

Local Plan Sub-Committee AGENDA



THE PUBLIC MAY ATTEND THIS MEETING

Please note this meeting will be audio recorded.

Date: Wednesday, 2 December 2015

Time: 18:00

Venue: Committee Room 1, Causeway House, Bocking End, Braintree, CM7 9HB

Membership:

Councillor D Bebb
Councillor Mrs L Bowers-Flint (Chairman)
Councillor G Butland
Councillor T Cunningham
Councillor D Hume

Councillor Mrs J Money
Councillor Lady Newton
Councillor J O'Reilly-Cicconi
Councillor Mrs W Scattergood
Councillor Miss M Thorogood

Members are requested to attend this meeting, to transact the following business:-

PUBLIC SESSION

1 Apologies for Absence

2 Declarations of Interest

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest, or Non-Pecuniary Interest relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of the Previous Meeting

To approve as a correct record the Minutes of the meeting of the Local Plan Sub-Committee held on 11th November 2015 (copy previously circulated).

4 Public Question Time (See paragraph below)

5 Retail Study Update 2015

4 - 13

- 6 Draft Development Management Policies - A Strong Economy; Shops and Services; and Creating High Quality Spaces 14 - 40**
- 7 Urgent Business - Public Session**
To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.
- 8 Exclusion of the Public and Press**
To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

At the time of compiling this Agenda there were none.

PRIVATE SESSION

- 9 Urgent Business - Private Session**
To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

Continued:

E WISBEY
Governance and Member Manager

Contact Details

If you require any further information please contact the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk

Public Question Time

Immediately after the Minutes of the previous meeting have been approved there will be a period of up to 30 minutes when members of the public can speak.

Members of the public wishing to speak should contact the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk at least 2 working days prior to the meeting.

Members of the public can remain to observe the whole of the public part of the meeting.

Health and Safety

Any persons attending meetings at Causeway House are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of a continuous alarm sounding during the meeting, you must evacuate the building immediately and follow all instructions provided by a Council officer who will identify him/herself should the alarm sound. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

Mobile Phones

Please ensure that your mobile phone is either switched to silent or switched off during the meeting.

Comments

Braintree District Council welcomes comments from members of the public in order to make its services as efficient and effective as possible. We would appreciate any suggestions regarding the usefulness of the paperwork for this meeting, or the conduct of the meeting you have attended.

Please let us have your comments setting out the following information

Meeting Attended..... Date of Meeting

Comment

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Contact Details:

Braintree District Council Retail Study Update 2015		Agenda No: 5
Corporate Priority: Securing appropriate infrastructure and housing growth Portfolio: Planning and Housing Report Presented by: Alan Massow Report prepared by: Alan Massow		
Background Papers: <ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) • National Planning Practise Guidance (NPPG) • Localism Act (2011) • Planning and Compulsory Purchase Act (2004) • Core Strategy (2011) • Pre-Submission Site Allocations and Development Management Plan (2014) • Retail Study (2015) • Retail Study (2012) 		Public Report: Yes
Options: To approve/not approve the Retail Study update (2015), as part of the Council's evidence base for the new Local Plan.		Key Decision: No
Executive Summary: <p>A new Local Plan is being prepared in the District which will guide development between now and 2033. As part of this process it is necessary to ensure that the new Plan will be based on an up to date and credible evidence base. The Council commissioned Nathaniel Lichfield & Partners (NLP) to update its retail evidence base.</p> <p>The study includes a quantitative and qualitative assessment of the need for new retail facilities within the District, and the need for leisure and other main town centre uses. This assessment examines the need for both food and non-food retailing including a qualitative analysis for different forms of shops such as retail warehousing, local shops, large food stores and traditional high street comparison shopping. And an assessment of changes in circumstances and shopping patterns since the previous study, the future need and residual capacity for retail, food and beverage and leisure floor space for the period up to 2033, the potential implication of emerging developments both within and outside the District among other considerations.</p> <p>It sets out the likely floor space requirements for the District and its town centres as well as an analysis of opportunities within those centres to meet that demand.</p> <p>The report also looks at the role of out of centre provision at Freeport and Braintree Retail Park, and provides advice on potential planning policies for the district, and the extents of town centre boundaries, primary retail areas, and primary and secondary frontages.</p>		

The report concludes by showing that the district will need to provide 8,966 sqm gross of additional convenience retail floor space, 15,869 sqm gross of comparison retail floor space, and 8,304sqm gross of food/beverage floor space up until 2033. A breakdown of what each centre should provide is set out within the report.

Decision:

To approve the Retail Study (2015) as part of the evidence base for the new Local Plan.

Purpose of Decision:

To provide robust and credible evidence base on housing land availability to support the production of the new Local Plan.

Corporate Implications

Financial:	The preparation of the Plans set out within the LDS will be a significant cost which will be met through the Local Plan budget.
Legal:	To comply with Governments legislation and guidance.
Equalities/Diversity:	The Councils policies should take account of equalities and diversity.
Safeguarding:	None
Customer Impact:	There will be public consultation during various stages of the emerging Local Plan.
Environment and Climate Change:	This will form part of the evidence base for the emerging Local Plan and will inform policies and allocations.
Consultation/Community Engagement:	There will be public consultation during various stages of the emerging Local Plan.
Risks:	The Local Plan examination may not take place. The Local Plan could be found unsound. Risk of High Court challenge.

Officer Contact: Alan Massow

Designation: Senior Policy Planner

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1 Background

- 1.1 Braintree District Council has commissioned Nathaniel Lichfield & Partners (NLP) to prepare a Retail Study Update to inform the production of the new Local Plan. NLP carried out the previous Retail Study in 2012.
- 1.2 The objectives of the study are to provide a robust and credible evidence base to inform the Council's new Local Plan, taking into account any changes since the 2012 Study. It comprises a qualitative analysis of the existing retail and leisure facilities within Braintree District's town and local centres, the identification of the role of each centre, catchment areas and the relationship between the centres.
- 1.3 It also provides a quantitative and qualitative assessment of the need for new retail facilities within the District, and the need for leisure and other main town

centre uses. This comprises a breakdown of retail requirement for convenience goods (i.e. day to day shopping requirements such as food), comparison goods (i.e. items bought less frequently like electrical equipment or clothing), and food and beverage provision (i.e. café's, pubs, restaurants).

- 1.4 This assessment examines the need for both food and non-food retailing including a qualitative analysis for different forms of facilities such as retail warehousing, local shops, large food stores and traditional high street comparison shopping.
- 1.5 The Retail Study includes an assessment of changes in circumstances and shopping patterns since the previous study, the future need and residual capacity for retail, food and beverage and leisure floor space for the period up to 2033, the potential implication of emerging developments both within and outside the District ,in terms of impact on town centres and potential changes to shopping patterns, the existing retail hierarchy and network of centres and advises whether any changes are required. And finally provides advice on development plan policies, allocations and recommendations on how each centre can develop.

2 Retail Study Methodology

- 2.1 The retail study includes an assessment of changes in circumstances and shopping patterns since the previous studies were undertaken, not least the impact of the recession and the availability of census data, the future need and capacity for retail, food and beverage and leisure floorspace, the potential implication of emerging developments within and outside the District, in terms of impact on town centres and potential changes to shopping patterns, the existing retail hierarchy and network of centres and advises whether any changes are required, and development plan policies, allocations and recommendation on how each centre can develop its role.
- 2.2 A full breakdown of the methodology is included in the Retail Report (2015).

3 The Shopping hierarchy

- 3.1 As part of the report, an assessment of existing retail and service provision in the main centres was conducted. This concluded that Braintree town centre is the main shopping destination within the district in terms of number of shop units and convenience floor space. Freeport/Braintree retail park provides the most comparison floor space within the District. Witham and Halstead are smaller centres of a similar size, which provide a reasonable range of shops and facilities that serve their settlements and nearby villages. They are shown to have a good critical mass of convenience and comparison shopping floor space as well as a good range of non-services. It concludes that all three centres should therefore continue to be designated as town centres.

4 Assessment of Retail Need

- 4.1 Development plans should develop (and keep under review) town centre strategies that plan for a 3-5 year period, whilst also giving a Local Plan lifetime view. Plans should identify the scale of need for main town centre uses.

