

Draft Minutes of the forty-first meeting of the Wivenhoe Neighbourhood Plan Steering Group held on 6 July 2016 at the Wivenhoe Council Offices, at 19.30.

Present:

WTC Cllrs Robert Needham (chair), Neil Lodge

Residents Jane Black, Marika Footring (minutes), Mark Norrington, Graeme Willis, Richard Polom.

Apologies for absence: Ruth Melville, Christopher Downes, Peter Hill, David Allen.

Declarations of interest:

Cllrs Robert Needham and Neil Lodge, and Peter Hill: Wivenhoe Housing Trust.

Minute 2016/44 Minutes

The minutes of the June meeting were accepted as a true record and signed by the chairman.

Minute 2016/45 Matters arising

None

Minute 2016/46 Correspondence

14 June 2016 by website feedback from Mr Roger Bullworthy, agent for Mr Batchelor (owner of Co-op green triangle), asking for this area of land to be taken out of the Open Spaces list Policy Wiv7. Acknowledgement had been sent. Response will be made after pre-submission consultation responses have been considered. SG agreed with the observation by the Plan Review group that our SACs preclude building on the site but that development by way of landscaping with seating would be very acceptable.

Minute 2016/47 Finance

Peter Hill had sent in an invoice for £510, relating to graphics work for the statistical section of the May-version of the NP, carried out by Navigus Planning. The invoice remained outstanding. Payment was approved.

Minute 2016/48 Plan Review group report

Peter Hill had sent in a written report which was read out by the chairman and is appended to these minutes.

Discussion followed about the Habitat Regulation issue and the email correspondence with Sarah Fraser of Natural England regarding NE's perceived need for a full HR Assessment as part of the WNP. NE's stance is that it would object to the NP at pre-submission consultation stage if it came forward without an HRA including an assessment of the *in-combination* effect of other local plans – though no other local plans as yet exist beyond consultation stage.

Jane Black has written a Habitat Regulation Screening report from which it appears that the developments permitted by the WNP would not have Local Significant Effect, which is the criterion for whether or not a full assessment is required.

The meeting therefore decided that the NP and its supporting documentation was ready to be handed over to WTC at its meeting on 18 July. It was decided to forego the 'informal' review by CBC to avoid further delays and to support WTC in taking the WNP forward to formal submission. *(see additional note).

We are however still waiting for the final SEA report from Dr. Jonathan Crane and also need to make some small adjustments to the draft NP in light of the outcome of the recent planning appeal concerning Trinity and Denham Close open spaces.

The CBC local plan was briefly mentioned. Jane is awaiting clarification from Chris Downes regarding Zone 2 of this: it is not clear what the '*and housing*' part is intended to mean. If it were additional general housing (rather than University residences) this might impact on the viability of 250 new dwellings in the WNP. On the other hand, if the TDC plan is the later one to come forward, the fact of 250 dwellings in the WNP would have to be factored into that plan's viability.

Minute 2016/49 AOB

The chairman undertook to write an article for the Autumn edition of Wivenhoe News. Submission deadline is 1 August 2016.

There being no other business the chairman closed the meeting at 8.30 pm.

Date of next meeting: Wednesday 3 August at 7.30, at WTC offices.

***Additional Note**

The initial thought at the meeting, that on 18 July the NP should be presented to WTC for formal submission to CBC, was premature in light of Richard Polom's careful analysis of the steps and his email communication with the chairman and secretary on the day after the meeting.

Some confusion had crept into the process after the 13 February launch of the first full draft of the plan for public consultation. This had not been the formal pre-submission consultation, nor had all the statutory consultees been contacted on that occasion.

Instead, the formal handing over of the NP to WTC can still happen on 18 July at the Council meeting but this then will be the occasion to ask WTC to start the 6-week pre-submission consultation.

If this could be started on 19 July, the end date would be Tuesday 30 August. Below is a helpful list of next steps, prepared by Dick:

1. Next is a final 6 week pre-submission consultation on the final plan. This will be operated by WNP with all interested parties including residents
2. This is followed by submission to CBC who check it's all in order and give a formal public notice that the plan has been received, open for representations for 6 weeks.
3. CBC will appoint an independent examiner to check validity of the plan in detail and then give the go-ahead for it to proceed to a referendum
4. Finally, CBC will operate a referendum amongst all Wivenhoe residents to determine whether the plan can be adopted and given legal effect
5. Wivenhoe town Council will formally adopt the plan for implementation.

Plan Review group report

1. **Natural England.** Since the last WNP meeting, we have had further email correspondence with Sarah Fraser of Natural England whose position remains that she wants us to wait for CBC to complete a full Habitat Regulations Assessment (HRA) for the Borough.
2. **HRA Screening Assessment Report.** Jane has completed the work for the HRA Screening Assessment which I turned into a report format. This report shows that there are no Likely Significant Effects (LSEs) arising from the planned extra 250 dwellings in the Wivenhoe Settlement area.
3. **CBC.** I have sent this Screening Report to Karen Syrett at CBC to ask her to progress CBC's formal review of our Plan. She has said that she hopes to have the resources available from 11th July to focus on our Plan. Jane and I are hoping that by CBC acknowledging the findings of our HRA Screening Assessment, that we can get the Plan to the stage where an Examiner can be appointed otherwise if Natural England object to our Plan then we must wait several months for the Borough-wide HRA study to be completed.
4. **ECC Place Services – SEA Report.** Jon Crane from Place Services has nearly finished the SEA Report. He sent us some thoughts about the WNP Policies which Jane and I were able to deal with. The only outstanding item for him is the HRA issue. I have sent him the HRA Screening Assessment which shows there are no LSEs. I have tried to call him again today to get an update but have had to leave him a message.
5. **Re CBC Local Plan.** We should note that the CBC Local Plan Cttee last night agreed the draft CBC Local Plan go forward for consultation across the Borough with public consultation events. I attended the meeting with Bob Needham and others from WTC including our Mayor. The consultation period has been extended by two weeks to 16th September. The Local Plan and the WNP appear consistent in that the LP also talks about an extra 250 dwellings in the Wivenhoe Settlement area and de-allocates the land for University expansion by Boundary Road in favour of allocating some land on the other side of the A133. Their Plan does though suggest that the land on the south side of the A133 and the east of Wivenhoe Park could also be allocated for University expansion which I think is very worrying. We should also note the CBC Local Plan Cttee appeared to be in favour of the Colchester East garden village proposal. This development might include a new road linking the A133 to the A120 but when this could happen is uncertain. This proposed garden village will have implications for Wivenhoe residents and I suggest it should only gain our support providing safeguards for the Wivenhoe community are secured **before** building commences. I don't feel the LP is explicit on this. These safeguards concern traffic implications on Wivenhoe main roads on Clingoe Hill, school places (primary and at the Colne), health care provision and railway services (Wivenhoe, Hythe or even a new station). The LP does acknowledge the concept of separation breaks between Wivenhoe and the Greenstead area although some greater clarification of the areas is required. I suggest we need to provide specific amendments to the wording of the LP through this Consultation process. The LP Committee heard a lot of speeches last night but did not cause the Committee to change the draft Plan at all.
6. **Open Spaces – Denham Close and Trinity Close.** Jane Black and I attended the Inspector's appeal hearing at the Town Hall on 8th March. We spoke on behalf of the WNP in which we had designated these two areas as Open Spaces. The Inspector's Report was published on 30th June in which he has allowed both sites to be developed. We need to change our Plan accordingly.