

LOCAL PLAN SUB-COMMITTEE AGENDA

Monday, 31 October 2016 at 06:00 PM

**Council Chamber, Braintree District Council, Causeway House, Bocking
End, Braintree, CM7 9HB**

THIS MEETING IS OPEN TO THE PUBLIC
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**Members of the Local Plan Sub-Committee are requested to attend this meeting to
transact the business set out in the Agenda.**

Membership:-

Councillor D Bebb	Councillor Mrs J Money
Councillor Mrs L Bowers-Flint (Chairman)	Councillor Lady Newton
Councillor G Butland	Councillor J O'Reilly-Cicconi
Councillor T Cunningham	Councillor Mrs W Scattergood
Councillor D Hume	Councillor Miss M Thorogood

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk by 3pm on the day of the meeting.

N BEACH
Chief Executive

INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

Question Time

The Agenda allows for a period of up to 30 minutes when members of the public can speak. Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk no later than 2 working days prior to the meeting. The Council reserves the right to decline any requests to register to speak if they are received after this time. Members of the public can remain to observe the public session of the meeting.

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PUBLIC SESSION

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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 5th October 2016 (copy to follow).

4 Public Question Time

(See paragraph above)

5 Braintree Draft Local Plan - Consultation Responses

4 - 68

6 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.

7 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

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8 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.

Braintree Draft Local Plan – Responses Received to the Draft Local Plan.		Agenda No: 5
Portfolio: Planning and Housing Corporate Outcome: Securing appropriate infrastructure and housing growth Report Presented by: Report Prepared by: Sean Tofts, Alan Massow and Emma Goodings		
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) • Settlement Boundary Review Methodology (2015) • New Draft Local Plan (2016) • Site Allocations and Development Management Plan (2014) 		Public Report: Yes Key Decision: No
Executive Summary: <p>This report looks at the villages of Ashen, Bulmer and Bulmer Tye, Gainsford End, Gosfield, Great Maplestead, Great Yeldham, Little Yeldham and North End, Panfield, Pebmarsh, Ridgewell, Shalford and Church End Shalford, Silver End, Stambourne Parish - Chapelend Way and Dyers End, Steeple Bumpstead, Terling, Tilbury Juxta Clare, and Wickham St Paul.</p> <p>The report takes each area in turn and sets out the summary of comments received and considers any new sites which have been put forward. Based on this an officer recommendation for any further changes to the Plan is then set out. Maps of the sites and the proposed inset maps for the villages with development boundaries to be contained within the Pre Submission Local Plan are contained within a separate Appendix.</p> <p>The report also looks at the Local Plan text for the Visions and Objectives, and the Design and Heritage policies. The supporting text and policy is written out in full within the report and the changes are shown clearly as strike through for deletions and bold and underline for new pieces of text.</p>		

Decision:

To approve changes to the draft inset maps for the villages of Ashen, Bulmer and Bulmer Tye, Gainsford End, Gosfield, Great Maplestead, Great Yeldham, Little Yeldham and North End, Panfield, Pebmarsh, Ridgewell, Shalford and Church End Shalford, Silver End, Stambourne Parish - Chapelend Way and Dyers End, Steeple Bumpstead, Terling, Tilbury Juxta Clare, and Wickham St Paul and changes to the Vision and Objectives, and Design and Heritage policies.

Recommendation A - The Inset Map for Ashen to remain unchanged from that in the draft Local Plan, as shown in the Appendix.

Recommendation B - The Inset Map for Bulmer is amended as shown in the Appendix.

Recommendation C - The Inset Map for Bulmer Tye is amended as shown in the Appendix.

Recommendation D - Gainsford End to remain as a settlement within the countryside with no development boundary.

Recommendation E - The Inset Map for Gosfield to remain unchanged from that in the draft Local Plan, as shown in the Appendix.

Recommendation F – No alteration to the Great Maplestead Inset Map.

Recommendation G - That the Inset Map for Great Yeldham is amended to remove the informal recreation designation as proposed in the Appendix.

Recommendation H - The Inset Map for Little Yeldham to remain unchanged from that in the draft Local Plan.

Recommendation I - That the Inset Map for Panfield remains unchanged from that in the draft Local Plan, as shown in the Appendix.

Recommendation J - That the Inset Map for Pebmarsh to remain unchanged from the draft Local Plan shown in the Appendix.

Recommendation K - The Inset Map for Ridgewell to remain unchanged from that in the draft Local Plan, as shown in the Appendix.

Recommendation L - That the Inset Map for Shalford remain unchanged from that in the Draft Local Plan, as shown in the Appendix.

Recommendation M - That the Inset Map for Shalford Church End to be amended to include a revised development boundary at site SHAL374 land west of Little Gables, as shown in the Appendix.

Recommendation N - The Inset Map for Silver End to remain unchanged from that

in the draft Local Plan, as shown in the appendix.

Recommendation O - The Inset Map for Stambourne Chapelend Way to remain unchanged from that in the draft Local Plan, as shown in the appendix.

Recommendation P - The Inset Map for Stambourne Dyers End to remain unchanged from that in the draft Local Plan, as shown in the appendix.

Recommendation Q -The Inset Map for Steeple Bumpstead to remain unchanged from that in the draft Local Plan, as shown in the Appendix.

Recommendation R - The Inset Map for Terling is amended as shown in the Appendix.

Recommendation S - The Inset Map for Tilbury Juxta Clare to remain unchanged from that in the draft Local Plan, as shown in the appendix.

Recommendation T - The Inset Map for Wickham St Paul to be amended from that shown in the draft Local Plan, as shown in the Appendix.

Recommendation U - Updated Vision Text.

Recommendation V - Updated Key Objectives.

Recommendation W – Updated Built Historic Environment Text.

Recommendation X - Creating High Quality Spaces.

Recommendation Y – Updated Conservation Areas Text.

Recommendation Z - Heritage Asset Text.

Recommendation AA – Listed Buildings or Structures Text.

Recommendation BB – Updated Enabling Development Text.

Recommendation CC – Sites of Archaeological Importance.

Purpose of Decision:

To consider the responses to the Draft Local Plan consultation in relation to these villages and chapters and make any changes as a result of the comments.

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 Council's policies should take account of equalities and diversity.
Safeguarding:	None

Customer Impact:	There has been and 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:	Emma Goodings
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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. As part of the Local Plan, the Council is required to boost significantly the supply of housing as set out in the National Planning Policy Framework.
- 1.2 In 2013 and 2014 the Council consulted on the Site Allocations and Development Management Plan document. This included a proposed new inset map for all defined settlements (towns and villages) within the District.
- 1.3 During this time significant detailed revision of many of the inset maps were considered. For the new Local Plan these maps will provide a starting point for any further changes and updates required.
- 1.4 The preferred Inset Map for each defined settlement, together with a map showing the alternative site options that were considered and not taken forward will be contained within the draft Local Plan for public consultation in the summer.
- 1.5 There is no specific housing target for each area and all sites will be assessed on their merits. If, when all towns and villages have been through Local Plan sub-committee, not enough sites have been chosen for development, then additional sites will need to be considered and added to the proposed list of allocations.
- 1.6 The villages which are being considered today are most of the smallest villages in the District and as such are considered some of the least sustainable.
- 1.7 The Plan includes 68 strategic and non-strategic policies set around 3 key themes, A Prosperous District, Creating Better Places and The Districts Natural Environment. The Plan also includes a shared strategic section of the Plan and 10 policies (prefixed SP) which are replicated in Colchester and Tendring Local Plan. All comments received by each of the three authorities

within their consultation periods are being co-ordinated and a single report will be produced on the responses to this section.

- 1.8 Full Council agreed the new Draft Local Plan for public consultation at its meeting on the 20th June 2016.
- 1.9 The Local Plan was subject to an 8 week public consultation which started on the 27th June and concluded on the 19th August.
- 1.10 A total of 3,100 comments have been received from 1,245 individuals. These are all available in full on the website at www.braintree.gov.uk/consultLP and we would ask all Members to read these comments.
- 1.11 The settlements and chapters are now considered individually below, including a summary of the comments received. Policies and supporting text are set out in full in italics and changes can be seen with strikethroughs for deletions and underline for new text.

2 Villages

2.1 Ashen

- 2.2 Ashen is a small village with a development boundary in the north of the District.

- 2.3 The Draft Local Plan proposed to retain the development boundary as shown in the Local Plan Review 2005. The Inset Map received 11 comments, 10 of the comments were in support of the current draft Local Plan in summary they stated that:

- Ashen is not a sustainable location for further development
- There is no need for further housing within the village
- The village is not supportive of any site
- ASHE104 is not has been proven to be an inappropriate location for the development sought

- 2.4 The owner of the site ASHE104 has commented upon the Inset Map. A summary of the points made are shown below:

- The applicant would like the site to be included within the development boundary
- That the site had been included within the development boundary within the SADMP
- The level of development sought is sustainable for the location
- The wider locality has a suitable range of facilities
- There is a limited planned bus timetable however community buses are available
- The development of the site would not harm the village; including in heritage and landscape impact terms

2.5 *Parish Council Comments:* No further commentary has been submitted during the public consultation by the Parish Council however their views put forward previously are summarised below:

- The village in planning terms lack the normal requirements to be considered a sustainable location for further growth
- The Parish Council suggest there are better facilities and services within the general area
- Any development should aid in supporting affordable housing for local need
- ASHE104 - The Council is very concerned by the proposed extension of the village envelope not only to include the immediate area of the two proposed dwellings but to encompass a much larger area including the rear of the listed Bishops Hall and the remaining garden of the grade 2* listed farmhouse.
- The Council would object to the balance of the site being included in the village envelope, having regard to its relationship to the Street and the listed buildings and for the other reasons in its objection. In the Council's view, if permission is granted for the two new dwellings, the approach should be adopted as in other sectors of the village of drawing the boundary so that it is closely related to the built fabric in order to protect the openness and contribution of the larger gardens to the character of the village and the setting of the listed buildings.
- ASHE102 – If a site was to be chosen for development this would be the preferred location and the scheme sought would be contingent on an identification of local need and an affordable housing element would be required
- Notwithstanding this the development of the site would lead to the loss of a greenfield site that undoubtedly effect the character of the entrance to the village
- ASHE103 – The location is an important gateway to the village and the development of the site would impact upon the visual character of the village; the site is not suitable for development
- ASHE500 – The site is not supported for allocation as it would seriously detract from the village. There is no identified means of access to this backland site.

2.6 *Officer Comments* – No further supporting information has been submitted to support the inclusion of ASHE102, ASHE103 or ASHE500. No comments of support have been made during the public consultation and it is suggested that they should remain unallocated. As stated on the 25th of May 2016 ASHE104 was approved by Members as a development boundary amendment to Ashen during the Site Allocations and Development Management document. However a subsequent planning application on the

site was refused planning permission was refused by the Planning Committee, in line the recommendation of officers. The issues involved included the impact on the Conservation Area and nearby listed buildings and a strong objection to development on this site was put forward by officers from Heritage England. Given this decision it is proposed to not include site ASHE104 within the development boundary, but return the boundary to that which is set out in the Local Plan 2005. The comments submitted into the Draft Local Plan are with the exception of one, are supportive of this approach.

2.7 Recommendation A - The Inset Map for Ashen to remain unchanged from that in the draft Local Plan, as shown in the Appendix.

2.8 Bulmer and Bulmer Tye

2.9 Bulmer is a village approximately 4 miles south west of Sudbury. Bulmer Tye is the southerly area of the parish located on the main A131 between Halstead and Sudbury whilst Bulmer itself is located at a cross roads of more rural roads. There are three development boundaries within the parish.

- 2.10 The Inset Maps received 2 comments which are summarised below:
- Support for the exclusion of BULM161 and BULM62 and BULM163 as the increase in traffic would be inappropriate
 - The preferred spatial strategy of the District Council is logical and that most of the development within the District should be within large planned developments close to good existing services and facilities

- 2.11 The agent for BULM158 has submitted further commentary regarding the site in summary it states:
- The considerations put forward on the 25th of May relating to the site rule out the judicious release of land at the appropriate level within the village
 - The landscape impact could be mitigated with appropriate landscaping
 - The site has a capacity of approximately 15 dwellings
 - The represents a natural extension of the village envelope
 - The considerations should be considered alongside the agent's considerations relating to the Spatial Policy, Housing Distribution, Delivery and Site Allocations.

- 2.12 A new site was submitted during the public consultation. The site reference BULM601 is located on Ryes Lane. The area of the site is approximately 0.34 of a hectare and is a greenfield site. The agent's comments supporting the site suggests:
- The site could accommodate 4 dwellings
 - The site is a logical extension to the development boundary

2.13 *Parish Council Comments* – The Parish Councils Comments have been informally sought for the consideration of BULM601. To summarise the commentary states:

- This site is outside the village envelope contrary to the village design statement
- Access would be a concern due to – Single track road, two farms and gate manufacturer at bottom of lane, drainage issues, junction with A131 at accident black spot
- Sewage system on limits of capacity
- Only one local resident is in favour of the site
- The location is not suitable for the development sought

2.14 No further commentary was submitted by the Parish Council during the public consultation however their previous commentary relating to the sites submitted is summarised below:

- BULM155 – The site should not be allocated; access is poor and the site serves as an important open space
- BULM156 – The site is not supported; the site is outside the village envelope and contrary to the VDS
- BULM157 – The site is not supported; it falls outside the development boundary and would negative impact upon sightlines (contrary to the VDS)
- BULM160 – The site is not supported and is outside the village envelope, it is located at an accident hot spot
- BULM161 – The site is does not comply with the VDS
- BULM162 – The site does not comply with the VDS
- BULM163 – Not recommended for allocation; the site is outside the development boundary
- BULM164 – The site is not supported for development; the development of the site would be contrary to the VDS
- BULM504 – The site has highways issues that would suggest the site should not be allocated
- BULM551 – The site is outside the development boundary and contrary to the VDS. The site is more suitable to industrial uses

2.15 The Henny's Middleton and Twinstead Parish Council also noted that they do not support the inclusion of BULM160.

2.16 *Officers Comments* – Although Bulmer has several facilities it does not provide a grocery store or local employment and is not identified as a service village. Any further proposed development would likely lead to a significant reliance on private transport. No further supporting information has been submitted for BULM155, BULM156, BULM157, BULM159, BULM160,

BULM161, BULM162, BULM163, BULM164, BULM504 or BULM551. As none of the aforementioned sites had any further supporting information come forward and no comments of support during the public consultation that they should remain unallocated.