- 4.2 The retail report outlines an objective assessment of the quantitative and qualitative scope for new retail floor space in the district between 2015 and 2033.
- 4.3 The quantitative analysis is based on a defined study area (as shown at **Appendix 1**) which covers the catchment areas of the main shopping destinations in the district. This is the same approach as previous retail studies, however this time areas have been removed where the district has a low market share. This is in order to better reflect the catchment areas of the centres within the district. The further sub-division of the Braintree town catchment (Zone 1) which was present in the 2012 retail study has also been removed.
- 4.4 In terms of retail trends, the economic downturn had a significant impact on the retail sector with a large number of national operators failing. This has delayed many town centre development schemes; main food retailers have seen reduced growth with discount operators taking market share from the main operators. Future expenditure levels will need to take into account the likely speed of economic recovery (Particularly in the short term 2015-18).
- 4.5 Historic retail trends indicate that expenditure has grown in real terms in the past. Expenditure growth has consistently grown in real terms in the past, generally following a cyclical growth trend. However the recovery is expected to result in slower growth in the short term. The speed of recovery from the economic downturn suggests that high past rates of growth in the 1980/90's are unlikely to be achieved in the short term. However in the medium and long term, further modern retail floorspace will be required even when allowing for continued growth in home shopping. It is expected that these national trends will be mirrored in the district.
- 4.6 For home shopping, the study makes allowance for future growth of e-tailing based on Experian's recommended projections. These show that internet/home shopping will rise by 18.5% by 2020 and 20.3% by the mid 2030's.
- 4.7 The demand for premises within the bulky goods sector has been weak during and after the recession. The bulky good providers have rationalised, while other high street retailers have sought large out of centre stores.
- 4.8 Within town centres multiple comparison retailers have changed their format, and have sought larger modern premises (Over 200sqm).
- 4.9 Braintree District appears to have withstood the effects of the recession reasonably well in terms of shop vacancies which although has increased since 2009, but is below the national average. The continuation of national trends will influence future operator requirements across the district, with smaller vacant units becoming less attractive for new occupiers and existing looking to relocate into larger units in higher order centres.
- 4.10 The charity sector has grown steadily as has the discount shopping sector.
- 4.11 The Districts population is expected to increase. As a consequence of population growth and per capita spending, convenience good spending within the study area is forecast to increase by 26% to 2033. Comparison good

spending is expected to double over the same period.

- 4.12 Existing shopping patterns have been examined through the household shopping survey. It shows that for convenience goods there is a good retention of main food and grocery shopping trips in Braintree (94%), with medium level of retention in Witham (59.6%), and Halstead (51%). For comparison goods the retention rate is generally lower with 43.6% retention in Braintree, 21.7% in Witham, and 23.7% for Halstead. There is no evidence that existing comparison sales floor space is under or overtrading anywhere in the district.
- 4.13 As a minimum it is appropriate and realistic to plan to maintain the districts market share of convenience goods expenditure in the future, as planning for a decline in market share would not be sustainable and would not address the needs of local residents. In the short, medium and long term the capacity figures suggest additional floor space could be provided.
- 4.14 The household survey suggests that the Districts retention of comparison goods expenditure is generally lower than for convenience goods. This is due to competition from nearby facilities at Chelmsford, Colchester, Cambridge, Sudbury, and Lakeside. Capacity for comparison goods floor space shows surplus expenditure up to 2033 which could support additional floor space.

5 Requirements for other town centre uses

- 5.1 The potential for commercial leisure and other town centre uses in Braintree District, including cinemas, tenpin bowling, bingo, theatres, nightclubs, private health/fitness suites and catering, pubs and bars. The district has relatively good access to a range of commercial leisure and entertainment facilities both within the District and in neighbouring authorities, where most of the key sectors are represented. Commercial leisure facilities usually draw residents up to a 20 minute travel time. Some facilities require a large population catchment, and the proximity of major leisure facilities in the surrounding local authorities, may limit the potential for major commercial leisure facilities.
- 5.2 No clear requirement has been identified for theatre provision, gyms and health clubs, ten pin bowling, bingo, or nightclubs. Additional cinema capacity (5 additional screens or 1,395 seats) has been identified, which could either be provided at the existing cinema or as a small boutique cinema within one of the town centres. It should be noted that no cinema provision has been put forward for consideration through the new Local Plan.
- 5.3 For food and beverages there is a requirement for around 8,300 sqm gross of food and beverage floor space up to 2033.

6 Accommodating Growth and Policy Review

- 6.1 The NPPF indicates that Local Plans should allocate a range of suitable sites to meet the scale and type of retail, leisure and other development needed in town centres. Development plans should develop and keep under review town centre strategies that plan for a 3 to 5 year period whilst also giving a local Plan lifetime view.

- 6.2 The floor space projections set out in the report assume that other competing centres will improve in the future. However there are a number of issues which may influence the scope for new floor space such as major retail development in competing centres, the re-occupation of vacant retail floor space, internet shopping, and the availability of land to accommodate new development among others.
- 6.3 The Core Strategy (2011) sets out the retail hierarchy for the district, and the pre-submission Site Allocations and Development Management Plan (2014) confirms that town centres are the primary location for main town centre uses and are the most sequentially preferable location for retail development. Town Centre boundaries, primary retail areas, and primary and secondary frontages should be identified in the Plan. The report considers that the town centre boundaries, primary retail area, and primary and secondary frontages are appropriate as shown on the inset maps in the 2014 Plan.
- 6.4 In terms of impact assessments the NPPF default threshold is considered to be inappropriate for all centres in the district. This is because a single retail development proposal could exceed the entire development plan floor space projection in some towns without the need for a retail impact assessment. As such lower thresholds are proposed for all areas except Braintree.
- 6.5 The report also recommends that the Plan should provide guidance on the area of search for sequential sites, and that the primary shopping area, and primary and secondary shopping frontages should remain as they are.
- 6.6 For Braintree, it is considered that the town is suitable to be considered as a town centre which is consistent with the NPPF. The centre has 4 opportunities for development at land west of George Yard, land at Manor Street, and at the existing Tesco and Sainsbury stores. Additional windfall sites could come forward however they are likely to be limited to no more than 500sqm in size.
- 6.7 Braintree has two out of centre sites at Freeport Outlet Village, and Braintree Retail Park. These sites are not included in the retail hierarchy. The 2014 Plan identifies the the retail park, land north of Freeport outlet village, and Broomhills industrial estate as potential opportunities for bulk retail. No conclusion is drawn as to their suitability however it is suggested that the land north of Freeport could be used to accommodate some of the comparison retail requirement.
- 6.8 Witham is considered suitable for definition as a town centre albeit a secondary centre which would not attract large scale investment, the town centre should be the main focus for future town centre uses particularly comparison retail floor space and restaurant uses. Two sites are potentially available for retailing and town centre uses at Newlands Shopping centre, and the former Co-op department store at Kings Chase. Small windfall opportunities may also become available.
- 6.9 Witham has two out of centre sites identified for retail warehousing at Swanvale and Maltings Lane. The capacity assessment does not identify a significant requirement for comparison goods floor space in and around Witham. However retail warehouse floorspace could enhance access to bulky goods provision for residents in the eastern part of the District, and retail warehouse floor space could support a new local centre at Maltings Lane, that could also service the

existing residents in the surrounding south west Witham area.

- 6.10 As with Braintree, Witham town centre and primary shopping area are appropriate as drafted in the 2014 Plan, and the Plan should continue to distinguish primary and secondary shopping frontages.
- 6.11 Halstead is similar to Witham in that it should continue to be identified as a town centre, but is unlikely to attract large scale investment. Two sites are potentially available at land east of the High Street, and at EMD site Kings Road. The former is however more likely to be developed for homes due to a planning application being refused on the site for retail uses. The EMD site does have planning permission for a Lidl store and is already assumed to be a commitment so will not contribute to future retail floor space requirements. If no sites are available then providing the floor space elsewhere in the District should be considered.
- 6.12 No changes are recommended to the boundary of the town centre, primary shopping area, or primary and secondary shopping frontages.
- 6.13 No changes are proposed for the existing District and Local Centres. It should be noted that depending on what housing strategy the Council chose to pursue, if it involves developments in the region of 2000 homes in a single location, then this would likely require local centres to be defined, which would be able to accommodate 1500 sqm gross of convenience, comparison and food/beverage floor space.

