrastructure to support housing growth; Freeport foot/cycle bridge, Braintree; Witham Station footbridge extension; green space improvements, John Ray Park, Braintree; town centre regeneration; purchase of land east of High Street, Halstead; water cycle study; revised development brief for land East of High Street, Halstead; and Braintree branch line rail study.

It was considered that, in general, the priorities agreed by the Braintree Programme Board were still appropriate. However, some funding remained unallocated and the position on specific schemes had changed which meant that there was an opportunity to consider other options. It was proposed that growth areas and regeneration proposals identified in the draft Core Strategy and the delivery of affordable housing should be given priority.

**DECISION:**

- (1) That the priorities for the expenditure of Growth Area Funding, as set out in paragraph 4 of the report, be approved.
- (2) That any remaining Growth Area Funding be used to support the delivery of growth areas and regeneration proposals identified in the draft Core Strategy and the delivery of affordable housing and that the following schemes be identified as specific priorities:-

Purchase of property, Braintree Town Centre - £350,000

Freeport foot/cycle bridge, Braintree - £250,000

Braintree branch line rail study - £40,000

55 HABITAT REGULATION ASSESSMENT

**INFORMATION:** The Panel was advised that there was a statutory requirement for the Council to carry out a Habitat Regulation Assessment of its draft Core Strategy. The Habitat Regulation Assessment would form part of the evidence base of the Core Strategy.

The Council had appointed consultants Royal Haskonig to prepare the assessment, the first draft of which had been submitted in May 2008. The assessment had taken a proactive, precautionary approach to ensure that internationally significant habitats within the areas of adjoining local authorities should not be adversely affected by the policies of Braintree District Council's Core Strategy. Mitigation and monitoring measures had been included and it was proposed that Braintree District Council should work in conjunction with adjoining authorities to implement these.

Following consultation, Natural England had submitted comments on the Habitat Regulation Assessment and these had been included within the final draft.

**DECISION:**

- (1) That the Habitat Regulation Assessment be endorsed, subject to the proposed changes as suggested by Natural England.
- (2) That the Habitat Regulation Assessment be approved as part of the evidence base for the Local Development Framework.
- (3) That the mitigation and preventative measures set out in the Habitat Regulation Assessment and amendment report be endorsed to ensure compliance with habitats Regulations.

56 EQUALITY IMPACT ASSESSMENT OF THE CORE STRATEGY

**INFORMATION:** It was reported that Local Authorities were required under legislation to undertake an Equality Impact Assessment when reviewing, or developing new policies, strategies and functions to determine if there might be any adverse impact, illegal discrimination, or any unmet need or requirements.

An Equality Impact Assessment of the 'One District – One Vision: Draft Strategy for People and Places in the Braintree District to 2025' had been prepared retrospectively and had covered both the proposed Core Strategy and the Community Strategy.

The Assessment had concluded that the Strategy would have no adverse impact with respect to age, disability, gender, race, religion/belief, sexual orientation and social inclusion.

**DECISION:** That the Equality Impact Assessment of the 'One District – One Vision: Draft Strategy for People and Places in the Braintree District to 2025' be approved.

The meeting commenced at 6.00pm and closed at 8.06pm.

Councillor N G McCrea (Chairman)

## APPENDIX

### LOCAL DEVELOPMENT FRAMEWORK PANEL

3<sup>RD</sup> FEBRUARY 2010

### PUBLIC QUESTION TIME

#### Summary of Questions Asked / Statements Made During Public Question Time

#### Statements Relating to Agenda Item 7 – Core Strategy Submission Draft

(i) Statement by Councillor R Wright, 303 Rickstones Road, Rivenhall

Councillor Wright referred to the proposed growth location at Forest Road, Witham. Councillor Wright considered that the Transport Impact Assessment contained some errors, and that references in the Core Strategy report to the expansion of the Primary School and the extension of the GP surgery were misleading.

(ii) Statement by Mr Jack Prime, 475 Rickstones Road, Rivenhal

Mr Prime referred to the Parish Plan, Parish Appraisal and Village Design Statement which Rivenhall Parish Council had produced and which showed that the majority of residents in the Parish did not want development to take place between Rivenhall and Witham. If approved, the development would be part of Rivenhall Parish, but it would appear more as an extension of Witham. Mr Prime stated that Rectory Lane was used by walkers, but it was likely to become a 'rat run' and it was not suitable for heavy volumes of traffic. Mr Prime questioned whether existing cemeteries had adequate capacity to meet the growth in housing.

(iii) Statement by Ms Melanie A'Lee, 301 Rickstones Road, Rivenhall

Ms A'Lee spoke on the Transport Impact Assessment of the proposed growth locations, particularly in relation to Witham. Ms A'Lee stated that many junctions were already congested and she queried the findings and content of the Assessment and the predicted growth rates in traffic flow.

(iv) Statement by Councillor J E Abbott, 1 Waterfall Cottages, Park Road, Rivenhall

Councillor Abbott requested that a meeting be arranged between representatives of the Local Development Framework Panel, Witham Town Council and Rivenhall Parish Council as soon as possible to consider substituting land off Conrad Road, Witham for the proposed growth location off Forest Road, Witham.

Response by Councillor McCrea

Councillor McCrea stated that a meeting had been arranged for 8<sup>th</sup> February 2010 when he and the Vice-Chairman of the Panel would meet with representatives of Witham Town Council, Rivenhall Parish Council and District Council Officers. The outcome of the meeting would be reported to the next meeting of the Panel.