- 2.17 The commentary included by the agent for BULM158 suggests that the officers recommendation was heavily based upon the development sought representing ribbon development. The report did include the commentary that the development of the site would amount to ribbon development however there were other issues including that the site suggested is part of a very large field with no natural screening and currently has a substantial hedge to the front providing a rural character for this part of Bulmer. The site is currently subject to a planning application, reference 16/01491/OUT. It is suggested that the site should be considered via the application process.
- 2.18 BULM601 is a site submitted during the public consultation. The Parish Council have informally been contacted and have suggested that they do not support the allocation of the site. Several letter of objection have also been received since the public consultation has closed. Though the site abuts the existing development boundary the access road is a single carriage way with not pedestrian access. The site is part of a much wider open field and the development of the site could detrimentally impact upon the visual characteristic of the cluster. Though Bulmer and Bulmer Tye have limited facilities the primary school is not located within this cluster. The development of the site would have a visual impact on the wider context due to the relatively flat nature of the surroundings.
- 2.19 Recommendation B - The Inset Map for Bulmer is amended as shown in the Appendix.**
- 2.20 Recommendation C - The Inset Map for Bulmer Tye is amended as shown in the Appendix.**
- 2.21 Gainsford End**
- 2.22 Gainsford End is a small hamlet within the Parish of Toppesfield and in open countryside. The Hamlet has no development boundary and consists of approximately 25 dwellings.
- 2.23 The hamlet received 1 comment from the public that in summary stated:
- the hamlet has insufficient infrastructure to support further development including
 - TOPP408 and TOPP409 could accommodate 54-65 dwellings (at a calculation of 25-30 dwellings per hectare)
 - the potential increase in the number of dwellings is not sustainable
 - brownfield sites elsewhere within the district should be considered first
- 2.24 The agent for TOPP409 made further representations stating that:

- The proposal is for a limited proposal to introduce small cluster of dwellings within an existing settlement.
- These representations should be taken into account alongside the further representations that have been set out by the agent in relation to the housing supply, site allocations and spatial strategy.
- The site is well-related to houses in the village and the playing field and is in harmony with the informal distribution of village housing. The proposed housing would not harm the character of the existing settlement and would be a positive addition to this small rural community

2.25 Parish Council comments – Though the Parish council have not submitted any further commentary during the public consultation the previous comments sought for the Local Plan Sub-Committee of the 13th of April is summarised below:

- The Parish Council held a public consultation regarding the sites submitted and the feedback was reflected in the Parish Council's comments. There were general concerns over the infrastructure and amenities within the Parish and the ability to sustain further growth.
- Though there were mixed views regarding each site it would seem that some sites are more preferable to others. However, no site was unanimously supported.

2.26 Officer Comments - Gainsford End is a small hamlet within the open countryside and has no development boundary. The hamlet has very little in terms of services and facilities and there is no public transport within the hamlet; the hamlet is under no specific requirement for further growth. Though the agent for TOPP409 has put forward a further statement of support it is the officer's opinion that in principle the development of the site is not sustainable. The agent suggests that that the development of the site would be a positive contribution to Gainsford End however it is suggested that there is a possibility that the development of the site could detrimentally impact upon the character of the settlement. Without a development boundary for Gainsford End, the allocation of sites for new homes here would require a development boundary for the hamlet which considering the potential impact upon the character of the settlement and the unsuitability of the location in relation to sustainability it is suggest that the hamlet remains as per the decision of the Local Plan Sub- Committee on the 13th of April 2016, and is within the countryside.

2.27 Recommendation D - Gainsford End to remain as a settlement within the countryside with no development boundary

2.28 Gosfield

2.29 Gosfield is a village with a development boundary to the north of Braintree and southwest of Halstead.

- 2.30 Gosfield Airfield is not an allocated employment site within the Local Plan Review 2005 however it was envisaged that the site would be allocated within the SADAMP for employment usages.
- 2.31 No comments were made by the general public relating to the village of Gosfield. 4 representations were made by the agents for GOSF248, GOSF249, GOSF251, GOSF253.
- 2.32 Two comments were made in objection to the current draft Local Plan for Gosfield Airfield.
- 2.33 The representation relating to GOSF248, located on land off of Nun's Meadow, in summary stated:
- This small site directly adjoins the Gosfield settlement boundary and would be accessed via an existing private driveway off Nun's Meadow. It is situated in an enclave alongside established village housing estate development which lie within the Conservation Area but are of no particularly special character
 - The commentary should be considered in conjunction with the comments of the agent relating to the spatial policies, housing distribution, delivery and site selection
 - The officer report on the 25th of May 2016 suggested that a proportionate amount of development would be possible within the village as the village has several services and facilities
 - The site does not amount to inappropriate backland development and could accommodate 5 dwellings which would be appropriate an appropriate level of development for the village
- 2.34 The representation relating to GOSF251, is located at The Limes, in summary stated:
- Gosfield is a sustainable location for a proportionate level of residential development to help sustain the local community and the vitality of the village
 - The officers comments of concern were mainly related to the protected lime trees
 - The representation included an indicative plan illustrating a proposal for 14 dwellings including an affordable housing element
 - The retention of the historic lime trees and public open space
 - An arboriculture report was also included suggesting that the scheme could mitigate harm to the lime trees
 - The proposal would be sympathetic to the historic assets including the conservation area as well as limiting the impact on the wider landscape
 - The allocation is tailored to local needs and would include an open space allocation

2.35 The representation relating to GOSF253, located on the land to the north of Meadway, in summary stated:

- The Parish Council has suggested some development within the village could be allowed
- The supporting information has attached an indicative suggestion of the land usages on the site and how a access could be permitted and landscape issues could be mitigated
- The site could be viable for 15 to 50 homes
- Gosfield is a sustainable location for further growth
- The allocation of this site would comply with NPPF paragraph 55

2.36 GOSF249 is located at Gosfield Airfield and seeks a further employment designation to that proposed within the SADAMP. The agent's representations relate to the site and LPP16 summarised below:

- The consultation period has not allowed enough time to fully investigate why the allocation of GOSF249 has been overturned
- The evidence that there is currently an over provision of employment land forecast is unclear
- The site serves as a key focus for employment serving the northern parts of the District which are relatively distant from the main urban centres of Braintree and Witham
- Hunwick Engineering Limited which trades as Transporter currently employs 150 staff on its Gosfield Airfield site and the site's total employment is currently in the order of 180
- The site is powered by a 50 acre solar park on the old airfield from 44,976 solar panels providing up to 11.47 MWp per annum
- An on-site Anaerobic Digestion Plant is now operational and delivers renewable energy
- Transporter practice a wide range of conservation and recycling measures including rainwater harvesting with a wide range of sustainable measures in prospect
- The existing employment site has been developed alongside major structural landscaping schemes and these would be expanded around an enlarged allocation
- The landscape impact of the enlarged site would be minimal
- The additional allocation will provide scope for existing companies to expand as well as attracting new companies to the area

2.37 The comments relating to GOSF249 in summary stated:

- The site is not allocated in open countryside; there is a substantial amount of structural planting

- The site is located in proximity to Sible Hedingham; a key service village
- There is a discrepancy in not allocating any new employment sites within Sible Hedingham while allowing redundant employment sites to be redeveloped for residential and health related uses
- The site's renewable energy production is a significant factor in contributing to the sustainability of the site; potentially the most sustainable employment site within these terms
- No evidence was supplied to support the opinion that there is currently an over provision of employment land within the district
- The site would have limited visible impact upon the residents of the area
- This site would support the District Economic Strategy and assist the long term envisaged growth with suitability for office and light industrial use+ warehouse/distribution + Research & Development. Business Service/IT (provision of 'start up' and medium Size)
- The plan should allow for a level of flexibility within the employment locations within the district; the employment prospects would be beneficial to the communities within the north of the district
- The allocation of the site would reduce the level of outward commuting

2.38 *Parish Council Comments* – The Parish Council have not submitted any further response during the public consultation. The Parish Council had previously sent a comprehensive response to the proposed sites that have not been suggested for allocation. A summary of the Parish Council comments are below:

- The Parish Council carried out a questionnaire. The findings of the questionnaire are shown below:
 - Most of the residents wish for no further growth within the village
 - Approximately 20% of residents would like to see some form of development
 - The village may not have suitable infrastructure for further growth
 - Any development should come with tangible benefits
- The Parish Council would not like to see any more than one site developed
- GOSF242, land adjacent to Canberra Cottage, Hedingham Road. Not in favour. The site is outside the main body of the village and would constitute ribbon development. It is too small to accommodate Parish Council development policy.
- GOSF251 – Any development would have to be mindful of the historic lime trees

- GOSF253 – There is opposition to the site being accessed from The Meadway
- GOSF246 – The site is not suitable for residential development and should be retained for industrial uses
- GOSF217 – The site is too small to develop for a mix of accommodation
- GOSF243 – The site is not favourable and would constitute ribbon development. The Parish Council would be in favour of the site for industrial use only. It would be unsuitable for residential development detailed response below. In favour of industrial use only. Residential development would be outside the village with no pedestrian access to the village. Would create a separate hamlet.
- GOSF244 - Not in favour. Although in the main body of the village, the site is too small to meet the requirements of our development policy. Would constitute backland development. Difficult to see how satisfactory access could be achieved.
- GOSF247 - Not in favour. The site is too large for our development policy and would adversely affect the green heart of the village. It would also impact on a sensitive area with views of two Grade I listed buildings (the church and Gosfield Hall), a conservation area, historic park and gardens, and an area of special landscape interest.
- GOSF248 - Site too small to meet our policy and would constitute backland development.
- GOSF249, land at Gosfield airfield. Not in favour. The Parish Council are against any further development in open countryside. Serious concerns over potential increases in extra traffic and noise.
- GOSF554, Shardlowes Farm. Not in favour. The site is not in the main body of the village and is too large for the Parish Council's development policy.

2.39 *Officer Comments* – Though there was a relatively low level of comments by the general public relating to the village it is suggested this may have been due to the non-allocation of the sites within the current draft of the Local Plan. Prior to formal public consultation a petition rebutting the potential allocation of sites within the village was received signed by 87 residents. Separately approximately 50 letters were sent in prior to the Local Plan Sub-Committee of the 25th of May 2016 requesting various sites within the village to be rejected.

2.40 Though the village is within close proximity to Braintree, Halstead and Sible Hedingham the level of facilities and services within the village is relatively low compared to the aforementioned settlements. Notwithstanding that it was suggested on the 25th of May 2016 that the village could accommodate further growth if a suitable site was submitted.

2.41 In consideration of the further representations relation to GOSF248 no further substantive evidence has been put forward. Though the development adjacent to the site may not contribute significantly to the Conservation Area the site is a greenfield site that has a narrow access. The proposal is

considered to be an inappropriate backland development that would encroach into open countryside.