7 Retail Report Recommendations and Conclusions

- 7.1 The NPPF state that local planning authorities should assess the quantitative and qualitative needs for land or floor space for retail development over the plan period up to 2033.
- 7.2 Long term forecasts up to and beyond 2023, may be more susceptible to change, due to unforeseen circumstances and not least the impact of development within surrounding authorities. These projections should be kept monitored and reviewed.
- 7.3 The quantitative assessment of the potential capacity for retail floorspace suggests that there is scope for new development within Braintree District.
- 7.4 For convenience goods (food sales) the following new floorspace and distribution is suggested;

Location	Additional Convenience Retail Floorspace (sq.m gross)			
	2015 - 2023	2023 - 2028	2028 – 2033	Total 2015 - 2033
Braintree	4,938	1,537	1,553	8,028
Witham ¹	-	-	279	279
Halstead	26	313	320	659
Total	4,964	1,850	2,152	8,966

Source: Table 13, Appendix 2

Note: ¹ Negative floorspace requirement excluded

- 7.5 For comparison goods (i.e. clothing, electricals etc) the following new floor space and distribution is suggested.

Location	Additional Comparison Retail Floorspace (sq.m gross)			
	2015 - 2023	2023 - 2028	2028 – 2033	Total 2015 - 2033
Braintree	2,336	2,284	2,410	7,030
Freeport/Braintree RP	1,733	2,596	2,729	7,058
Witham	186	442	471	1,099
Halstead	79	292	311	682
Total	4,334	5,614	5,921	15,869

Source: Table 13, Appendix 3

- 7.6 For use class A3/A4/A5 food beverage projections the following new floor space and distribution is suggested.

Location	Additional Food/ Beverage Retail Floorspace (sq.m gross)			
	2015 - 2023	2023 - 2028	2028 – 2033	Total 2015 - 2033
Braintree	1,598	1,024	1,039	3,661
Freeport/Braintree RP	536	344	350	1,230
Witham	820	529	542	1,891
Halstead	661	426	435	1,522
Total	3,615	2,323	2,366	8,304

Source: Table 12, Appendix 5

- 7.7 The report also sets out recommendations regarding Impact Assessments. These are a way of making sure development proposals over a certain size do not have a significant effect on existing town, district, and local centres. The national default threshold for when an impact assessment is carried out is

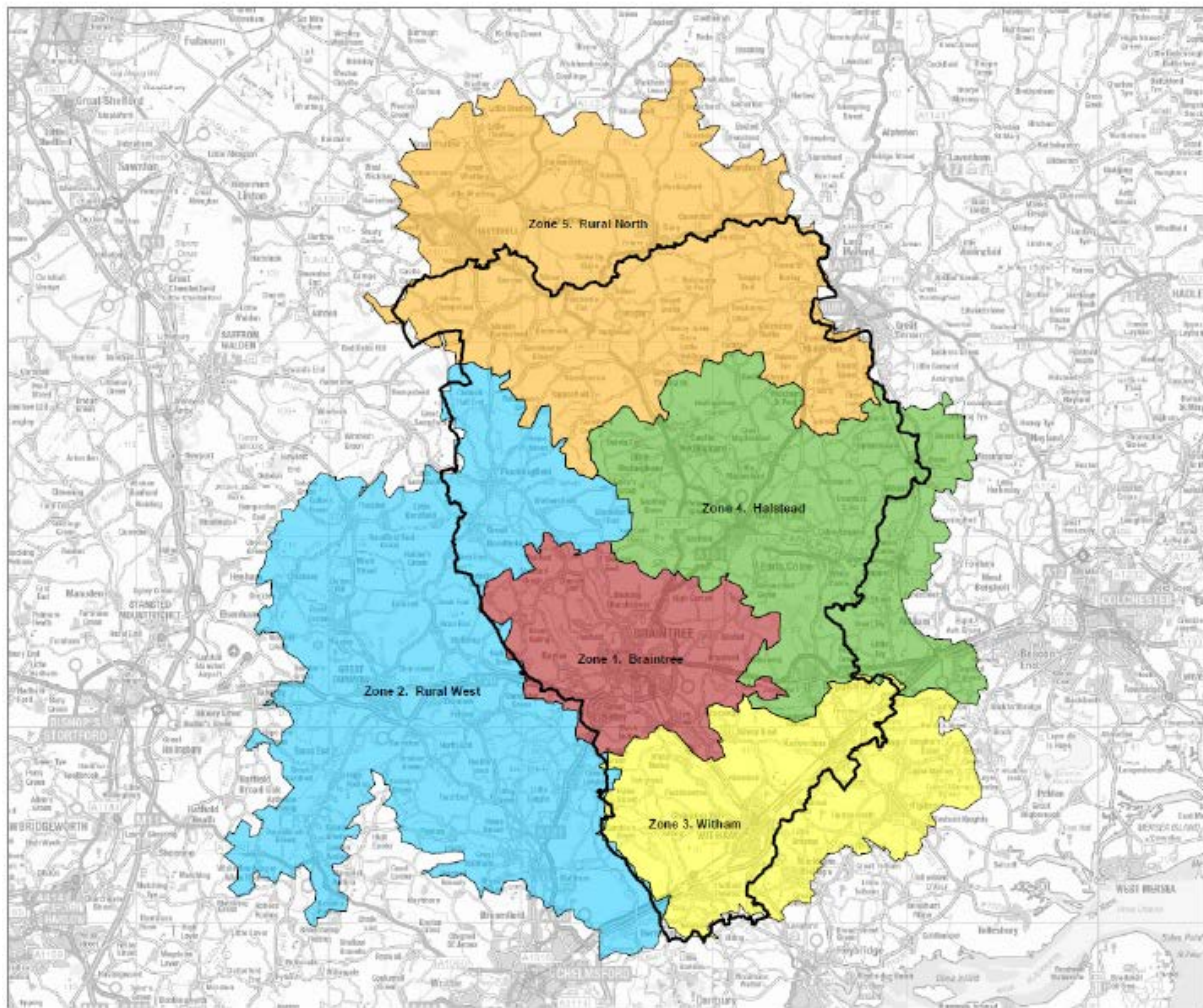
2,500 sqm gross. It recommends that the following thresholds should be applied to retail proposals which effect the following areas. 2,500 sqm gross for Braintree, 1,500 sqm gross for Witham and Halstead, 1,000 sqm gross for Great Notley, and 500 sqm gross for Local Centres (Both existing and planned).

- 7.8 An element of the projected capacity relates to population growth and the implementation of strategic housing allocations. Strategic housing allocations will need to provide local centres to serve the day to day needs of new residents. As a rule of thumb, 2000 homes could support a local shopping facility of up to 1500 sqm gross of floorspace, providing a balance of convenience, comparison and food/beverage floorspace.
- 7.9 No further changes are recommended regarding the primary shopping areas and town centre boundaries for Braintree, Witham and Halstead town centres. Primary and secondary frontages should also remain as they are shown in the 2014 Pre-submission Site Allocations and Development Management Plan.

8 Recommendation

To approve the Retail Study (2015) as part of the evidence base for the new Local Plan.

Appendix 1 – Braintree Study Area



Braintree District Council Draft Development Management Policies – The Strong Economy, Shops and Services, and Creating High Quality Spaces.		Agenda No: 6
Corporate Priority: Securing appropriate infrastructure and housing growth Portfolio: Planning and Housing Report Presented by: Emma Goodings and Alan Massow Report Prepared by: Emma Goodings and Alan Massow		
Background Papers: <ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) • National Planning Practise Guidance (NPPG) • Localism Act (2011) • Planning and Compulsory Purchase Act (2004) • Local Plan Review (2005) • Core Strategy (2011) • Pre-Submission Site Allocations and Development Management Plan (2014) 		Public Report: Yes
Options: To approve, not approve, or amend the policies in relation to The Strong Economy, Shops and Services and Creating High Quality Spaces to recommend to Council their inclusion within the Braintree District Council draft Local Plan.		Key Decision: No
Executive Summary: Braintree District Council's new Local Plan to guide development up to 2033 will contain all the policies that are used in the determination of planning applications in the District, (commonly known as the Development Management Policies) as well as strategic policies to guide overall growth and development in the District. As set out in national guidance there is no set guidance for what the Local Plan policies contain but they should be concise and focussed tackling the main issues of the area and not repeat themselves or national guidance. This report contains the draft policies for three chapters in the new Local Plan which are on 'A Strong Economy', 'Shops and Services' and 'Creating High Quality Spaces. Policies' which relate to specific allocations have been excluded at this stage and these will be dealt with during the site selection process. The policies are currently the subject of a Sustainability Appraisal and this will be reported to Members in due course. The full draft Preferred Options Local Plan will then be considered by Members in June 2016, before an extensive public consultation takes place.		