- 2.42 In response to the further representations made in relation to GOSF251 it is suggested that the site is particularly constrained by the historically significant Lime Trees. The arboricultural report attached to the submission suggests that the indicative layout submitted by the agent could be achieved without any significantly detrimental impact upon the high grade trees upon the site yet it is suggested that the scheme proposed would not be favoured through the planning application process. Whilst the Local Plan only deals with land allocation and not the detail design and layout of the site, it should be assured that an appropriate scheme is deliverable and in this case the information submitted does not make that case with regards to the protected trees on the site and the Conservation Area.
- 2.43 When considering the further representations relating to GOSF253; no new information was provided by the agent that was not available at the Local Plan Sub-Committee on the 25th of May 2016 and therefore it is suggested that not new substantive evidence has been provided to suggest that the site should be allocated for development. It is suggested that the removal of substantial parts of the hedge to access the site from Hedingham Road would have a detrimental effect upon the character of this part of Gosfield and a relatively high level of objection was conveyed by the residents of the village.
- 2.44 As none of the other residential sites within Gosfield had any further information submitted or comments of support it is suggested that they remain unallocated.
- 2.45 GOSF249 has received support from two commentators and the agent of the site. It is agreed that the production of energy onsite would have a significant positive effect upon the sustainability of the proposed intensification of employment. Notwithstanding this the site can only be reached by private transport as there is neither pedestrian connectivity nor bus stops within proximity of the site. The proposal sufficiently demonstrates that the sites development could be mitigated by additional structural landscaping however there is a significant concern over the potential increase in HGV movements, amongst others, that would ingress and egress from Hedingham Road. All additional HGVs can only access the site by either going through Gosfield or Sible Hedingham through the A1024 which provides severance in the centre of both villages. Employment land requirements in the District have already been met in locations which officers consider are more sustainable locations for new employment, within walking and cycling distances of other facilities and homes.
- 2.46 Given the sites location and the issues in relation to the wider road network it is suggested that an enlargement of the proposed employment development boundary at Gosfield Airfield would not be appropriate.
- 2.47 Recommendation E - The Inset Map for Gosfield to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

2.48 Great Maplestead

- 2.49 The village lies north west of Halstead and 10 miles north of Braintree. The development boundary takes the form of 3 separated clusters. The main settlement is north of two smaller clusters on Lucking Street and Baretts Hall Road/ Mill Lane to the south and east.
- 2.50 There is a village hall, 2 playing fields, primary school, church (grade 1 listed) and is visited by the Mobile Library. The churchyard is a local wildlife and archaeological site. There are a number of listed buildings and protected trees. The southern part of the Lucking Street cluster lies in Flood zones 2 and 3. Part of the southernmost development cluster lies on Mill lane which is a Protected Lane.
- 2.51 A Village Design Statement was published in 2014.
- 2.52 This item received a total of 6 comments of which 0 are in support, and 6 were objections.
- 2.53 The objection comments are summarised below.
- Site GRMA259 should not be included within the development boundary for the following reasons:
 - Opposed by majority of village residents (ref Village Design Statement returns)
 - There is a covenant preventing its development
 - Concern expressed regarding light pollution and lack of privacy to a close neighbour
 - Lack of mains sewerage.
 - History of sewerage leaks to neighbouring properties.
 - Potentially hazardous access due to proximity to school, its position on a summit, long, narrow restricted access and with gates
 - Fire engine had difficulty gaining access during a fire.
 - Concern over impacts of increased traffic given proximity of neighbouring house and large construction vehicles using the drive.
 - Damage has occurred to verges and road.
 - The village has no services e.g. no mains drainage, shops, mains gas, post office, pub, medical facilities making car journeys essential, poor telephone/broadband connection,
 - New development would strain a poor electricity supply. The village suffers frequent electricity outages
 - The poor road network is not suite to traffic increases
 - Changing the name of Treeways to Highview has been done to confuse the planning department and village.
 - Braintree District Council can be legally challenged over the decision to move the village boundary.
 - Loss of views to existing properties and village

- The site is unsuitable as access is long, narrow and difficult for fire engines
- There is already congestion during busy periods
- Concern that planning permission was granted on this site to replace the building and two additional dwellings.
- The village envelope was moved against the Parish Council's wishes
- To include the land for further development would mean over development and overload existing drainage

2.54 The Parish Council responded and summary of comments is below

- GRMA259 is rejected for the following reasons.
- The Parish has objected in the past and the site has been approved without policy led justification and is unsound as not positively prepared or justified.
- The proposal fails to comply with RLP2 and SC5 which seek to confine new housing development to within settlement boundaries and permit only appropriate countryside uses within the countryside
- Its inclusion conflicts with national and local policy, is unsustainable according to the NPPF. The plan is unsound and not justified or positively prepared.
- GRMA259 should have been refused when considered in April 2016. The Development boundary Review Methodology states that boundaries can be drawn along the rear of built development rather than physical features to prevent backland development where for example properties have large back gardens.
- Inclusion of GRMA259 fails to consider availability of village facilities, sustainability and dismisses the Parish views/needs (2012 SADMP comments)
- All proposed sites are rejected (as previously documented in the SADMP).
- This is an unsustainable location contrary to national and local policy.
- This opinion is based on Parishioners views following a survey and Village Design Statement.
- New development continues within village boundaries and rural communities and countryside should be protected.

2.55 *Officer Responses and proposed changes* - GRMA259 (formerly GRM5).

2.56 The Local Plan Review 2005 showed the development boundary as bisecting the rear garden of this site leaving the rear portion of garden as countryside.

2.57 Following representations into the Site Allocation and Development Management Plan process its pre submission draft showed the boundary altered to show the site included predominately within the settlement boundary but with two triangular areas adjacent to its outer edges remaining outside and within the countryside.

- 2.58 The Council received a representation (GRMA259) under the “Call for Sites” procedure (2014) requesting that the development framework be amended to follow the rear garden boundary of Treeways thereby including the two triangular areas within the boundary.
- 2.59 Planning permission for 3 dwellings (15/00914) on the site was approved on the 23rd December 2015. The application site followed the rear boundary of the garden incorporating within it the two areas shown in the Pre Submission draft as countryside.
- 2.60 In considering the Draft Plan in its committee meeting 13th April 2016 committee resolved to accept the proposed boundary alteration as proposed in the call for sites representation. The report stated:
- 2.61 These two areas are shown in the plans as garden. They are small, awkwardly shaped and together with their location in relation to approved houses and other parts of the boundary are unlikely to play a significant role in protecting rural character at the village edge.
- 2.62 Officer opinion remains as stated at the Local Plan meeting of the 25th May 2015 where following further consultation with the Parish Council officers recommended that the boundary be drawn along the rear garden boundary. The reason was stated as;
- “....recognition of the full extent of the development site and is in line with the development boundary methodology. Whilst we note the Parishes concerns regarding further development for the village, the boundary change proposed is on an existing hedge line which delineates the village from the surrounding wider countryside landscape. This is a strong and logical boundary for the village of Great Maplestead”.
- 2.63 The inclusion of this area does not permit a size of development out of scale with its designation within the settlement hierarchy.
- 2.64 Officers note the strong concerns of the Parish Council and village residents about the alterations to the development boundary. This proposal is for inclusion of land within the development boundary. Planning permission has already been given on the site and includes the area in question. Concerns have also been raised concerning overdevelopment, impact on views, access, light, noise, broadband sewerage connections and loss of privacy however these are all detailed matters which have been considered through the planning application process and considered acceptable. The existence of a land covenant preventing development is not relevant to whether it is or is not included within the development boundary.
- 2.65 Recommendation F – No alteration to the Great Maplestead Inset Map.**

2.66 Great Yeldham

- 2.67 Great Yeldham is a village within the north of the district with a development boundary. It has some facilities including a primary school and local shops.
- 2.68 Two new sites were submitted during the public consultation. No other comments were received during the consultation.
- 2.69 GRYE625 is a site to the North of Toppesfield Road and West of the High Street in Great Yeldham. The site is a greenfield site of approximately 1.7 hectares. The supporting commentary of the submission stated that the informal recreation allocation has been incorrectly implemented.
- 2.70 GRYE644 is a site to the South of Butlers Way in Great Yeldham. The site is a greenfield site of 5.9 hectares.
- 2.71 Since the closure of the public consultations over 50 letters of objection have been received regarding the site submission GREY644, land south of Butlers Way.
- 2.72 The reasons for objection to the site submission are as follows:
- The site is a greenfield site
 - The site is partially within a flood plain; anecdotal evidence suggests this is severe
 - There is are limited facilities within the village with only two shops
 - There is an infrequent bus service
 - The size of the development proposed is out of scale with the rest of the village
 - The village is not a sustainable location for further development
 - There are concerns over the road infrastructure to gain access to the site and the wider roadways including Leather Lane
 - The school is at capacity
 - The GP surgery is likely to be closing
 - Concerns over the visual impact of the development on the locality and the wider context
 - Concerns on the amenity of the neighbouring properties
 - Concerns over the increased development on the effect of the flood plain.
 - There is no gas into the village and the delivery of oil to more homes would be inappropriate.
 - The sewage system is not able to cope with more development
 - The location is not a sustainable location for further development.
- 2.73 *Parish Council Comments* – At its meeting held on the 15th September 2016 the Parish Council considered sites identified for development submitted

under the public consultation on the above Local Plan. The meeting was well attended with over 150 members of the public who raised grave concerns (which have been summarised in this letter) about the 2 sites submitted. In addition, the Parish Council has also received 38 objection comments.

2.74 The Parish Council does not support development at the following sites, land identified at

- GREY644 Land off Butlers Way
- GREY625 Toppesfield Road

2.75 *The Parish Council does not want any more dwellings either inside or outside the village envelope, in addition to the 90 dwellings already approved under Planning Applications reference 14/01254/OUT and 15/01040/FUL. The Parish Council is concerned that the rapid development and expansion on the character of the village through large housing estates with a standardised design approach will impact on the character of the village that has developed slowly and organically over time.*

2.76 *GREY644 is located outside the village envelope, which impacts on the following policies and strategies:*

- *Policy RLP2 of the Local Plan Review states that new development will be confined to areas within Town Development Boundaries & Village envelopes. Outside of these areas countryside policies apply.*
- *Policy CS5 of the Core Strategy specifies that development outside of Village Envelopes will be strictly controlled to uses appropriate within the countryside in order to protect and enhance the landscape character.*
- *In BDC's report to the Local Plan Sub-Committee dated 25th May 2016 states "Planning Officers in recent application decisions have acknowledged that boundaries in villages have been drawn in such a way as to prevent the sprawl of development into the countryside and ensure that housing is located in sustainable locations".*
- *Policy CS8 of the Core Strategy seeks to protect the natural environment and requires all development to have regard to the character of the landscape and sensitivity to change.*

2.77 *The site is disproportionately large for the level of development that the Parish would like within the village and will put substantial strain upon the existing services and facilities. Access to the proposed site would be via knocking down two residential homes within Butlers Way.*

2.78 *GREY625 the Parish Council is concerned that the site was originally offered by Hunnable Holdings Ltd to the Parish Council as a green space/allotment area but was retracted at a later stage as the land was then identified as "land earmarked for ecological mitigation and envisaged as an amenity setting for*

the redeveloped employment area” in respect of planning application 14/01254/OUT (correspondence to the Parish Council from Edward Gittins & Associates dated 20th February 2015). The Parish Council is very concerned that as Planning Application 14/01254/OUT is still to be finalised what is to stop the developers from redeveloping this site from an employment area into additional dwellings, thus the land at Hunnable Industrial Estate becomes one enormous housing development (approx. over 140 dwellings). There is also the issue of access into this proposed site would this also be through Market Grove? This has been raised as an issue of great concern by the Parish Council and local residents in the past. How will cars access any proposed development from this site if it is put forward, any other exists would be too close to a junction.

2.79 *In general, any additional dwellings will have a severe impact on the physical and social infrastructure to meet the demand arising from large number of new residential developments; including*

- *road congestion*
- *a limited public transport provision to key service villages and main towns within the district*
- *the local school, St Andrews, is already at capacity; parishioners who live in the village want to be able to send their children to the village school and not travel (if they have transport) to schools located in other villages.*
- *oversubscribed GP Services (future GP services will be operated from a central practice building in Sible Hedingham),*
- *limited provision of shops (1 convenience shop)*
- *lack of super-fast broadband services*

2.80 *Officers Comments – Great Yeldham is a village in north of the district with a development boundary. The village has several shops, playing fields and a pub. Though the village has some facilities it is suggested that the village is not a sustainable location for further growth. The village is recognised as an ‘other village’ within the Core Strategy and therefore is under no specific requirement for further growth.*

2.81 Notwithstanding this Great Yeldham has two housing allocations that are roll forwards from the Site Allocations and Development Management Plan 2014.

2.82 GREY274 - The Nuns Walk development has a full planning application pending consideration. The application seeks the erection of 29 homes and public open space.

2.83 GREY275 - Part of the Hunnable industrial estate, reference 14/01254/OUT, has an approved outline planning application for 60 homes.

2.84 The two sites could amount to nearly 90 new homes within Great Yeldham coming forward which it could be suggested is a sufficient level of growth for the village.

- 2.85 Site GRYE625 is located on the corner of Toppesfield Road and the High Street. The greenfield site is located outside the development boundary. To the road frontage on the west side of the site is banked and there is a concern that any development in this location could detrimentally impact upon the vicinity. The site also has a Grade II listed building to the South of the site that would likely be impacted by the development of the site. Both current road frontages to the site are currently heavily treed.
- 2.86 The allocation of informal recreation stemmed from offers made by the landowner in relation to other allocations/planning applications within the village. If however this land is not required as a condition of planning applications and the landowner is not willing to release the site for informal recreation then officers have to recommend that the informal recreation designation is removed.
- 2.87 However, officers are not recommending that the site is allocated for housing development. It is heavily treed, is adjacent to an industrial site and is unclear whether an access could be achieved without major loss of trees. Other sites have already been allocated within the village and provide sufficient local growth for a village of this size within the Plan period.
- 2.88 GRYE644 is located to the South of Butlers Way. The site submission form suggests that the applicant seeks up to 125 dwellings upon the site which is effectively two relatively well contained fields which are adjacent to the development boundary. The site is immediately adjacent to 3 listed buildings. The site includes a group of trees under a tree preservation order as well as 21 separate TPOs. It is not clear where an entrance to the site could be achieved given the existing constraints, although it is assumed this would be on the frontage of Bridge Street. This area is within the Conservation Area, flood zone 2 and 3 and is significantly constrained by buildings and trees. It is suggested that considering the constraints of the site, the views of local residents and the fact that alternative proposals are being taken forward elsewhere the site should not be allocated for development.
- 2.89 None of the previously assessed sites have had any further information come forward so it is suggested that they remain the same as the draft Local Plan.
- 2.90 GRYE625 and GRYE644 are not considered to be appropriate sites for allocation for the reasons previously considered by Members and no further evidence has been submitted to challenge that view.
- 2.91 As the agent for GRYE625 has suggested that the owner of the site has no intention in allowing the informal recreation space shown on the current inset map to be used for such use and it is suggested that this is removed for the inset map to reflect this.
- 2.92 Recommendation G - That the Inset Map for Great Yeldham is amended to remove the informal recreation designation as proposed in the Appendix.**

2.93 Little Yeldham and North End

- 2.94 Little Yeldham is a village in the north of the District with a development boundary.
- 2.95 North End is within the same Parish and the Draft Local Plan intended to remove the development boundary from North End to make it a hamlet within the countryside.
- 2.96 The village received no comments regarding the previous sites submitted during the public consultation.
- 2.97 One new site was submitted during the public consultation Site reference LITY603 is located at Hyde Farm. LITY603A is a small area of land either side of Hydewood Road the area of the site is 0.07hectares. The site includes some small closed and open barns and agricultural buildings. LITY603B is the larger area, 0.5hectares, to the rear and includes three more modern agricultural buildings and a parking area. The site submission included an option for a new access point to be made to the west of the site and to be brought across the field to join up with Hydewood Road. The site currently includes some employment uses and is proposed for residential development. The applicant has indicated they would seek to construct 1 dwelling upon LITY603A and 10 dwellings upon LITY603B.
- 2.98 *Parish Council Comments* - The Parish Council have informally been asked to comment upon the site submission. The response considers the following points:
- The Parish council have considered the site when it was subject to planning permission (10/01599/FUL). The site was refused planning permission
 - The Parish Council has received no comments of support for the development of the site
 - There are concerns regarding the close proximity of existing properties, the environmental effect on them through noise, light and traffic pollution
 - All existing buildings are currently industrial units in commercial (garage and vehicle repairs) and agricultural use. Therefore there are major concerns about the possible relocation of the grain store and other buildings elsewhere on the applicant's nearby land
 - There is no main sewer anywhere near the site
 - The increase in traffic is unfavourable in this location
 - The road infrastructure is not suitable for further development
 - The site doesn't meet the criterion of Brownfield; the buildings are currently being used for agricultural and industrial use

2.99 The Parish has previously sent in correspondence considering the sites that have not been allocated prior to the public consultation. Comments are in summary:

- LITY343 Opposed because this site is outside the Village Envelope and on a dangerous corner where numerous road traffic accidents have occurred over the years
- With regard to Little Yeldham generally, the Parish Council opposed any development outside the village envelopes and this continues to be the case.

2.100 The Parish Council had also commented upon the site GEST241 stating that the site is opposed to the prospective development on four grounds:

- it is outside the village envelope
- it is on a very narrow section of road, which is potentially dangerous,
- it will generate more traffic along inadequate lanes and
- it is in a flood zone where there has been extensive flooding on several occasions over the years and it is ludicrous to consider development on sites, which are liable to flood and where there is a long history of flooding.

2.101 *Officer Comments* – Site LITY603 is within the vicinity of the Grade II listed ‘The Old Rectory’ and there is a concern that the development of the site could have a negative impact upon the setting of the Heritage Asset. The location in principle is considered to be unsustainable. The site has no adequate provision for pedestrian access and it is not possible to implement.

2.102 The single track road is not suitable for increased ingress and egress and the site would appear to be at least partially still used for employment purposes. The loss of employment usages in the area would likely have a further negative impact upon the sustainability of the locality.

2.103 No further supporting information was submitted regarding LITY343 or GEST241 and it is therefore suggested that the Inset Map for Little Yeldham should remain as shown in the Draft Local Plan and that no sites are allocated for development.

2.104 Recommendation H - The Inset Map for Little Yeldham to remain unchanged from that in the draft Local Plan.

2.105 Panfield

2.106 Panfield is located 1 km to the north west of Braintree and is within the Three Fields Ward. In terms of local services it has a pub, a village hall and bus service.

2.107 Panfield has a village design statement which seeks to discourage street lighting, large scale development of high density buildings, and new development or land usage within the village which would cause noise or light pollution.

2.108 It should be noted that this report deals with representations made to the village Inset Map and does not include any sites on the edge of Braintree town.

2.109 Parish Council Comments - The Parish Council has not commented during the formal consultation period, but has previously commented that all development sites would be in direct contravention of the Panfield Village Design Statement, and that current highways infrastructure will not cope with additional traffic. Panfield's village design statement seeks to discourage street lighting, large scale development of high density buildings, and new development or land usage within the village which would cause noise or light pollution.

2.110 Comments Received - Objections have been received for the non-allocation of site PANF345 – Land including Ivy Hall, Kynaston Road, PANF346 – Land south of Ivy Hall, Kynaston Road and PANF347 – Land south east of Ivy Hall Kynaston Road, on the grounds that;

- all the sites are sustainable because they are adjacent to the development boundary with access to public transport, and village amenities including pub, church, community hall, play/sports and that Panfield is in close proximity to Braintree.
- The site would contribute to the vitality of rural community and local services
- that they have no significant environmental or amenity value, no listed buildings or conservation areas would be impacted,
- is not agricultural land
- is not at risk of flooding
- no coalescence and that the development would be small scale.

2.111 Officer Comment - Local services are limited due to the village's proximity to Braintree. The majority of main services are further away than 800m which scores negatively in SA/SEA terms but the village is within 8 km of Braintree town centre and 4.8km from Tabor Science Academy.

2.112 The village does benefit from a community hall and public house, as well as a regular bus service, however, however large scale development is unlikely to be appropriate due to the character and appearance of the village. PANF345 would not be a natural extension to the development boundary for Panfield and would be a large development located away from the main built up area. PANF346 would not be a natural extension to development for boundary the village and would not relate well to existing development along Kynaston Road or with Ivy Hall. PANF347 would require access either through

PANF346 or through the recreation area of Thistle Down. No information has been provided showing this to be possible. Development of all three sites would be larger scale development out of character with the more linear nature of the village.

2.113 Recommendation I - That the Inset Map for Panfield remains unchanged from that in the draft Local Plan, as shown in the Appendix.

2.114 Pebmarsh

2.115 Pebmarsh is a small village within the north of the district with 3 development boundaries. The Draft Local Plan sought for the village inset map to remain the same as shown within the Local Plan Review 2005.

2.116 No comments were submitted by the general public related to Pebmarsh. The Inset received several representations by agents and owners of sites located within the Parish. They related to PEBM348, PEBM350, PEBM351 and PEBM352.

2.117 The representations made in relation to PEBM348, land to the rear of Cross End. In summary the issues highlighted were as follows:

- They have been unfairly and inconsistently treated in regard of the voting during the Local Plan Sub-Committee meetings
- The site is similar in nature to ASHE104 which has been supported by councillors
- Commentary by councillors has previously suggested the site is suitable for further development
- The sites redevelopment would be beneficial and amount to sustainable development
- The site is brownfield
- The site has clearly defined natural boundaries
- The site is not close to the conservation area
- Pebmarsh has a church, a school, a public house and village hall
- The decision to not allocate the site on the basis that it amounts to backland development is not consistent with the following permitted applications; 04/01573/FUL, 09/01507/FUL, 09/01280/FUL, 10/01631/FUL, 04/01573//FUL and 09/00613/FUL.

2.118 PEBM350 is situated west of Kings Mead, Water Lane. The representations put forward by the agent can be summarised as;

- There have been no allocations within the village during the Local Plan
- The agent suggested that they do not agree with the visions and objectives section of the local plan

- The agent questions the current spatial strategy and objectively assessed housing need
- The site is 10 minutes from Bures branch line station and 25 minutes to Marks Tey main line station
- The village should not be subject to the same level of scrutiny in relation to the sustainability of transport as set out in the PPG
- Accompanying the Call for Sites submissions was a statement and accompanying drawings to illustrate how a scheme for 3 homes could be accommodated on the site.

2.119 PEBM351 is a site on Oak Road, north of Hamsters Close. The representations put forward by the agents are summarised below:

- The council had suggested that the development would amount to ribbon development however as a street village this would not be out of character
- The sites boundary could easily be demarcated by a hedgerow
- The development of the site would have a limited impact upon the visual characteristic of the village
- These representations should be considered in conjunction with the agent's commentary relating to the Spatial Policy Considerations, Housing Distribution and Delivery, and Site Selection

2.120 PEBM352 is situated on the north side of Pebmarsh Road and is the vacant Playing Field. The representations put forward by the agents are summarised below:

- There is no reason to believe the site could only accommodate under 10 dwellings
- The site could have been subject to an SA/SEA report
- A potential small-scale development of less than 10 dwellings which would be an appropriate and acceptable level of development
- The agent suggested that they do not agree with the visions and objectives section of the Local Plan
- The agent questions the current spatial strategy and objectively assessed housing need
- Accompanying the Call for Sites submissions was a statement and accompanying drawings to illustrate how a scheme for around 21 homes could be accommodated on the site
- The village should not be subject to the same level of scrutiny in relation to the sustainability of transport as set out in the PPG
- The site is 10 minutes from Bures branch line station and 25 minutes to Marks Tey main line station
- The location is within walking distance of the public house
- The Parish Council is not completely against the sites allocation

- Any landscape impact can be mitigated suitably
- The site is 10 minutes from Bures branch line station and 25 minutes to Marks Tey main line station
- The village should not be subject to the same level of scrutiny in relation to the sustainability of transport as set out in the PPG

2.121 *Parish Council comments* – No further commentary has been submitted by the Parish Council however a summary of the previous comments is summarised below:

- Reported on the 13th of April: PEBM348 - We previously gave qualified support to a house being built here. Since then a full planning application has been made by the owner which was turned down.
- Reported on the 25th of May: PEBM348 - Further to recent conversations, I can set out the Parish Council's reply with regard to their views on a change to the development boundary below:
- The Parish Council has now had an opportunity to discuss your email of 15th April in some detail. They have also received representations from Andy Stimpson who we understand attended the Committee meeting on 13th April the Parish Council's position is as follows:
- Whist remaining sympathetic to Mr Stimpson's wish to build on PEB 348 (and as the Council stated in its letter of 17th December 2015 they have given him qualified support in the past), the Council does not agree to the extension of the Development Boundary to include all (or part) of PEB 348. The reason for this is that it would in the Council's view set an unacceptable precedent for 'backland' development, which others may want to make use of in the future (and if this occurred, the Parish Council would have difficulty in raising objections).
- Councillors who inspected the property in 2013 with Mr Stimpson were told by him that part of this plot belongs to his brother, who would no doubt also wish to build on his part, if the plot was included in the development boundary. The whole of the plot backs onto no less than 4 houses.
- On the Council's position generally, they have consistently stated that they would not object to a reasonable amount of 'infilling' (to be distinguished from 'backfilling')- such as PEB 350 (subject to sorting out the points we make in our letter referred to above). Equally consistently these suggestions have been rejected by Braintree District Council, for reasons the Council are unclear about (lack of facilities in the village perhaps). More houses are urgently needed, so surely every little helps?
- We trust this reply is helpful and we look forward to receiving details of the decision made by BDC
- PEBM349 This site is close to the church and within the Conservation Area. Part of it is used as a footpath between the Village Hall Car Park (the Church has no car park) and the graveyard next to the church. As we said last time we consider it quite unsuitable for development.
- PEBM350 This is a possibility for very limited development (one or two houses at the most), in support of our general agreement to very limited village 'infilling'. The site has problems however, (a) the land is

significantly higher (3 metres plus) than the land on which neighbouring houses are built. It would be essential for this height to be reduced accordingly, otherwise any house would dominate that part of the village, most of which is in the Conservation Area, and (b) There is a bus shelter on the edge of the site which we would not want moved. It is right in the centre of the village and there is no other suitable site nearby. Telegraph posts would also be affected. There could also be strong local objection to any development here and we would object to development of any size beyond one or two houses. The SA report suggested there could be a significant negative effect upon the historic environment and heritage assets.

- PEBM351 Contrary to what we said in 2012, we see no reason to extend the village at all, North of the current village envelope which ends at Hamsters Close.
- PEBM352 This is more difficult. This space has been the village playing field for over 40 years and is the only flat space of this size in the village. We would obviously prefer that it remained so. However, the Pebmarsh football team has – at least for the moment – disbanded and the owner (who in fairness has allowed the village to use this space without charge for many years), now wishes to develop it. In fact he has clearly had this in mind for many years because the space was first submitted to be part of the Local Plan some considerable time ago. The football posts have been taken away, because they were apparently a danger and the Football Club's changing facilities are also to be removed, because they are in a bad state of repair. If this site is no longer going to be designated as 'formal recreation', we would consider a development of a few houses on the Eastern side (i.e. next to Clay Hills), provided that the rest of the site could then be designated as 'formal recreation' in perpetuity. This space would not be big enough for a full size football pitch, but would be significantly better than nothing. The remainder of our 2012 comments stand and we may well want to undertake a public consultation when the draft plan is published next year.

2.122 *Officer Comments* – Pebmarsh is a small village with 3 development boundaries within the north of the district. The village has a limited bus service and limited services and facilities within the village. There is no practical public transport to the train stations within the area and to access the train station would only be feasible by private modes of transport. The pub in the village is currently closed but there is a primary school.

2.123 The Landscape Character Assessment suggests that the village is relatively sensitive to growth.

2.124 In relation to the representations put forward by PEBM348 it is regrettable that the owners feel they have been mistreated. The site has been considered through the same process as all other sites within the District and without prejudice. During the formation of the Draft Local Plan, Members deferred the consideration of this site to allow for further Parish Council comments to be sought. These were not supportive and Members agreed with officer

recommendations to not include the site within the development boundary. Ultimately the Local Plan will be the subject of examination by an Independent Inspector appointed by the government who will make a judgement on whether the process of site allocation has been carried out correctly in relation to this site.