Decision:

To recommend approval to Council of The Strong Economy Policies as set out in Appendix 1

To recommend to Council that they approve the Shops and Services policies as set out in Appendix 2

To recommend to Council that they approve the Creating High Quality Spaces chapter set out in Appendix 3

Purpose of Decision:

To guide Council on the acceptability of the Local Plan development management policies for consultation in the draft Preferred Options Braintree District Local Plan.

Corporate Implications

Financial:	The preparation of the Plans set out within the Local Development Scheme will be a significant cost which will be met through the Local Plan budget.
Legal:	To comply with Governments legislation and guidance.
Equalities/Diversity:	The Councils policies should take account of equalities and diversity.
Safeguarding:	None
Customer Impact:	There will be public consultation during various stages of the emerging Local Plan.
Environment and Climate Change:	This will form part of the evidence base for the emerging Local Plan and will inform policies and allocations.
Consultation/Community Engagement:	There will be public consultation during various stages of the emerging Local Plan.
Risks:	The Local Plan examination may not take place. The Local Plan could be found unsound. Risk of High Court challenge.

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1 Background

- 1.1 Braintree District Council is working on a new Local Plan which will guide development in the District between now and 2033. Once adopted this will replace the 2011 Core Strategy and the 2005 Local Plan.
- 1.2 As well as providing allocations for new development, an essential part of the Local Plan is to provide the strategic and detailed policies on which all planning applications in the District are considered against.
- 1.3 National guidance in the National Planning Practice Guidance (PPG) sets out what Local Plans should contain in paragraph 10. *“While the content of Local*

Plans will vary depending on the nature of the area and issues to be addressed, all Local Plans should be as focused, concise and accessible as possible. They should concentrate on the critical issues facing the area – including its development needs – and the strategy and opportunities for addressing them, paying careful attention to both deliverability and viability.....In drafting policies the local planning authority should avoid undue repetition, for example by using generic policies to set out principles that may be common to different types of development. There should be no need to reiterate policies that are already set out in the National Planning Policy Framework”. Policies in the Local Plan should therefore cover the main issues in a concise way that does not repeat national government policy or other policies within the Plan.

- 1.4 The draft Local Plan will follow the layout of the Issues and Scoping document, consultation on which took place at the beginning of the year. The document was split into three main themes which reflected the three forms of sustainable development, with detailed chapters contained within them;

A Prosperous District

- A Strong Economy
- Shops and Services
- Homes
- Transport and Infrastructure

Creating Better Places

- Community facilities
- Creating High Quality Spaces
- A healthy and active District

Protecting the Environment

- Climate Change and Renewable Energy
- Natural conversation and landscape character

- 1.5 This report is to consider the policies in relation to ‘A Strong Economy’, ‘Shops and Services’ and ‘Creating High Quality Spaces’.

2 Policy Formation

- 2.1 The starting point for the formation of the new policies is to look at the existing policies which are set out in the Local Plan Review 2005 and the Core Strategy and those proposed detailed policies which were set out in the 2014 Site Allocations and Development Management Plan.
- 2.2 The policies were then updated as appropriate to take into account changing District needs, any changes to national government policy or guidance and following comments received during the Issues and Scoping consultation. Policies have also been the subject of consultation with appropriate internal stakeholders.
- 2.3 All policies and the alternative options of policy formation are currently subject to a Sustainability Appraisal. The results of this appraisal will be reported to Members before the final draft Preferred Options Local Plan is agreed for consultation in June 2016.

- 2.4 The policies as set out in this report are subject to minor changes by officers to ensure legibility and accuracy. The supporting text which sits alongside is policy is provided for information only and may be subject to additional revisions before the final draft Preferred Options Local Plan is approved by Members in June 2016. Officer commentary is provided in *red italics* where necessary at the start of each section
- 2.5 It should be noted that no policies which relate to site specific allocations for land for a specific purpose are included within the chapters at present. These will be subject to detailed consideration in 2016 when specific sites are considered.

3 A Strong Economy

- 3.1 This chapter deals with the employment provision and retention in the District as well as skills. Infrastructure including broadband is of course essential for a successful business environment but this is dealt with in the specific Transport and Infrastructure chapter. Whilst education and skills are mentioned in the supporting text to this chapter, a specific policy on the protection of education land will be contained within the community facilities chapter.
- 3.2 A strategic policy for this section has not yet been completed as this will primarily relate to the allocation of major employment sites in the District.
- 3.3 Compared to the Pre Submission Site Allocations and Development Management Plan (ADMP) we are proposing to control the uses on employment and business use areas more to primary employment uses. The policy around design and layout of employment areas has also been amended to reflect the specific design issues that these areas will face, including a significant concentration of parking and access. Applications would also need to comply with the general design policy in the 'High Quality Spaces' chapter.
- 3.4 The 'A Strong Economy' chapter is set out in **Appendix 1**.

4 Shops and Services

- 4.1 This chapter primarily deals with the provision of town centres and main town centres uses such as retailing and leisure, (which do not necessarily need to be located within a town centre). Community facilities such as education and doctors surgeries which may be found in some town centres are dealt with in a separate chapter.
- 4.2 The strategic policy sets out the proposed town centre boundaries but does not include sites allocated for new or improved retail uses. These will be considered when looking at site selection in early 2016, as will the inclusion of other allocations within the policies.
- 4.3 The figures in relation to retail need have been updated in light of the latest evidence base, however both the town centre boundaries and hierarchies of centres remain the same. Compared to the draft Site Allocations and Development Management Plan, minor changes in relation to the assessment

of retail frontages have been made and the Freeport Outlet Centre and Leisure and Entertainment.

- 4.4 The 'Shops and Services' chapter is set out in **Appendix 2**.

5 Creating High Quality Spaces

- 5.1 This section within the 'Creating Better Places' theme primarily deals with design and the built environment. It also includes detailed policies on dealing with the historic environment including conversation areas and listed buildings.
- 5.2 This section would not have a site specific detail or allocation and so the work before you includes the full policy text, including the strategic policies. Minor changes to the main layout and design of development policy have been made. The short policy on Outdoor Advertisements has been removed as there are appropriate controls in other regimes for this aspect of development. The shop front policy has been combined with the policy on facias and signs in conservation areas and therefore only now applies in conservation areas.
- 5.3 The 'Creating High Quality Spaces' chapter is set out in **Appendix 3**

6 Conclusion and Next Steps

- 6.1 The NPPF indicates that Local Plan policies should be focused, concise and accessible and they should not repeat each other or national policy, but set out how the critical areas facing each local authority should be dealt with. The proposed policies in the appendix to this report, aim to achieve this for their particular area.
- 6.2 Policies covering the other aspects of the Local Plan which are not site specific will be taken to the next Local Plan Sub Committee on the 14th January 2016, before all the detailed policies are considered by Council on the 25th January 2016. It is then expected that the full document and accompanying sustainability appraisal will be considered by Members for consultation in June 2016.

7 Recommendation

To recommend approval to Council of The Strong Economy Policies as set out in Appendix 1

To recommend to Council that they approve the Shops and Services policies as set out in Appendix 2

To recommend to Council that they approve the Creating High Quality Spaces chapter set out in Appendix 3

Appendix 1: A Strong Economy

The national policy context is provided by the NPPF, according to which the Council should;

- Positively and pro-actively encourage economic growth
- Set criteria or identify strategic sites to meet anticipated needs over the plan period
- Support existing business sectors and plan for new business sectors likely to locate in the District
- Plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries
- Identify priority areas for economic regeneration
- Review land allocations and avoid the long term protection of sites allocated for employment use, where there is no reasonable prospect of a site being used for employment

Situated between the major urban centres of Colchester and Chelmsford, and close to Cambridge and London and the international hubs of London Stansted Airport and the Haven ports, Braintree District is well located to support business growth and inward investment. The District is just 45 minutes from central London and has good rail and road links to London and the wider region. This location heavily influences the economy of the District.

At the regional level Braintree district falls within the boundaries of the South East Local Enterprise Partnership (SELEP). The SELEP growth deal for the period between 2015 and 2021, aims to create up to 45,000 new jobs and see 23,000 new homes built. The Deal has the potential to generate £700m of public and private investment and brings new responsibilities and flexibilities.

Essex County Council's Economic Growth Strategy sets out an economic vision for the county, which aims for Essex to continue to specialise in growth sectors such as advanced manufacturing, low carbon technologies and logistics.

The District is also part of the Haven Gateway Partnership which is a public/private partnership set up in 2001. The partnership embraces ports and logistics but also drives economic growth more generally across the whole area. The A120 Haven Gateway corridor is designated by the SE LEP as an enterprise corridor where much of the employment growth will be located alongside the A120. A bid for enterprise zone status has been submitted, the outcome of which is expected shortly.

Out commuting is a feature of the District and more residents leave the District to work, then work within the District. However despite this over two thirds of the jobs located within the District are taken by local residents. Those who work in the District earn on average less on average than the average wages of those living in the District, who's wages are higher than the Essex and national average.

The economy of the District is dominated by small and medium sized businesses. It retains a relatively large proportion of industrial type occupations, and whilst there

are more jobs in the office based sector, this is significantly below the Essex and national averages. Most employment areas are located around the main towns of Braintree, Halstead and Witham, but rural employment also plays an important part of the economy.

Education and skills are an important part of the economy as a well-educated and qualified population is good for the economic health and attractiveness of the District for new and existing businesses. It is important that new development has provision for education, school places, and when necessary, the identification of new sites for schools. Protection and expansion of existing schools and nurseries is also likely to be necessary where sufficient outdoor space can be provided.

The quality of schooling is also vital, and it is important to ensure that the people of the District have the opportunity to meet their full potential. A range of educational opportunities should be provided including practical vocational training and on the job training such as apprenticeships. Education is a continuing process and opportunities should be available for all age groups to expand their skills and knowledge base.

The availability of reliable high speed broadband is an essential and this is considered in more detail in the infrastructure section.

There is a real opportunity therefore within this Plan period to create significant economic growth within the District which could build on the recent growth sectors in the local economy of finance and insurance for example, to reverse out commuting trends and bring more high value, high skilled jobs to the District.

An Employment Land Needs Assessment (ELNA) was completed by consultants Aecom in 2015 and used employment projections from the East of England Forecasting Model (EEFM) together with additional local information to recommend the amount of additional floorspace or land that is required.

In terms of office space the study recommends that between 53,400 sqm and 66,800 sqm of additional office is required to meet the demand. This amount of floorspace is difficult to convert to hectares because of the different heights and land take of office buildings. The mid point of the ODMP Employment Land Reviews Guidance Note between 1:0.25 to 1:0.4 means the District would need to allocate 20ha of additional B1 business space.

The study also found that whilst there was a estimated decline in manufacturing in the District, there would continue to be increasing demand for logistics in the District and that between 7.5ha and 11ha of industrial land is required to meet that need.

There are two significant areas of employment development which have already been approved in the 2011 Core Strategy. These were an extension to the Springwood Drive industrial area in Braintree, as part of a wider mixed use scheme, which has now been given outline planning consent. A site off the A131 near Great Notley called Eastlink120 has an adopted masterplan which is available on the Councils website. This site is part of the proposed enterprise zone bid.

Employment Policy Areas

Waste management facilities have been added to the uses appropriate on employment policy areas at the request of Essex County Council. Sale of vehicles, indoor sports and recreation and retailing have been removed.

These new sites, along with a range of other new and existing sites are allocated as employment policy areas. The policy below sets out the uses which will be supported on these sites.

Employment Policy Areas

Employment policy areas are identified on the Proposals Map, where the following uses will be considered appropriate and will be permitted and retained:

- a. Business (B1) general industrial (B2) and storage and distribution (B8)
- b. Repair of vehicles and vehicle parts
- c. Services specifically provided for the benefit of businesses or workers based on within the employment area
- d. Waste management facilities as appropriate taking into account neighbouring uses

Alternative option

To be less restrictive on the potential uses on employment sites and allow retailing, ancillary uses and indoor sports and recreation facilities.

Business Uses

This remains as per the business uses policy in the ADMP.

The Council has also identified a number of employment areas which are not suitable for more general industrial or distribution uses by virtue of the surrounding uses, location, or access to the strategic road network and therefore a number of employment sites, often in rural areas, are proposed for B1 business uses only.

Business Uses

Locations for B1 business uses are identified on the Proposal Map. On these sites only uses falling within use class B1 business use will be permitted. No other uses will be permitted unless they are both essential and ancillary to the main use of any unit and do not occupy more than 5% of the floor space of the main unit.

Alternative Options

To allow the same ancillary uses on B1 businesses sites as is set out in employment policy areas.

Design and Layout of Employment Policy Areas and Business Uses

This policy has clarified the expectations on parking, access and landscaping

Appropriate layout and design of new business parks is important in attracting and retaining users on the site and creating a pleasant environment for people to work. Layouts must be attractive but also practical and easy to maintain to ensure the long term success of an employment area. Many older employment areas in the District suffer from a lack of car parking, which can led to a poor quality environment and problems with access and servicing. The policy below therefore specifically protects car parking areas from being built on, unless this will be re-provided elsewhere.

Design and Layout of Employment Policy Areas and Business Uses

New employment and business developments are expected to be a practical and attractive design which includes suitable access for staff, delivery and service vehicles, pedestrians, public transport and cyclists, in a safe environment.

On sites of over 5ha additional overspill parking areas for all users of the site may be required to ensure vehicle parking is accommodated.

On existing employment policy areas and business use areas, proposals for changes to the layout of the site, or buildings will only be approved where;

- The design would not result in a cramped or overdeveloped appearance at odds with other parts of the employment area
- Car parking remains or is provided at the standard levels required
- Structural landscaping will be unaffected and smaller scale landscaping should be retained or replaced.

Alternative Options

To not have a specific policy on design in commercial areas and rely on the general design policy for all new developments in the District.

Rural Enterprise

This is a new policy specifically related to business uses in rural area. Policies in the housing chapter will deal more fully with conversion of rural buildings, including barns to residential development

Whilst most large scale employment development should be directed towards the larger towns in the District, smaller scale employment in rural areas should be supported. This applies to all types of businesses but also those businesses that may be specifically related to rural areas, for example farm diversification schemes or tourist and visitor facilities. Businesses located in the rural areas contribute significantly to the economy of the District and provide local employment opportunities to those living in rural areas which might be accessible by walking and cycling.

The success and growth of businesses in rural areas must be balanced against the retention of the rural character and the high quality landscape. Some locations outside of the main towns but close to the strategic road or rail network for example, may be more suitable for larger scale employment development than those which are located in more isolated parts of the District. Existing buildings in rural areas should be utilised wherever possible when additional space is required before new buildings are considered.

There are some circumstances where rural employment buildings become unused and the District Council must balance the need to ensure that appropriate land is preserved for employment uses but that sites which are no longer fit for purpose can be utilised for alternative uses such as homes.

Rural Enterprise

Proposals for appropriate scale economic development, outside of the Main Towns, will be supported where the following criteria are met;

1. There is no unacceptable impact on protected species or the historic environment
2. The access and traffic generated by the development can be accommodated on the local road system without adverse impacts on the road, residential amenity or the local character, or can be mitigated against.
3. The conversion and re-use of existing buildings should be considered in the first instance before appropriately designed new buildings are considered.
4. Where new buildings are considered their form, bulk and general design are in keeping with their surroundings and local landscape character.

Change of use of rural employment buildings to residential will only be permitted where it can be proven that there are not strong economic reasons why the building should be retained in employment uses.

Alternative Options

To have a less restrictive policy on rural enterprise which allows development to take place in more circumstances.

Appendix 2 - Shops & Services

The Strategic Policy Town Centres, Retailing and Regeneration will remain largely unchanged. Further work is required on which site allocations should be taken forward over the plan period to meet the likely retail floor space requirement for the district, and will be added later.

Supporting text

Town centres are key economic drivers for the District and are the primary centres for retail and cultural provision. They provide shopping, services and cultural and recreational opportunities for residents within the District, as well as, visitors and contribute significantly to the local economy and employment.

This policy sets out the general principle for retailing and town centre regeneration, identifies Braintree, Halstead and Witham town centres as the primary locations for retail, office, leisure and cultural provision in the District.

The NPPF states that in order to ensure the vitality of town centres, planning policies should promote competitive town centre environments and the management and growth of centres over the plan period. It states that the extent of town centres and primary shopping areas should be defined, based on a clear definition of primary and secondary frontages in designated centres and Councils should set policies that make it clear which uses will be permitted in such locations.

The policies and retail allocations proposed in this document are supported by the Retail Study Update 2015, produced by Nathaniel Lichfield and Partners for the Council.

Retail Hierarchy

The town centres are the primary location for main town centre uses and are the most sequentially preferable location for retail development. The town centre boundaries are shown on the Proposals Map and their boundaries will be the basis for the application of the sequential test.