- 2.125 The site is a site to the rear of existing properties and sits adjacent to but outside the development boundary or Pebmarsh on two sides. The site is a small site and therefore would need to be considered as a development boundary amendment, rather than a site allocation.
- 2.126 The site was subject to a planning application in 2002, 02/02089/OUT, that was refused and dismissed on appeal for a dwelling. The site was again subject to a planning application in 2013, 13/00429/FUL. The main reason for refusal are summarised below:
- The introduction of new housing development beyond defined settlement limits is contrary to the objectives of securing sustainable patterns of development and the protection of countryside character.
 - As such the proposed new dwelling would be contrary to the 'sequential approach' to the location of new housing.
 - The site has considerable ecological potential and no information has been submitted to demonstrate that the proposal would not result in any adverse impact on protected species.
 - No tree survey was submitted to indicate the relationship between the building and building had been adequately considered.
- 2.127 Built development on this site would introduce housing development behind the main line of the road frontage properties in this location for the first time, making it out of character with this part of Pebmarsh. Whilst a single dwelling would make a limited contribution to housing supply in the District and in the village, and the site itself is relatively well contained from the wider landscape, this part of the village has no facilities and the limited facilities in the main village can only be accessed via a narrow lane with no safe pedestrian route, and the proposal would introduce backland development out of character with the local area. As such, on balance, it is not considered that the site is suitable for a development boundary amendment.
- 2.128 When considering the supporting information put forward in relation to PEBM350 the agent mentions the illustrative scheme that accompanied the submission. It is suggested that the scheme does not illustrate that the site can be appropriately developed. The site is significantly higher than street level and even with substantial excavation the development of the site could be overly prominent. The site abuts the Conservation Area and there is a concern that the impact of development at this location would be detrimental. The access to the site, though purely indicative, would appear to be constrained.

2.129 When considering the supporting information put forward in relation to PEBM351 though Pebmarsh does include a proportion of 'street development' the extension of development into open countryside at this location is unfavourable. The site is not within proximity of the main village and there is no footpath linking the location to the wider network. The site forms part of a large agricultural field on the entry to the village and the development of the site could have a detrimental impact upon the vicinity and wider location. The access road to the site is also relatively poor and it is suggested that to develop the site a substantial amount of hedging and individual trees may have to be removed.

2.130 The agent for PEBM352 has suggested has suggested that the site could accommodate up to 21 dwelling within the indicative plan that had been submitted. Notwithstanding this the site has no safe pedestrian access to reach the main village area, and there is a particular concern that the large scale infill of this site would amount to a coalescence of the two village clusters and detrimentally alter the character of the village.

2.131 It is suggested as no further commentary or supporting comments were submitted regarding PEBM349 the site remain unallocated.

2.132 No comments of support other than from the land owners or agents were submitted regarding any sites within the village and as in principal the village is not considered to be a sustainable location for further growth it is suggested that the village inset remain as shown in the Local Plan review 2005.

2.133 Recommendation J - That the Inset Map for Pebmarsh to remain unchanged from the draft Local Plan shown in the Appendix.

2.134 Ridgewell

2.135 Ridgewell is a village in the north of the District and has a development boundary, as well as several local facilities including a school.

2.136 The Inset Maps have received nine comments. A summary of those comments is as follows:

- Concern has been raised that further development will have a negative impact upon the natural environment.
- Four comments objected to the inclusion of RIDG359. One comment included a petition sign by 49 residents. The petition requests RIDG359 to be abandoned on the basis that this amounts to urban sprawl and that first consideration must be given to the reuse of brownfield sites. The petition also suggests that the public must be consulted upon any further future proposals.

- Other reasons for the exclusion of RIDG359 included the lack of infrastructure, the site was apparently cleared during breeding season and that there is not a safe pedestrian route.

2.137 Further Supporting information was submitted by the agent for RIDG359 the representation in summary included:

- The site can be delivered within the next 5 years
- The site could provide approximately 20 dwellings
- An indicative plan was attached to the commentary

2.138 Further supporting information was submitted by the agent for RIDGE357. The site is located to the rear of the properties on Drury Lane and could accommodate approximately 60 dwellings. The points conveyed by the agent are summarised as follows:

- A lower density scheme was envisaged contrary to the officers report
- The village is more nucleated than the report had suggested
- The development of the site would not be visually intrusive or materially harm the setting of the Conservation Area.
- An opportunity exists to revise the access to come from RIDG520
- The council has not supplied enough sites for allocation
- The site should be reconsidered on the basis of the comments made specifically with this site and those of the agent relating to the Spatial Policy Considerations, Housing Distribution and Delivery, and Site Selection.

2.139 Further Supporting information was submitted by the agent for RIDG358, located in Hall Lane. The representation is summarised below:

- The amount of development sought is appropriate for the context
- Limiting growth can put rural services at risk of closure
- Ridgewell has a range of services including a school and two public houses
- Concerns over the impact upon the built heritage and landscape character can be mitigated through the design and layout.
- A technical note from a consultant that highlighted that the road maybe substandard in modern terms however the road has been used by large agricultural vehicles without incident. The report also suggests that arrangements would need to be agreed by the relevant highways agency and fire services.
- The applicants highlight that the report suggests that a satisfactory access could be achieved.

2.140 *Parish Council Comments* – No further commentary has been submitted by the Parish Council during the consultation however their previous commentary is summarised below:

- RIDG356 is not suitable for development. There is no development/building line on that side of the road at present and to develop both sides of the road would lead to a more urban, dense feel in a predominantly rural area thus depriving existing properties of amenity. It would be more appropriate to develop RIDG359.
- RIDG357 - The other main concerns are that development behind development is not a feature to be encouraged as traditionally villages tend to be linear in nature and secondly access to this site, as we know it, is along a private single track road with no passing places and adding additional vehicle traffic for this number of homes is not practical or desirable.
- RIDG358 - A narrow road provides access to Ridgewell Hall Farm and three other properties. It is the only access route for heavy farm machinery which takes up the whole width of the lane. The entrance to the lane is confined by the location of Lantern House and The Old Bakery on either side which would make it impossible to widen the road at its entrance. Hall Lane adjoins Church Lane, a no-through road leading to the church and the school and a small number of homes. We have concerns regarding the drainage/flood risk in this area. The Parish Council does not support development of this site. Development of this site could create a large housing estate which would not be in keeping with the rural nature of the village. The only access is via Hall Lane which is a narrow road essentially providing access to the farm. The point at which it joins Church Lane is already congested with parked vehicles and becomes even more so at school times. There is no footway to the school which necessitates children walking in Church Lane itself and more traffic would increase their safety risk. The land in question is used by residents for walking and is a beautiful area adjoining the curtilage of the church and should be preserved as an area of natural beauty.
- RIDG359 - The Parish Council supports the development of this piece of land as infill between existing homes in Ashen Road and Tilbury Road.
- RIDG 520 - The Parish Council does not support development of this site which adjoins RIDG357. Together these sites could accommodate over 60 houses and is therefore outside our preferred criteria. The other main concerns are that development behind development is not a feature to be encouraged as traditionally villages tend to be linear in nature and secondly access to this site, as we know it, is along a private single track road with no passing places and then across RIDG357. Adding additional vehicle traffic for this number of homes is not practical or desirable.

- 2.141 *Officers Comments* – It is acknowledged that development must be balanced with any potential negative impact upon the environment however it is considered that the current allocation of RIDG359 is a suitable site for development which is a self-contained field providing a small amount of growth for the village which has a number of local facilities including a school and is supported by the Parish Council.
- 2.142 The additional supporting commentary regarding RIDG357 suggests that the pattern of development within the village is more nucleated than reported by the officer on the 16/03/2016 to the Local Plan sub-Committee and though this is debatable the site does not relate well to the current village. The site is viewed to be an inappropriate backland development with uncertain access (including suitable pedestrian access) and though the agent highlights a lower density would be possible this is still a site it is a site of substantial size in relation to the current village. The recommendation remains that the site is not allocated in line with the views of the Parish Council.
- 2.143 Though supporting information has been submitted relating to RIDG358 the agents own technical notes regarding the access state that there is no way that the visibility splays would be able to meet the desired standard and that the road layout cannot comply to any conventional design standard. Notwithstanding access other considerations have been referenced by the agent no substantive evidence has been brought forward to suggest how the development of the site would not have an unwarranted negative impact upon the setting of the Grade II listed Ridgewell Hall and The Rectory, and the Grade I listed Parish Church of St as well as the Ridgewell Hall Meadow. In conclusion it is considered that the site is not a suitable for allocation.
- 2.144 When considering the commentary from all parties relating to RIDG359 no new evidence has been brought forward to suggest the site is now not appropriate for development. The site is supported by the Parish Council and is their preferred site within the village. The indicative plan that was submitted during the public consultation highlights that with some minor amendments the site could be sympathetically developed. Detailed issues around design and layout would be dealt with through any future planning application which would be subject to the normal consultation procedure.
- 2.145 A development boundary amendment was proposed during the Draft Local Plan consultation at site RIDG356 at Pineside. The site has recently been subject to planning application reference 15/01588/FUL. The application was refused on design grounds however it has been suggested that a suitable scheme could be brought forward by the applicants.
- 2.146 No other supporting information was submitted regarding the other unallocated sites.
- 2.147 Recommendation K - The Inset Map for Ridgewell to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

2.148 Shalford and Church End Shalford

2.149 Shalford and Church End are located approximately 5 miles due north of Braintree. The villages benefit from a hall, pub, primary school and grocery school. The two areas are approximately 400m away from each other and as well as a road are connected by a footpath. Church End has a rural exception site, and a development boundary amendment was proposed for the area around White Court to allow some residential development to come forward.

2.150 **Parish Council Comments** - Shalford Parish Council have not made any formal comments on the Plan during the consultation period. However, have commented that site SHAL374 – Church End Shalford is supported for the development for 4 semi-detached houses.

2.151 **Representations** - Two representations have been received;

- SHAL373 – Land to rear of Pent House, The Street, Shalford. This site is currently identified as being visually important space. Information has been submitted which sets out that the site could accommodate a range of residential development from between 3 and 10 dwellings and that the site is suitable and better placed than alternative sites to meet the identified housing need in Shalford. Supporting information including a policy and site appraisal as well as indicative layouts has been provided.
- SHAL374 – Land west of Little Gables - Submissions have been received advocating the allocation of this site for 4 low cost dwellings. Great care has been taken and will be taken to ensure that none of the adjacent properties are blighted. We have commissioned initial architect's drawings of two pairs of low cost semi-detached cottages, which illustrate the site's merits as a modest "rounding off" to the village.

2.152 **Officer Comments** - SHAL374 is located adjacent to the development boundary on the west side of Church End. The site was previously a draft allocation which was removed in favour of a development boundary amendment at White Court on the eastern side of Church End, the White Court amendment has been carried forward into the new Local Plan. The site is now supported for allocation of 4 dwellings by the Parish Council. It should be noted that this support relates for 4 low cost units, however this site falls under the threshold for affordable housing contributions. The primary consideration is the proximity of the grade II listed building on the east boundary of the site, how well development would fit in with the area, and impact on the wider landscape as the site does not have a natural boundary to its rear.

2.153 **Historic Buildings Comments** - The adjacent Listed Building is currently located on the edge of the settlement on the southern side of the road, and so is presumably visible in longer views when approached from the west. However given the housing directly to the east and north, the building is already experienced as part of a wider built area, and I therefore do not see why in principle there would be an objection to a small development of houses

fronting onto the road on this site. I would however suggest that the current plan layout is poor and could be much improved.

- 2.154 For SHAL373, the main consideration is the proximity of the grade I listed building. Two proposals have been put forward, with one for 3 dwellings and open space and one for 10 dwellings with open space. The 3 dwelling option would be considered a continuation of development along the B1053.
- 2.155 This site is in close proximity to the grade I Listed Church of St Andrews, and the land forms an important open space from which the building is viewed and experienced. To infill this land would therefore sever or harm key views of the building, and fundamentally change the environment in which it is experienced, to the detriment of its setting. Even the less intensive scheme, with houses alongside the access track would substantially change the appearance of the approach to the building, which again is key to understanding the context and surroundings in which the building sits. Provisionally I would therefore suggest that it would not be possible to develop this site without causing harm to the setting of the listed building. Obviously this is not based on a site visit.
- 2.156 Officers consider that for the reasons noted above and for its contribution to the setting of the village as a whole that site SHAL373 should be retained as visually important open space. However given Parish Council support it is considered that site SHA374 to the west of Little Gables should be included within the development boundary. Careful design will need to take place on landscaping, impact of existing buildings and the creation a suitable gateway to the village.
- 2.157 No other representations have been received on other alternative sites in the Parish and as such these should remain as per the Draft Local Plan.
- 2.158 Recommendation L - That the Inset Map for Shalford remain unchanged from that in the Draft Local Plan, as shown in the Appendix.**
- 2.159 Recommendation M - That the Inset Map for Shalford Church End to be amended to include a revised development boundary at site SHAL374 land west of Little Gables, as shown in the Appendix.**
- 2.160 Silver End**
- 2.161 This report covers Inset Map 54 Silver End which is identified as an 'other village' elsewhere in the plan. The village has a good range of services, but poor employment and public transport links and a high proportion is within a designated conservation area.
- 2.162 Three allocations totalling a minimum of 152 dwellings were been identified in the Draft Local Plan, of which two are regeneration sites within the settlement boundary and one is a greenfield site. A number of alternative sites were discounted around the periphery of the village. The two smaller sites have

already gained planning permission, with the remaining site being the regeneration site at the long-derelect Crittall Factory.

2.163 A total of five comments have been received for Silver End, one is in support, three are objections and there is one general comment.

2.164 Comments in support:

- The lower level of housing proposed in the Draft Plan was supported in comparison to applications recently received for over 300. It was noted that allocations were mostly on land deemed to be an eyesore.
- Support was also expressed for discounting Temple Lane SILV524 due to flooding issues.