Policy - Town Centres, Retailing and Regeneration

To ensure the long-term vitality and viability of the District's Town, District and Local Centres, the town centres of Braintree, Halstead and Witham will be the primary location for main town centre uses such as retail, office, leisure and entertainment in the District.

Proposals that positively contribute towards creating attractive, vibrant and safe centres that offer a diverse mix of uses that promote and improve choice, and in the main towns support the diversification of the evening economy will be supported subject to amenity impact on residents.

Comparison (Food) retailing across the district is expected to grow. Evidence suggests that across the district 7885sqm (gross) of new floorspace will be required. For comparison (i.e. Electrical goods/furniture) 12,501 sqm (gross) will be required, and for food and beverage provision 8304sqm (gross) is needed. The following retail and leisure provision is required in the District up to 2033.

The improvement and regeneration of the town centres will be promoted and the regeneration of the following locations is proposed to meet the identified need for additional retailing, community facilities and services and other main town centre uses:

Any additional proposals for retailing and town centre uses will be based on the sequential approach as set out in National Guidance.

The scale of development will need to be consistent with the following hierarchy with larger scale development focused on the town centres:

Town Centres – Braintree, Witham and Halstead town centres

District Centre – Great Notley Neighbourhood Centre

Local Centres – Coggeshall, Earls Colne, Hatfield Peverel, Kelvedon, Sible Hedingham and Silver End and within the growth locations at the North West Braintree Growth Location Braintree and within the Maltings Lane development, Witham.

Local Centres will be protected from inappropriate development and enhanced to provide small-scale shops, services and community facilities for local residents.

Town Centre Boundaries, Primary Shopping Areas, and primary and secondary retail frontages are identified on the inset maps.

Primary Shopping Areas

The primary shopping area policy is largely unchanged from the 2014 Plan, however some additional work may be required to ensure that that percentage of continuous A1 shop fronts is appropriate, and effective.

Supporting Text

The primary shopping areas policy is as set out in the SADMP ADM24 – Primary Shopping Areas. Primary shopping areas are defined on the Proposal Map within town centres in Braintree, Witham and Halstead. They are made up of primary and secondary retail frontages, which are also defined on the Proposals Map. Primary frontages have been identified as those which attract a higher level of rental income, footfall and where key stores are present and are therefore considered to be the most attractive retail areas within town centres. The secondary frontages have a lower rent profile and are not as attractive to main retail uses. However, it would still be suitable to promote town centre uses in these locations, although more flexibility is appropriate. Uses acceptable in secondary frontages include A1, A2, A3, A4 and A5 and B1 office, D1 (non-residential institutions) and D2 (assembly and leisure).

Residential uses will not be permitted within primary shopping areas unless they are located on the first floor, or above and do not compromise the ability of a shop unit to operate by, for example, the loss of storage space, preparation areas, deliveries to the unit, or similar issues. The reference to 'street frontage' in Policy ADM24 refers to the entire length of the relevant side of the road within the primary shopping area, measured at ground floor level. It is not proposed to define a 'continuous frontage' as this will be determined on a case by case basis. A road would be considered a break in a frontage.

Primary Shopping Areas

Within the primary shopping areas, as defined on the Proposals Maps, primary and secondary frontages have been identified.

The following uses will be permitted within primary frontages:

- Retail development (Use Class A1)

Proposals for use classes A2- A5 and D1 - D2 provided that;

- It would not result in less than 75% of units in a primary street frontage being A1 uses,
- It would not break a continuous A1 primary retail frontage

Residential development (C3) provided that it is not located on the ground floor;

The following uses will be permitted within Secondary Frontages:

- Use Classes A1 to A5, B1 and D1 to D2.

For proposals within Primary Shopping Areas creating more than 2 residential flats above ground floor level, the development should not result in the loss of ancillary storage spaces to the extent that it would make a ground floor unit not viable, and the development would not prevent off street servicing of any ground floor unit.

District Centres

This policy refers to the District centre at Great Notley, and is unchanged from the ADM25 – District Centre

District Centre

Within the District Centre as defined on the Proposals Map, the following uses will be permitted:

1. Retail development (Use Class A1);
2. Proposals for use classes A2- A5 and D1- D2 provided that it would not result in less than 75% of units being A1 uses;
3. Residential development (C3) provided that it is not located on the ground floor.

For proposals creating more than 2 residential flats above ground floor level, the development would not result in the loss of ancillary storage space to the extent that it would make a ground floor unit unviable and the development would not prevent off-street servicing of any ground floor unit.

Impact Assessments

This policy refers to the impact assessments for proposals for main town centre uses in out of centre locations. The policy wording is unchanged, and the 2015 Retail Study indicates that the thresholds should remain the same, with lower thresholds for Witham and Halstead.

Supporting Text

The NPPF requires an impact assessment for retail, leisure and office developments outside town centres, where such proposals are not in accordance with an up-to-date Local Plan. The default national threshold for such assessment is 2500 sq m. However, the Retail Study Update 2015 advises that this is inappropriate as a blanket threshold within Braintree District, as this scale of development would represent a significant proportion of the overall retail projections in the local authority area. Development smaller than 2,500sqm gross could have a significant adverse impact on the smaller town centres. In order therefore to protect these centres, a lower threshold has been defined of 1500 sqm gross for Witham and Halstead, 1000sqm gross for Great Notley and 500 sqm gross for the local centres. Given the scale of existing uses in the local centres, proposals of 500 sqm gross or greater in these centres will be of significance and therefore should be subject to an impact assessment.

The assessment enables developers and the Council to determine whether or not a retail proposal would have a negative impact on the vitality and viability of existing retail centres within the District. With this information it can be determined whether a smaller proposal could be acceptable and could go ahead without any significant impact on centres and planned growth within those centres. Vulnerable centres would include centres where there is a significantly higher percentage of long-term vacant retail premises than in the District overall.

Impact Assessments

An Impact Assessment will be required for main Town Centre uses (as defined in National Policy) proposed for sites that are not within a Town, District or Local Centre and which are in excess of the following floorspace thresholds:

- 2500sqm gross for developments affecting Braintree town centre;
- 1500sqm gross for developments affecting Halstead and Witham town centres;
- 1000sqm gross for development potentially affecting Great Notley district centre; or
- 500 sqm gross development potentially affecting a local centre as defined on the Proposals Map.

This is in order to safeguard the viability and vitality of the centres. Where a proposal is less than the threshold, an impact assessment will not normally be required unless the Centre it would affect is considered to be vulnerable.

Town Centre improvements

Following advice from development management, it is proposed to delete this policy as town centre improvements, should be sought on a development by development where opportunities are available to improve town centres, rather than as a blanket requirement.

Out of town Retailing

The pre-amble and policies under this section are unchanged. However further work on site allocations will be needed. As such site specific policies on Freeport Outlet Centre, and Braintree Retail Park and will be reported at a later date.

Supporting Text

The Freeport Designer Village Outlet Centre at Braintree opened in 2000. It offers end of line, surplus goods at a discounted price below that which would be found in town centres. The type of goods sold and the discounts which should apply to them

are strictly controlled through section 106 agreements, between the Council and the developer. The Outlet Centre is also allowed to sell food for immediate consumption on or off the site. It attracts visitors from outside the local area.

Both Freeport and Braintree Retail Park are very popular and as such parking can be difficult, particularly at peak times such as weekends and bank holidays. In order to retain sufficient parking and to prevent problems of visitors to Freeport and the Retail Park parking on adjoining roads, the existing parking areas will be allocated for parking, in order to retain them for that purpose.

The area is well connected to Braintree Town Centre by an hourly train service and a more frequent bus service, which operates during the opening hours of Freeport. The Council intends that the outlet Centre and bulky goods provision should be complementary to Braintree Town Centre, rather than competing with it.

The Core Strategy does not include Freeport, or Braintree Retail Park within the retail hierarchy as a town, district or local centre, as they do not provide these functions. The Retail Study Update 2015 has confirmed that Braintree Freeport and Braintree Retail Park do not meet the definition of a district centre. The Study confirms that both function as specialised comparison shopping destinations, rather than perform a district centre shopping function.

The Retail Study Update assessed whether there was a need to improve the retail offer at Braintree Freeport, or Braintree Retail Park. It concluded in paragraph 9.11 that there is no requirement to improve the quantum, or range of retail offer at these successful retail destinations, over and above the existing retail park extension commitment, however an undeveloped 'L' shaped area of land to the north of Freeport is allocated for employment or retail warehousing use.

Retail Allocations

As this policy contains site specific allocations, it will be reported to Members at a later date.

Comprehensive Development Areas

As this policy contains site specific allocations, it will be reported to Members at a later date.

Appendix 3 - Creating High Quality Spaces

The proposed strategic policy for Creating High Quality Spaces is based on the Core Strategy (2011) policy CS9 – Built and Historic Environment. The main difference is that the policy has been updated in light of the requirements of the NPPF, and that references to energy efficient design and materials has been removed as this issue is now covered by Building Control regulations, and the Council does not have any evidence demonstrating that a local standard could be used.

Strategic Policy – Creating High Quality Spaces

The Council will promote and secure the highest possible standards of design and layout in all new development, and the protection and enhancement of the historic environment in order to;

- Respect and respond to the local context, especially in the District's historic villages, where development affects the setting of historic or important buildings, conservation areas, and areas of highest archaeological and landscape sensitivity.
- Promote and encourage the contribution that historical assets can make towards driving regeneration, economic development, tourism and leisure provision in the District.
- Create environments which are safe and accessible to everyone, and which will contribute towards the quality of life in all towns and villages.
- Create good quality built environments in commercial and business districts and in the public realm as well as in residential areas.
- Be capable of meeting the changing future of occupiers,
- Promote the sympathetic re-use of buildings, particularly where they make a positive contribute to the delivery of sustainable development and regeneration.

Layout and Design of Development

It is proposed to carry forward the 2014 Pre-Submission Site Allocations and Development Management Plan policy ADM60 – Layout and Design of Development.

The NPPF encourages innovative design as such a reference has been added encouraging innovative design where appropriate.

Reference has been made to overshadowing or overbearing impact on neighbouring properties in order to better control impact of development on neighbouring properties.

The landscaping criteria is been broadened to ensure that landscaping schemes complement the local landscape character.

Lastly a criteria has been added which covers external alterations to building in order to help better guide this type of development when it requires planning permission.

The Council is committed to ensuring high standards of design and layout in the District, as well as recognising the importance of heritage assets and the quality of the environment. In accordance with the NPPF, the Council will require good design, protect and enhance the historic environment, including its historic market towns, conservation areas, listed buildings, scheduled monuments, factory garden village (Silver End), historic parks and gardens, rural landscapes and archaeological assets. The NPPF emphasises the importance of good design for development. It is considered that good design is indistinguishable from good planning and sustainable development.

The Essex Design Guide is a useful starting point when formulating the design for a development and provides guidance regarding amenity standards, layouts and separation distances for dwellings.

Development in the context of this chapter includes development which would require planning permission, conservation area consent, listed building consent, has an impact on archaeological deposits, advertisement consent or consent resulting from an Article 4 direction.

Policy - Layout and Design of Development

The Council will seek a high standard of layout and design in all developments, large and small, in the District, and encourages innovative design where appropriate. Planning permission will only be granted where the following requirements are met:

- The scale, layout, density, height and massing of buildings and overall elevation design should reflect, or enhance the areas local distinctiveness and shall be in harmony with the character and appearance of the surrounding area; including their form, scale and impact on the skyline in the locality, overshadowing or overbearing impact on neighbouring properties, and on the building line;
- Buildings, open areas, circulation spaces, and other townscape and landscape areas shall be of a high standard of design and materials;
- Designs shall recognise and reflect local distinctiveness and be sensitive to the need to conserve local features of architectural, historic and landscape importance, particularly within Conservation Areas and in proximity to listed buildings, parks and gardens of historic interest, ancient monuments and sites of archaeological importance;
- Both the overall planning and detailed design shall incorporate measures to ensure the recognised national standards for environmental sustainability throughout the construction, occupation and demolition of the development; in relation to energy conservation, water efficiency, waste separation (internal and external), climate change, flood resilience and resistant construction, and the use of materials with low overall energy requirements;
- Designs and layouts shall promote a safe and secure environment, crime reduction and prevention, and shall encourage the related objective of enhancing personal safety; with the maximum amount of natural surveillance of roads, paths and all other open areas and all open spaces incorporated into schemes;

- Landscape design shall promote and enhance local biodiversity and historic environmental assets;
- The design and level of any lighting proposals will need to be in context with the local area, comply with national policy and avoid or minimise glare, spill and light pollution;
- Use of sustainable modes of transport are promoted in the design and layout of new development, the highway impact is assessed and the resultant traffic generation and its management shall seek to address safety concerns and avoid significant increases in traffic movement, particularly in residential areas;
- Proposals for the long term maintenance of public areas, landscaping and highways are included.
- Development will be planned to minimise vulnerability to climate change impacts and that such development will not exacerbate vulnerability in other areas.
- New developments shall be served where ever possible by a fibre optic connection.
- The development proposed should not have a detrimental impact on highway safety.
- External alterations to buildings will be supported where they respect the character and appearance of the area, and where appropriate do not have a detrimental impact on heritage assets.

Outdoor Advertisements

The 2014 SADMP contained a policy which was used to ensure that outdoor advertisement proposal would not have a detrimental impact on amenity, or public and highway safety. This policy repeated national guidance for advertising consent, and is therefore not required.

Policy - Preservation and Enhancement of Conservation Areas, and Demolition within Conservation Areas.

This policy is not proposed to have any wording changes from policy ADM63 in the 2014 Plan.

Conservation Areas are designated under the Planning (Listed Building and Conservation Areas) Act 1990. In 2015 there were 39 Conservation Areas within the District, which are identified on the Proposals Map and Insets. These areas make an important contribution to the high quality of the built environment. The Council has a duty to preserve and enhance these areas and to ensure that development

preserves or enhances the character and appearance of conservation areas in the District. Such areas should be regularly monitored and reviewed from time to time in order to ensure that they are of sufficient architectural, or historic value to justify their status. The Council will encourage enhancement works in Conservation Areas where opportunities arise through development proposals. Areas are proposed for environmental improvements on the Proposals Map Insets within the Conservation Areas of Braintree Town Centre and Silver End.

Residential properties within Conservation Areas have additional restrictions on what can and cannot be done without consent from the Council. This includes reduced permitted development rights for domestic buildings, demolition, work to trees and the positioning of satellite dishes. Persons living within Conservation Areas should check with the Council prior to commencing any works, which may require Conservation Area consent. Parts of Silver End are covered by additional restrictions, further guidance is available from the council.

Development proposals in Conservation Areas should be of a quality that respects the historic and architectural character of the area.

Preservation and Enhancement of Conservation Areas, and Demolition within Conservation Areas

The Council will preserve and encourage the enhancement of the character and appearance of designated Conservation Areas and their settings. These include the buildings, open spaces and areas, landscape and historic features and views into, out from and within the constituent parts of designated areas. Built or other development within, or adjacent to a Conservation Area and affecting its setting will only be permitted provided that:

- The proposal does not detract from the character, appearance and essential features of the Conservation Area;
- Architectural details on buildings of value are retained;
- Building materials are authentic and complementary to the building's character.

Demolition of an unlisted building or structure will only be granted in the most exceptional circumstances, where the following criteria are fully satisfied:-

- Its removal would not have a negative impact on the street-scene;
- The structure to be demolished makes no contribution to the character or appearance of the conservation area;
- Its removal would be beneficial to the local environment, or infrastructure;
- Proposals for the site's re-development are included as part of the demolition proposal, which would preserve or enhance the character and appearance of the area.

This policy has been unchanged except that the contents of the Shop Fronts policy (ADM62 – Shop Fronts) has been added to the policy. One criteria from the original Shop Fronts policy has been removed as it would be a duplication.

Where the display of advertisements is within, or affects the character or appearance of, designated Conservation Areas, the Council will apply the following policies:

Shop Fronts, Fascias and Signs in Conservation Areas

The Council will apply the following policies for the control of fascias and signs in Conservation Areas:

- Large, or unduly deep, fascias will be discouraged, as they tend to assume bold proportions, which detract from the vertical emphasis of historic and other buildings, particularly if applied across more than one frontage without an interval;
- Lettering and symbols should be in scale with both the building and any board, or structure, on which they are located. They should avoid enlarged type-faces and cramped spacing. Individual cast metal, or cut out, serif letters are considered appropriate, since they should not detract from the major focal interest of the facade and they have the added advantage of strong definition;
- Dominant, or overpowering, signs and those which appear unnecessary and repetitive will be resisted. In particular, many national identity signs are disruptive to domestic scale and inappropriate for conservation areas. Hanging signs may be acceptable, where fascia signs are inappropriate;
- Any undue proliferation of advertisement displays will be opposed and signs above ground floor level will normally be refused;
- All advertisements should be designed as an integral part of the host building, of a size and design, which is in harmony with the character of the Conservation Area.
- Display windows should be sub-divided into areas which create proportional harmony and relate to the character and features of the building;
- Traditional materials should be used wherever possible;
- Inappropriate division of the buildings behind their facades will not be permitted;
- Stall risers should always be provided: They should be between 450mm and 700mm high and have a moulded projecting sill, to provide a strong junction with the glass.