2.165 An objection was submitted by the developer of an alternative site and another two by residents:

- The developer cites Silver End as a sustainable location, it is within 2.5km of White Notley Station and offers significant facilities, including employment.
- BDC's landscape analysis study identifies low-medium landscape capacity however capacity of landscape to accommodate development is greater where it adjoins the settlement edge.
- The proposed development may be considered as infill and should be combined with Boars Tye Road.
- Other objections raise concern about primary education and healthcare capacity in the village and query if there is sewerage and local electricity capacity.
- The mismatch between residential and employment was highlighted and it was noted that off-peak public transport was poor and expensive, while White Notley rail station is not accessible on foot.
- Local issues with highways were conveyed, particularly in relation to larger vehicles mounting pavements at junctions and lack of private parking leading on-street parking.
- One resident called for a village plan to link housing to facilities, citing in particular, that the villages' second playgroup had to close, the cost of hiring the village hall and that the tennis courts were exclusive.

2.166 General comments:

- A general expression that new residents would also be exposed to harmful effects from the incinerator.
- A general comment supporting the Crittall redevelopment, but development should not adversely affect the rest of the village.

- 2.167 ECC who are the education authority and a statutory consultee have made the following comments:
- Approximately 150 dwellings would generate need for 14 additional places which cannot be accommodated at existing EYC facilities. S106 contributions will be sought to expand existing facility, with a project to be identified.
- 2.168 Silver End Parish Council did not submit a comment.
- 2.169 At the Local Plan Sub-Committee on the 25th May, officers recommended and it was agreed that SILV 388, SILV 385 would be allocated for residential and SIL7H would be retained as residential.
- 2.170 Officer Comments** - Resident's concerns that there lack of education capacity is not shared by ECC. A planned extension to Silver End Primary School was completed in October 2015 and ECC's Commissioning School Places in Essex report estimates, that with no development, 52 school places will be available at Silver End Primary School at 2019/20.
- 2.171 For early years and childcare, S106 contributions to create 14 additional places will be required however no specific project has been identified. General infrastructure policies in the plan will ensure provision is made at the appropriate time.
- 2.172 Likewise NHS England are requesting an appropriate financial contribution towards increasing capacity by means of extension or possible relocation of existing practices to mitigate additional demand for Primary Care services although no specific project is identified.
- 2.173 Anglian Water and National Grid have not identified any specific capacity issues with regards to sewerage or electricity supply.
- 2.174 Existing issues with larger vehicles on local highways as highlighted in objections are not related to additional traffic generated and are therefore not related to the development. The proposed developments will generate a limited number of HGV movements during construction only and the majority will be able to access sites directly from Boars Tye Road.
- 2.175 Taking into consideration the issues received in consultation comments above, officers have examined the infrastructure constraints and concerns and conclude that an appropriate level of mitigation can be identified, and that proposed infrastructure is deliverable. Two of three sites have already gained planning permission and the residual site, the Crittall Factory, is a regeneration priority.

2.176 Recommendation N - The Inset Map for Silver End to remain unchanged from that in the draft Local Plan, as shown in the appendix.

2.177 Stambourne Parish – Chapel End Way and Dyers End

2.178 Chapel End Way and Dyers End are small settlements with development boundaries within the Stambourne Parish to the north of the district.

2.179 It was proposed in the Draft Local Plan that the village was to remain the same as in the Local Plan Review 2005.

2.180 The only commentary put forward through the consultation was a site submission.

2.181 The site, reference STAM618, is located on Collins Farm and incorporates the Post Mill. The site is situated in open countryside and is a predominantly greenfield site with some agricultural building upon the site. The supporting information is summarised below:

- The site is not within a flood zone
- The farm buildings are old and underused
- The site could accommodate 5 to 10 dwellings including affordable housing
- The site could be delivered within 5 years
- The site would amount to a natural extension to the village envelope
- The development of the site would aid in the viability of the village

2.182 *Parish Council Comments* – The parish council's commentary on the site submission has been informally sought and in summary the Parish Council have suggested:

- The Parish Council has concerns that any development on this area would set a precedent for the rest of the village.
- The site is classed as a greenfield site and it is the Parish Council's understanding that the District Council will not use this type of site.
- In the unlikely event of there being a development on this site, the Parish Council would require some of the site to be given over for affordable housing.
- Overall, the Parish Council are of the opinion that this is not a suitable site for any further development.

2.183 The Parish Council had no other comments to date during the Local Plan as no other sites have been submitted within the Parish.

2.184 ***Officer Comments*** – STAM618 has no safe pedestrian access to Chapelend Way is not within proximity to the site. The village has no services other than a post office open a couple of afternoons a week and therefore it is suggested that the site is not considered to be within a sustainable location. The impact

upon the landscape character of the vicinity and wider context could also be detrimentally affected and therefore it is suggested that the site should not be allocated for residential development. From a site visit the farm appeared to be a working farm and the potential loss in employment could be detrimental. With reference to the extension to the development boundary; the site does not abut the current development boundary and an extension to the development boundary would be contrary to the methodology as set out in the development boundary review.

2.185 Recommendation O - The Inset Map for Stambourne Chapel End Way to remain unchanged from that in the draft Local Plan, as shown in the appendix.

2.186 Recommendation P - The Inset Map for Stambourne Dyers End to remain unchanged from that in the draft Local Plan, as shown in the appendix.

2.187 Steeple Bumpstead

2.188 Steeple Bumpstead is one of the larger villages in the north of the District and has a development boundary, alongside a range of services including a primary school, pubs and a petrol station.

2.189 It was proposed in the draft Local Plan that the village was to remain the same as in the SADMP 2014 which made amendments to the Local Plan Review 2005 and allocated a small site for development.

2.190 The Inset Maps received 17 comments in total and 1 new site submission. The commentary all pertained to STEB395 which is the site proposed to be allocated for residential development and is summarised below:

- The village is under risk of flooding as the flood alleviation system was not designed to take into account the extra dwellings
- The road infrastructure is not sufficient for further development
- The development of the site should be required to improve the current Victorian drains
- There is already a substantial amount of traffic within the village

2.191 A new site submission, reference STEB645, is a site to the south of the village and has been subject to a planning application reference 16/00410/OUT this year for 95 dwelling that has been refused. This decision is currently pending an appeal. The site is also now subject to a pending planning application reference 16/01665/OUT which seeks the site to be developed for up to 65 dwellings as oppose to the previous application that sought for up to 95 dwellings.

2.192 The representation put forward is summarised below:

- The site is currently in agricultural use
- The site is bounded by the north extent of Steeple Bumpstead

- The village has several facilities including: Primary School/ Pre-School, General Store/ Post Office/ Petrol Station, Doctor's Surgery, Community Library, Village Hall, two Public Houses and a Church
- There is also a range of employment opportunities within Steeple Bumpstead at the Blois Meadow Business Centre, with over 15 businesses located in the business park
- The site could be developed within a 5 year time period

2.193 *Parish Council Comments* – No new commentary has been submitted during the public consultation however the Parish Council had previously submitted commentary. This is summarised below:

- STEB 395 - definitely to be included.
- STEB 393 - land to the rear of 40-58 North Street – definitely to be included.
- STEB 391 - land adjacent to Pitt House, New England – not to be included
- STEB 392 - land beside 15 The Endway – not to be included.
- STEB 394 - land adjacent to Freezes Barns, North Street – not to be included

2.194 The Parish Council has not formally commented upon the site submission STEB645 however the put forward for the recently rejected planning permission is summarised below:

- The site is outside the village envelope;
- The development would have a negative impact upon the landscape particularly given the slope of the land. The development would rise higher than the rest of the village which is nestled with the valley landscape
- The development constitutes a 14% rise in the number of houses in the village which is disproportionate to the size of the village
- Would result in a loss of privacy and light for residents to the north
- Does not meet the requirements of the NPPF with regard to sustainability in respect of environmental harm
- The Moot Hall is vulnerable to damage from heavy traffic entering the village from Finchingfield Rd
- The development would change an agricultural field with a rural character to a large housing estate perimeter landscaping would be unlikely to mitigate the harm of the development
- The roads are narrow and congested
- Occupiers would need to use their cars to get to work locations and surrounding towns for shopping
- Highway safety concern regarding the new access due to the high volume and speed of traffic using the road
- Will lead to an increase in pollution
- Will result in a loss of Grade 2 agricultural land
- Concern regarding flood risk. The village has had a flood prevention scheme.
- The proposal does not adequately take this into account

- The attenuation pond should not be placed next to the children's play area due to risk of accident the Parish Council accept that the development would provide additional market and affordable housing and would contribute socially and economically to the village.

2.195 Helions Bumpstead Parish Council also objected to the 16/00410/OUT. A summary of the points made are as follows:

- The surgery within Steeple Bumpstead serves many inhabitants of Helions Bumpstead and is already under severe strain
- The roads within the village and general vicinity are not to a suitable for further development
- The increase in noise, pollution and speeding through Helions Bumpstead is unfavourable
- The Parish Council does not support the sites development

2.196 Sturmer Parish Council commented upon STEB391 suggesting that the site is in open countryside and they do not recommend allocation.

2.197 **Officer Comments** – The site reference STEB645 was refused planning permission under the reference 16/00410/OUT. It was decided that the proposal was not considered to amount to sustainable development. No further evidence suggests the site is now to be considered sustainable since the planning application was made. It is suggested that the site is not allocated within the Local Plan.

2.198 After careful consideration of all points made regarding potential issues relating to STEB395 such as an increased risk of flooding, pedestrian access and highways issues it is the officer's view that all concerns could adequately be addressed through a planning application. The site was allocated for development in the 2014 SADMP and no further substantive evidence has been put forward to suggest the site is now not appropriate for development; notably no concern raised by the Environment Agency.

2.199 No further commentary or supporting information was received relating to any other sites within the Parish.

2.200 Recommendation Q - The Inset Map for Steeple Bumpstead to remain unchanged from that in the draft Local Plan, as shown in the Appendix.

2.201 Terling

2.202 Terling is a small village to the south of the District with two development boundaries.

2.203 No sites were submitted during the public consultation however 2 comments were submitted regarding the designations on the Inset Map. In summary they suggested:

- The designation of formal recreation space was not indicative of the true extent of the space along The Dismals
- The area shown as allotments is not technically allotments; it is partially let on a shorthold amenity licences and other parts of the area are vacant

2.204 Parish Council Comments - No Parish Comments have been received

2.205 Officers Comments - After informal enquiries it is suggested that the commentary put forward is correct and that the Inset Map as currently shown does not properly reflect the extent of the formal recreation area. The land shown as allotments is also inaccurate. It is recommended that the Inset Map is amended to reflect the current uses of the sites.

2.206 Recommendation R - The Inset Map for Terling is amended as shown in the Appendix.

2.207 Tilbury Juxta Clare

2.208 Tilbury Juxta Clare is a village within the north of the District. No sites have been submitted for consideration during the Local Plan process and no comments have been made in relation to the Inset Map. The Inset was shown at the Draft Local Plan consultation to be the same as that shown in the Local Plan Review 2005.

2.209 Parish Council Comments – The Parish Council have not submitted any further information during the public consultation period however has previously stated:

- They wish to retain the existing village envelope
- do not wish to encourage any growth in the village

2.210 Officer Comments – Tilbury Juxta Clare is a small village with limited facilities and services. As no sites have been submitted during the Local Plan process it recommended that the village inset remain as shown in the Local Plan Review 2005.

2.211 Recommendation S - The Inset Map for Tilbury Juxta Clare to remain unchanged from that in the draft Local Plan, as shown in the appendix.

2.212 Wickham St Paul

2.213 Wickham St Paul is a village located in the north of the District with a development boundary. The Inset Map received no comments by the general public in the Draft Local Plan consultation. The Draft Local Plan suggested keeping the development boundary as shown in the Local Plan Review 2005 and did not allocate any sites.

2.214 One new site has been submitted during the consultation and one representation was submitted by the agent for WISP420.

2.215 The supporting information submitted by the agent for WISP420 is summarised below:

- The site could help maintain and enhance the vitality of the village
- The Local Plan is not delivering enough dwellings
- Development is concentrated too heavily upon the main towns and a proportionate level of development could be permissible within Wickham St Paul
- Concerns over the visual impact of the development sought could be mitigated

2.216 WISP619 is a new site that has been submitted during the public consultation. The site is located to the rear of Church Road and Old Road and is approximately 0.9 hectares in size. The site is predominantly brownfield in nature with several old asbestos sheds upon the site. The agent's representations are as follows:

- The village has several facilities including a bus service to Halstead and Sudbury
- The site abuts the development boundary
- The site is brownfield in nature
- The site is well contained and the current offering is not appropriate
- The allocation seeks residential use

2.217 *Parish Council Comments* – The Parish Council commented upon the Inset Map stating:

- The Parish Council supports the current draft Local Plan
- The Parish Council welcome the non-allocation of WISP420

2.218 Commentary in relation to WISP619 has been informally sought by the Parish Council and a summary of the views expressed are shown below:

- There is no requirement to extend or amend the village envelope
- There is concerns in respect of sustainability and demands on the local infrastructure made by a development in what is a relatively small village
- It is considered that the site is not wholly brownfield
- A number of mature trees including oaks should be preserved if the site is developed
- Consideration would need to be given to both the visual and physical impact on close neighbours
- There are concerns about the road access to the proposed site
- We understand that at this stage this is a submission for inclusion in the local plan with a view to development at some time in the future and the Parish Council would be happy to take part in any site visits and subsequent discussions

- 2.219 **Officers Comments** – Wickham St Paul is a small village with limited services and facilities and is under no specific requirement for further growth. The village is not considered a sustainable location for further large scale development. In relation to the commentary submitted by the agent for WISP420 it is suggested that the site is a greenfield site and though potentially the impact of development upon the wider location could be mitigated through landscaping, the character of the entrance to the main central part of the village would be altered. However a potential brownfield site is now available in the village which would take preference for development over the greenfield site.
- 2.220 WISP619 is a new site that has been submitted during the public consultation. Though Wickham St Paul is not considered to be a village with a high level of sustainability the brownfield nature of the site should be taken into consideration. The site submitted has two access points shown. Both are considered at this point in time to be substandard in nature. The site is under the same ownership as the property next to the site on Church Road and the owner of the two properties to the south of the site along Old Road. It has been suggest by the agent of the site that a suitable access could be achieved by changes to one of these plots.
- 2.221 On inspection of the site it is evident that the site has several redundant and derelict buildings however other areas of the site are not considered to be brownfield. It is suggested that the brownfield element of the site could be considered for redevelopment. It is suggested that the development boundary is amended to include the area of the site which is considered to be brownfield within the development boundary allowing for an application to come forward. The area of the site that would be included within the development boundary would amount to approximately 0.6 hectares. As the access is currently negotiable the level of development that could be accommodated upon the site is unclear therefore it is recommended that the site is not allocated however is partially included within the development boundary to allow for a suitable scheme to come forward on the brownfield elements
- 2.222 **Recommendation T - The Inset Map for Wickham St Paul to be amended from that shown in the draft Local Plan, as shown in the Appendix.**

3 Draft Local Plan Amendments to Vision and Objectives and Design and Heritage Sections

Vision and Objectives

- 3.1 This section of the Plan sets out the overall vision for how the District will develop and should be ambitious but realistic.

- 3.2 It is complemented by the 12 key objectives which sets out the key themes which run through all the chapters in the Plan
- 3.3 The Vision and Key Objectives together received a total of 26 comments, however some were related to specific sites which are dealt with within the specific considerations of those sites. Of the remaining comments 3 are in support, 14 were objections, and 2 were general comments.
- 3.4 The summary of comments supporting the Plan;
- Supportive of the vision for good quality design and ambitions to ensure high standards are achieved.
 - There was support for modern design that should be more than encouraged to implement energy saving measures.
 - There was also support for the identification of Freeport and the Retail Park as a regional shopping destination.
- 3.5 A summary of the objection comments not from statutory consultees was;
- Presumptuous of BDC to think it will be so successful when all investment is being focussed on the M11 corridor.
 - Don't accept the vision of unfettered growth, it should be decentralised away from London/South East to areas where it would be welcome.
 - The protection of the environment and how development contributes to local character should be made much stronger.
 - Support the vision for success but it is too focussed on new communities. The Vision should be qualified to highlight that sustainable development in rural communities will be supported in order to maintain their vitality and meet local need.
 - How are you going to avoid gridlock with all these new homes
 - The vision includes development at Halstead, but very little is being proposed.
 - Fine objectives but have little confidence they will be achieved given past performance
 - This section should include reference to the A120 and A12
 - Key objectives should include equestrian users
 - All properties should be built with high speed broadband and futureproof fibre to the premises.
 - Technology and documentation on the Local Plan has not empowered people as the Local Plan lacks descriptive text on each of the allocations which could be used to inform responses
 - Empowering people means listening to what they say, not just ticking a box and ignoring it.

- Believe our site at SE Braintree provides the opportunity to contribute to many of the objectives here.

3.6 A summary of the general comments is;

- Vision should say more about the rural areas of the District. It should create conditions for the growth of local employment and small scale housing supply in rural areas. This can be achieved without compromising the Districts natural and built environmental heritage.

3.7 A summary of the statutory consultee and Parish Council comments are set out below;

- Natural England noted that at present they objected to the vision as it included the west of Colchester garden community, where the current impacts on the SSSI in the vicinity are uncertain. They also suggested the objectives should make reference to high quality green infrastructure and the priorities in the Biodiversity Action Plan.
- Essex Wildlife Trust note that the vision should include biodiversity and a statement on ecological networks. The sustainability objective should include reference to no net loss of biodiversity.
- An agreed definition of sustainability is required to avoid confusion
- Rayne Parish Council commented that many of the factors to achieve the vision and objectives are beyond BDC control. Road infrastructure must be fixed quickly to allow new development to take advantage of it.
- Tendring District Council supported the positive and aspirational approach to economic growth and improvements to the road and rail networks.
- Empowerment of the community will involve significant changes of thinking from Councillors
- A national government solution to broadband investment is needed.
- Schools, skills and school transport are in ECC control, let's hope they have a similar plan. Availability of teaching staff is an issue, as it is with healthcare staff.
- The results of the referendum, devolution and the work on the garden communities mean long led in times and will take too long to benefit this Local Plan, meaning the whole Country will need to back load its programme of development.

3.8 Officer Responses and proposed changes - Many of the comments on the Vision relate to how it can be applied rather than how it is written. There is some desire for more reference to development respecting local character and specific reference to other smaller rural communities and also request to include biodiversity and ecological networks.

- 3.9 Officers also consider that given the vision set out in the shared strategic plan which includes reference to new garden communities, that the detail within this District specific vision should be removed. Any subsequent changes to the spatial strategy will be reflected in the Vision.

3.10 Recommendation U - Updated Vision Text

- 3.11 “By 2033, the District will be the most successful in Essex. Jobs and businesses will have increased in both quantity and quality, making the District a desirable place to live and work.

*Housing growth has been achieved, with the expansion of the main town of Braintree providing sustainable attractive new homes within a market town setting. Witham, Kelvedon and Feering have also continued to expand making the most of their excellent transport links to provide high quality homes and new community facilities. Two new garden communities are being built within the District. ~~West of Braintree a new town will be under construction, providing homes, employment and facilities within an excellent environment and in line with garden city principles. At Marks Tey, a major new urban area shared with Colchester borough, will also be emerging as a self-contained town, containing all the services and facilities which the residents will need.~~ **at West of Braintree and West of Colchester providing positive new communities within a high quality environment.** Smaller scale growth will continue in other areas of the District, including Halstead, meeting the local needs of smaller **rural** communities.*

The strategic transport routes of the A120, A12 and rail routes from Braintree and Witham have been improved allowing fast and reliable connections to London, London Stansted Airport, the east coast ports and other key regional centres.

Developments in the District will have been designed and built to the highest quality, making the best use of new technologies to ensure suitability and sustainability now and in the future. High speed reliable broadband is accessible for all homes and businesses.

*All residents in the District will have access to the highest quality community facilities including health and education provision. Outstanding leisure facilities continue to be provided to ensure residents can make healthy choices, and retail and other community needs are met. **The unique natural and historic environment continues to be protected and enhanced.***

Braintree District continues to be an aspirational place to live with a successful economy, wide range of affordable, sustainable homes situated within a high quality urban and rural landscape, all within easy reach of London and the wider region”.

3.12 Key Objectives

- 3.13 **Officer Comments** - Several amendments to the key objectives are being proposed by officers to take into account the comments that have been made to the consultation. This particularly includes those relating to the environment and also adding in a line regarding futureproofing broadband provisions.
- 3.14 Two other comments directly suggest changes to the objective in relation to transport but officers do not consider those to. The first is that the A120 should be mentioned within this section. It should be noted that the A120/A12 is referenced both in the vision as being improved and the strategic road network and new infrastructure is referenced in the shared strategic plan objectives. It is not considered necessary to add equestrian users into the transport infrastructure policy. Other minor changes are proposed for clarity and to ensure tie in with the strategic objectives.

3.15 Recommendation V - Updated key objectives

- 3.16 *"Creating a successful economy
To promote a local economy which supports the growth of existing businesses and encourages new entrepreneurial enterprises and employers to locate in the District, by providing high-quality land and buildings in sustainable locations, to meet the needs of businesses., and seeks to reduce travel outside the District to work.*

Retail and Town Centres

To support the changing role of town centres as a location for retail, employment, community services and cultural facilities by encouraging new development and regeneration schemes to support the function of the towns as major service centres. The major regional shopping destination of Braintree Freeport and Retail Park continues to be supported. Shops and retail facilities will also be provided on new developments where appropriate.

Housing Need

To provide a range of housing sizes, types and tenures which meet local need, including affordable homes, starter homes, and those residents with specialist accommodation needs. New homes will be created in balanced sustainable communities.

Transport Infrastructure

*New developments must contribute towards the improvement of the road network in the District, including schemes to ensure safety and aid **reduce** congestion. Developments will make appropriate provision for*

public transport, walking and cycling, both within developments and connections to the wider network.

Broadband

To work with Essex County Council and service providers, to secure the earliest availability of universal broadband coverage and the fastest available connections speeds in the District and to ensure that these are made available to all new developments, ~~where it is viable to do so.~~ **along with measures to futureproof development for additional technologies.**

Education and Skills

To facilitate the best possible education system for District residents of all ages, by supporting the construction of new schools and other educational buildings which support life-long learning and skills development in the District ~~and which provides~~ **providing** the skills necessary for businesses ~~in the District to thrive.~~

Protection of the Environment

To protect and enhance the natural and historic environment and varied landscape character of the District, promoting local distinctiveness and character. **Development will be planned with high quality green infrastructure and space for flora and fauna, with no net loss of biodiversity.** The Council will seek to minimise the impact of all forms of pollution on the health and amenity of local communities and the natural and built environment.

Good Quality Design

All new developments in the District will be of high-quality design, easily maintainable and will respect the scale, style and setting of the site with reference to historic townscapes, natural landscapes and existing infrastructure. Development ~~would~~ **should** use materials which respect and enhance their setting and contribute to local character.

Healthy Communities

All residents of the District are able to keep active and make healthy choices by ensuring outdoor community areas are preserved and enhanced and appropriate new areas to enable sports and recreation are created. Cycle ways and pedestrian links are also to be provided in all new developments to encourage walking and cycling. Land will be made available to support the expansion of local physical and mental health facilities **to support new and growing communities.**

Social Infrastructure

Residents of the District should have access to the best local and community facilities which provide inclusive places for communities to meet, play and learn. New developments will make contributions to existing facilities or provide land and contributions for new facilities.

Sustainability

To ensure that all development takes place in the most well-connected areas, making the best use of sites that have been previously development. The use of natural resources should be minimised and developments should encourage the use of renewable energy and energy efficiency measures.

Empowering Local People

Creating a planning environment in which local residents and businesses feel fully involved and empowered to engage in shaping the future of the District. Documents are written in a way which is accessible and decisions are taken in a transparent way.”

3.17 Creating Better Spaces – Design and Heritage Policies

3.18 Introduction - This section primarily deals with design and the built environment. It also includes detailed policies on dealing with the historic environment including Conservation Areas and listed buildings.

3.19 This section does not have any site specific allocations.

3.20 Built and Historic Environment

3.21 This policy is the overarching strategic policy for the built and historic environment. 10 comments have been received including on the policy and its preamble. Statutory consultee responses have been received from Essex County Council and Historic England.

3.22 The main comment from Historic England and Essex County Council is that;

- Re-order the policies in the chapter
- Policy should refer to locally listed buildings
- Heritage impacts of the West of Braintree Proposal
- Additional wording in the strategic policy to cover listed buildings, registered parks and gardens and heritage assets.

3.23 *Officer Comment* - A number of comments have been made against this section referring to development proposals at the west of Braintree, and its potential impact on the built and historic environment, which would be addressed when the Council considers responses to SP10 – West of Braintree New Garden Community.

- 3.24 Concerns have been raised that this policy duplicates aspects of other policies contained within the Plan notably LPP28, but as this is the overarching strategic policy which is expressing general principles which the Local Plan would address in more detail in other non-strategic policies, then perceived duplication would be inevitable. Other changes have been made to add clarity to LPP42, and to add reference to local lists.

3.25 Recommendation W – Updated Built Historic Environment Text

3.26 “Built and Historic Environment

The built and historic environment is the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand. The values of the historic built environment lie in defining and enhancing that connection of people to a place. The built environment can enhance regional and local distinctiveness and it forges connections between people and the places where they live and visit. Good planning policy takes into account and is sensitive to the historic built environment when assessing new development applications.”

Policy LPP 42 - Built and Historic Environment

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:

- a) Respect and respond to the local context, especially in the District's historic areas, where development may affect the setting of **listed buildings and other buildings of historic or architectural significance, conservation areas, registered parks and gardens** ~~historic or important buildings, conservation areas,~~ and areas of high archaeological and landscape sensitivity **including designated heritage assets***
- b) Promote and encourage the contribution that ~~historical~~ **heritage** assets can make towards driving regeneration, economic development, tourism and leisure provision in the District*
- c) **Actively encourage local groups to formulate Local Lists of buildings and structures of historic or architectural significance***
- d) Create **built** environments which are safe and accessible to everyone and which will contribute towards the quality of life in all towns and villages*
- e) Create good quality built environments in commercial and business districts and in the public realm as well as in residential areas*
- f) Be capable of meeting the changing future **needs** of occupiers*
- g) Promote the sympathetic re-use of buildings, particularly where they make a positive contribution to the delivery of sustainable development and regeneration.*

3.27 Introduction – Creating High Quality Spaces

- 3.28 24 comments have been received including comments from statutory consultees including, the Environment Agency, Essex Wildlife Trust, Natural England, Essex County Council, Historic England, and Sport England.