This policy is unchanged from the 2014 Plan.

Illuminated Signs in Conservation Areas

The Council will apply the following criteria for the control of illuminated fascia and projecting signs in Conservation Areas:

- Well designed and proportioned fascia signs will be considered favourably, depending upon the building and the setting, provided that the lettering only is illuminated;
- Wholly illuminated fascia signs, which are badly designed, using high glossed materials and large lettering, out of keeping with the character of the area, or the building on which they are to be displayed, will not be permitted;
- Well- designed hanging signs using traditional materials and lettering will be considered on their merits, in relation to the buildings and the setting. Any illumination necessary shall take the form of discreet external down lighting;
- Projecting and hanging signs should be non-illuminated and at, or just below, fascia level;
- Where illumination is proposed for shop fronts it should always be provided externally.

Alterations, Extensions and Changes of Use to Heritage Assets and their setting

This policy has had the phrase “heritage asset” replacing “listed building or structures”. The definition of a heritage asset is set out in the NPPF. It defines a heritage assets as; A building, monument, site, place, area of landscape identified as having a degree of significant meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (Including local listing)”.

This definition will enable the Council to fully consider heritage implications when determining applications which impact on the historic environment. As specific reference has also been added to the policy to name check locally listed heritage assets.

The National Heritage List for England shows that the District has 3237 heritage assets including 3189 listed buildings of all grades, 40 Scheduled Ancient Monuments and 8 Historic Parks and Gardens.

Buildings listed as being of special architectural or historic significance are subject to additional legislative controls, due to their intrinsic significance and their contribution to the character and appearance of their setting. Listed buildings often dominate the character of Conservation Areas, lying at the historic core of towns and villages. A number of listed buildings in the District are in rural locations, where their settings can affect wider tracts of land.

A number of historic parks and gardens, (many of which are associated with surviving, or demolished, manor houses) have been identified by English Heritage as worthy of protection and included in its register. Although inclusion does not convey any additional powers over development, the protection of their special character is a material consideration, to be taken fully into account in any development proposals affecting registered parks or gardens, or their settings.

A schedule has been kept since 1882 of monuments considered to be of national importance by the Government. The Ancient Monuments and Archaeological Areas Act 1979, supports a formal system of Scheduled Monument consent for any work to a designated monument.

The NPPF makes it clear that great weight should be given to the conservation of heritage assets. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should also be considered subject to the policies for designated heritage assets. Heritage assets should be conserved so they can be enjoyed for their contribution to the quality of life and for future generations bringing wider social, cultural, economic and environmental benefits. Substantial harm or loss of Grade II heritage assets should be exceptional and in the case of designated heritage assets of the highest significance (Grade I or II*, registered parks and gardens etc) should be wholly exceptional. As such, applications for total or partial demolition of listed buildings and other heritage assets will not be permitted, unless there are very clear circumstances indicating that there are no practical alternatives to demolition, and that the intended development will produce demonstrable community benefits, including design and built environment benefits.

The Council will support the preparation of a local heritage list by local community volunteers to be based upon selection criteria in accordance with the English Heritage Good Practice Guidance. This local list would be used to identify significant local heritage assets and would strengthen their role as a material planning consideration.

Alterations, Extensions and Changes of Use to Heritage Assets and their Settings

Development involving internal, or external alterations, or extensions, to a listed building, or listed structure (including any structures defined as having equivalent status, due to being situated within the curtilage of a listed building, and locally listed heritage assets), and changes of use will only be permitted when:

- The works or uses do not harm the significance of the setting, character, structural stability, and fabric of the building or structure;
- The works or uses do not result in the substantial harm, or damage to, the building or structures historic and architectural elements which are considered to be of significance or special importance;
- The works or uses include the use of appropriate materials and finishes.
- The application submitted contains details of the significance of the heritage asset (either within the design and access statement or within a Heritage Statement) which should include any contribution made by their setting;
- There may be a requirement for appropriate specialist recording to be carried out prior to the change of use demolition or conversion of a listed building or associated historic building.

The Council will seek to preserve and enhance the settings of heritage assets, by appropriate control over the development, design and use of adjoining land.

Demolition of Listed Buildings or Structures

This policy is unchanged from the SADMP policy ADM67 – Demolition of Listed Buildings or Structures.

Proposals for the demolition of listed buildings will only be considered appropriate in exceptional circumstances. The preservation of all heritage assets will be the default position of the Council.

Demolition of Listed Buildings or Structures

Consent for the partial or total demolition of a listed building or structure will only be granted in the most exceptional circumstances, where the following criteria are fully satisfied:

- The demolition is demonstrably unavoidable for structural safety reasons;
- The redevelopment of the site would provide an extraordinary benefit for the local area, which would decisively outweigh the loss resulting from demolition;
- Demolition works are made conditional upon planning permission being granted and a contract agreed, for when redevelopment is intended;
- Appropriate specialist recording is likely to be required prior to demolition;
- All reasonable efforts have been made to sustain existing uses, find viable new uses, or secure preservation through a form of charitable or community ownership and that these efforts have failed.

Enabling Development

This policy is unchanged from the SADMP policy ADM68 – Enabling Development.

Enabling development is defined as development within the vicinity of heritage asset for the claimed purpose of assisting its repair, restoration or improvement.

The NPPF requires local authorities to assess whether the benefits of a proposal for enabling development (which would otherwise conflict with planning policies, but would secure the future conservation of a heritage asset) outweigh the disadvantages of departing from those policies. The English Heritage Enabling Development Guidance updated in 2012 provides further guidance on this matter and this will help the Council determine the suitability of 'enabling development proposals'.

Enabling Development

Development proposals to secure the future of a heritage asset will be considered on their merits and assessed on the basis of the need to preserve the heritage asset, rather than the personal circumstances of its owner. Such proposals will only be permitted subject to the following criteria:

- a. It will not materially harm the heritage values of the place or its setting;
- b. It avoids detrimental fragmentation of management of the heritage assets;
- c. It will secure the long-term future of the place and where applicable, its continued use for a sympathetic purpose;
- d. It is necessary to resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid;
- e. Sufficient subsidy is not available from any other source;
- f. It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests;
- g. The public benefit of securing the future of the significant place, through such enabling development, decisively outweighs the dis-benefits of breaching other public policies.

Archaeological Evaluation, Excavation and Recording

This policy is unchanged from the SADMP policy ADM69 – Archaeological Evaluation, Excavation and Recording.

A Historic Environment Characterisation Report (HECR) has been produced for Braintree District which outlines the sensitivity, diversity and value of the historic environment within the District and provides a comprehensive account of the character of the Districts historic environment and the heritage assets that contribute towards that character.

Braintree has a rich and varied historic environment with evidence of human activity dating back to the Palaeolithic period between 700,000 and 10,000 years BC. As such, it is important to assess areas within the District for their archaeological potential, as and when opportunities arise to do so. The Historic Environment Record contains 6622 records relating to the historic environment in Braintree District (this includes all designated sites described under 9.16). The majority of archaeological

sites are not designated, however, it is recognised that many are of a similar significance to designated assets.

Where a site on which development is proposed includes or has the potential to include heritage assets applications should describe the significance of any heritage assets affected. As a minimum the Historic Environment Record should have been consulted and an appropriate assessment produced.

Although it may not always be feasible to retain archaeological remains in situ, there will be presumption in favour of retaining such remains wherever possible. Proposals will be encouraged, which incorporate any archaeological or historic features that are discovered, within the development.

Archaeological Evaluation, Excavation and Recording

Where important archaeological remains are thought to be at risk from development, or if the development could impact on a scheduled ancient monument, or historic park and garden, the developer will be required to arrange for an archaeological evaluation of the site to be undertaken and submitted as part of the planning application. The Essex Historic Environment Record should be the primary source for assessment for archaeological potential. The evaluation will assess the character, importance and extent of the archaeological remains and will allow an informed decision to be made on the planning application.

Where permission is granted, conditions will be imposed to ensure that the archaeological remains appropriately mitigated by excavation or survey prior to the development commencing. There will be a requirement to make the result of these investigations publicly accessible.