- Impacts on rights of way
- Further detail on flood resilience and resistant
- Usefulness of the Essex Design Guide
- Comments on development West of Braintree
- Reference to locally native species
- Development density
- Light pollution.
- Energy efficient design

- 3.29 *Officer Comments* - Additional text on flood resilience and resistant construction was requested by the Environment Agency, however rather than being in the policy it should be included in the glossary and referenced in the pre-ambble to the policy. National Planning Practice guidance includes further information on flood resilient and flood resistance, and as such including further detail in the policy would be duplication. It was suggested to add a section on energy efficient design but this was considered to be an issue addressed by building regulations.
- 3.30 Reference to the Essex Design Guide should be stronger as it is an adopted document used in decision making by the Council. Conversely the Essex Design Guide has been criticised for producing mediocre developments by another commenter. The Guide has been adopted by the Council for the purposes of decision making, but additional text is suggested to reinforce allow for flexibility, and that it would not prevent innovative design.
- 3.31 Reference should also be included to LPP46 to the use of local native species in landscape proposals. The criteria in the policy should also be amended to make them clearer. It is proposed to remove the word “density” from the first criteria, as this could potentially lead to artificially low density developments in areas which are more sustainable and could accommodate higher levels of density, but may be restricted by the existing density being a lot lower. Low density developments are not an effective use of land within the District particularly in sustainable locations. Bullet point 9 has been amended to include reference to light pollutions on local amenity, dark landscapes and nature conservation as suggested by Natural England (1563). Other clarifications were sought, however officers are of the view that the criteria as amended are sufficiently clear.
- 3.32 It has been suggested that amenity space requirements which are set out in the Essex Design Guide, should be relaxed as the District has a large amount of greenspaces. Officers are of the view that while amenity standards have previously been relaxed on a case by case basis for higher density schemes within urban areas, a blanket relaxation of standards would not be appropriate.
- 3.33 Further improvements to the policy have been suggested by officers who seek to improve the wording and scope of policy LPP46 for example criteria b and f listed below are new.

3.34 Reference has been added to single aspect units in order to guide the limited circumstance in which they would be permissible. The reference to noise classes C and D would be noise levels which would not permit the opening of windows.

3.35 Again comments have been made in relation to SP10 and how these policies would relate to that proposed development.

3.36 Recommendation X - Creating High Quality Spaces

3.37 Creating High Quality Spaces

Where people live has a major effect on their life. If where people live is well-planned, appropriately designed and effectively managed, their environmental quality of life is more likely to be of a good standard. This chapter establishes the link between planning and design to help produce improved living environments which results in a better quality of life for all. The objective is to encourage and assist those involved in the planning of new developments to think more imaginatively about the best possible design and layout.

In general, an effective approach to planning, design and development is one which:

- Makes efficient use of the available land and buildings and reduces the demand for green field development*
- Provides homes which are attractive and environmentally friendly*
- Encourages well laid out urban areas with good quality buildings, well-designed streets and good quality public open spaces*
- Allows people to get to work easily and to the services they need like local shops and health and leisure facilities and*
- Makes good public transport viable and makes walking and cycling attractive options.*

The Council is committed to ensuring high standards of planning, design and layout in the District as well as recognising the importance of the quality of the environment and its heritage assets. The NPPF emphasises that it is important to plan positively for the achievement of high-quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. In accordance with the NPPF, the Council will require good development design and also the protection and enhancement of the historic environment, including in 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 Essex Design Guide **has been adopted by Braintree District Council, and** is a useful starting point for a development and provides guidance regarding amenity standards, layouts and separation distances for dwellings. **The guide should be used flexibly particularly when being***

applied to brownfield sites, but it should not prevent innovative layouts or design proposals.

In the context of this chapter, development includes that 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.

It is recognised that there is an ageing population in the Braintree District with the proportion of residents aged over 65 being higher than the national average. Understanding and planning for demographic change and an ageing population is an important consideration in sustainable planning and design and can assist in creating an inclusive society. It is a requirement to ensure that the needs of our ageing population are met through provision of appropriate housing and easy access to public transport and facilities such as health care.

Noise category C and D in the policy below, refers to noise situations such as development adjacent to trunk roads or railway lines, and is noise level which would not permit the opening of windows.

Flood Resilience and flood resistance are defined in National Planning Guidance.”

Policy LPP 46 - Layout and Design of Development

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

- a) The scale, layout, **density**, height and massing of buildings and overall elevation design should reflect or enhance the area's 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 and the building line*
- b) **Buildings and structures should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriate defines the public realm, comprise details and materials that complement, but not necessarily replicate, the local architectural character.***
- c) There shall be no unacceptable impact on the amenity of any nearby properties including on privacy, overshadowing, loss of light and overbearing impact*
- d) The public realm including buildings, open areas, circulation spaces, and other townscape and landscape features shall be of a high standard of design and materials and they shall be consistent with affordable long term maintenance **which is appropriate to the character and historic value of the area***
- e) Designs shall be sensitive to the need to conserve local features of architectural, historic and landscape importance, particularly within Conservation Areas and in proximity to heritage assets*
- f) **Both the overall planning and detailed design Development proposals***

~~will shall~~ incorporate measures 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

- g) Designs shall incorporate details of waste storage and collection arrangements, including provision for recycling, within the site to ensure that the impact on amenity and character are considered and recycling is optimised
- h) 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
- i) Landscape **proposals should consist of native plant species and their** design shall promote and enhance local biodiversity and historic environmental assets. The planting of trees in inappropriate places such as highway verges and in close proximity to dwellings shall be avoided in order to prevent interference with highway sight lines and root damage to roads, pavements and properties
- j) 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 **on local amenity, intrinsically dark landscapes and nature conservation**
- k) Use of sustainable modes of transport are promoted in the design and layout of new development, the highway impact shall be 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
- l) Proposals for the long-term maintenance of public areas, **and landscaping and highways are included**
- m) ~~Development will be planned to minimise vulnerability to climate change impacts and that such development will not exacerbate vulnerability in other areas~~
- n) The development proposed should not have a detrimental impact **on the safety of highways or any other public right of way and its users footpath and cycle way safety**
- o) ~~External alterations to buildings will be supported where they do not have a detrimental impact on heritage assets~~
- p) Developments shall be legible and accessible to all and create or contribute to a coherent sense of place that is well articulated and visually interesting and welcoming Developments shall be permeable and well-connected to walking and cycling networks, open spaces and facilities
- q) Residential developments shall provide a high **standard level** of accommodation and amenity for all prospective occupants. ~~Single aspect units will rarely be acceptable be discouraged~~
- r) **Developments should avoid single aspect dwellings that are: north facing; exposed to noise categories C or D, or contain three or more bedrooms. Where single aspect dwellings are proposed, the designer should demonstrate how good levels of ventilation, daylight and privacy**

will be provided to each habitable room

- s) *Private outdoor amenity space shall be provided in accordance with the standards set out in the Essex Design Guide and shall be accessible, usable and well-related to the development.*

3.38 Introduction – Conservation Areas

3.39 12 comments were received on LPP47 and its preamble, 3 comments on policy LPP48, and 4 comments on LPP49. The general subjects raised are as follows;

- Impact of the development West of Braintree and other sites on conservation areas
- Re-naming and subdivision of policy on conservation area, and having a separate demolitions policy
- That demolition of non-listed buildings should be for those buildings which have a negative impact
- Reference to the recording of listed buildings prior to demolition
- Change of the order of policies.

3.40 *Officer Comments* - Comments have been made against these policies in relation to the SP10 – West of Braintree site. Also comments have been made which raise concerns about developments within the main towns having an impact on existing conservation areas. Alterations to the conservation area in Braintree and Bradford Street are also suggested; however the extent of those areas is shown in the Local Plan for information. Alterations to Conservation Areas are carried out under the Listed Buildings and Conservation Areas Act (1990), and would take place separately to the Local Plan process, as is the case for conservation area appraisals and management plans.

3.41 It has been suggested that policy LPP47 be split to separate the demolition in conservation areas policy. It has also been suggested that a wording alteration be made to LPP47 and the addition of a criteria covering existing details of buildings. These changes have been incorporated into the policy. For the demolition section of the policy, Historic England have suggested changes to make it clear that the demolition of buildings in Conservation Areas should be for structures which make a negative contribution, and that the policy makes it clear that re-development proposals are required prior to demolition in a conservation area.

3.42 It has been suggested that the order of policies be altered, which will be incorporated in the next draft of the Plan.

3.43 For policy LPP48 – Shop Fronts, Fascias and Signs in Conservation Areas, 3 comments were made which seek

- reference to local vernacular character and style, and
- support for the policy.

- 3.44 No changes are proposed other than the re-ordering of the policies as previously mentioned.
- 3.45 For policy LPP49 – Illuminated Signs in Conservation Areas, 4 comments have been made for seeking;
- local vernacular character and style,
 - amendment to the chapter structure,
 - and a suggested addition to criteria 5 to discourage internally illuminated signage.
- 3.46 It is agreed to include the reference to internally illuminated signs, however reference to local vernacular character and style is not considered appropriate in a policy which is purely referring to signage.

3.47 Recommendation Y – Updated Conservation Areas Text

3.48 Conservation Areas

“Conservation Areas are designated under the Planning (Listed Building and Conservation Areas) Act 1990. There are 39 Conservation Areas within the District, which are identified on the accompanying 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.

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, and 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 consent. Parts of Silver End are covered by additional restrictions and further guidance is available from the Local Planning Authority on this.

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

Policy LPP 47 - ~~Preservation and Enhancement of Conservation Areas, and Demolition within Conservation Areas~~

*The Council will **encourage the preservation and** ~~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 all the*

following criteria are met:

- a) The proposal does not detract from the character, appearance and essential features of the Conservation Area
- b) **Details of existing buildings which make a positive contribution to the character and appearance of the Conservation Area will be retained**
- c) **Architectural details on buildings of value are retained**
- d) Building materials are authentic and complementary to the building's character **and appearance of the Conservation Area.**

New Policy- Demolition in Conservation Areas

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

- a) Its removal would not have a negative impact on the street-scene
- b) The structure to be demolished makes ~~no contribution~~ **a negative contribution** to the character or appearance of the Conservation Area
- c) Its removal would be beneficial to the local environment or infrastructure
- d) ~~proposals for the site's re-development are included~~ **A detailed redevelopment scheme is included and approved** as part of the demolition proposal which would preserve or enhance the character and appearance of the area

Policy LPP 48 - Shop Fronts, Fascias and Signs in Conservation Areas

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

- a) 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
- b) 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
- c) 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
- d) Any undue proliferation of advertisement displays will be opposed and signs above ground- floor level will normally be refused
- e) 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
- f) Display windows should be sub-divided into areas which create proportional harmony and relate to the character and features of the building
- g) Traditional materials should be used wherever possible
- h) Inappropriate division of the buildings behind their facades will not be permitted
- i) 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

Policy LPP 49 - Illuminated Signs in Conservation Areas

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

- a) Well-designed and proportioned fascia signs will be considered favourably, depending upon the building and the setting, provided that the lettering only is illuminated*
- b) 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*
- c) 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*
- d) Projecting and hanging signs should be non-illuminated and at, or just below, fascia level*
- e) Where illumination is proposed for shop fronts it should always be provided externally, **internally illuminated signage will be resisted.***

3.49 Heritage Assets

3.50 15 comments have been submitted to the preamble to and policy LPP50. Comments have been made on;

- objecting toward SP10 – West of Braintree
- the impact of development on existing conservation areas
- support for the Local List
- a group volunteering to prepare a heritage list
- that much stronger wording is needed for the policy
- additional wording was put forward for LPP50 which seeks to refuse planning permission for any development which impacts heritage assets
- that an amendment to policy should be made for making it clear that heritage statements should be submitted
- that what is defined as harm is dependent on the importance of the asset
- that the number of Conservation Areas should be listed in the text.

3.51 *Officer Comment* - Historic England has made a number of comments all of which have been incorporated into the policy and preamble. Additional text has been added to the pre-amble to make it clear that a balance is required between harm and public benefit of development proposals.

3.52 Recommendation Z - Heritage Asset Text

3.53 “Heritage Assets

The National Heritage List for England shows that in 2016 the District had 3,237 heritage assets including 3,189 listed buildings of all grades, 40

Scheduled Ancient Monuments, **39 Conservation Areas** 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 **Historic England 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 for their contribution to the quality of life of local residents and visitors as they offer significant social, cultural, economic and environmental benefits. Substantial harm **such as the total or partial loss of an asset or its setting**, 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, **and scheduled monuments**), 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 **substantial public benefits 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 **Historic England 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.*

Policy LPP 50 - 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 all the following criteria are met:

- a) The works or uses do not harm the significance of the setting, character, structural stability, and fabric of the building or structure*
- b) The works or uses do not result in the substantial harm, or damage to the building or structure's historic and architectural elements which are considered to be of significance or special importance*
- c) The works or uses include the use of appropriate materials and finishes*
- d) The application submitted contains details of the significance of the heritage asset, **within a Heritage Statement** ~~(either within the design and access statement or within a Heritage Statement)~~, which should include any contribution made by their setting*
- e) 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 **immediate** settings of heritage assets by appropriate control over the development, design and use of adjoining land*

3.54 Introduction – Listed Buildings or Structures

3.55 6 comments have been made, against policy LPP51 – Demolition of Listed Buildings or Structures. Comments have been referring;

- to the proposed garden community at West Braintree.
- ECC have requested an amendment to include specialist recording structures prior to demolition
- Historic England have also suggested that market uses should be included as alternative uses for listed buildings or structures in order that the policy is in alignment with the NPPF.

3.56 *Officer Comment* - It is agreed that the additional changes proposed by ECC and Historic England be included in the policy in order to improve its clarity.

3.57 Recommendation AA – Listed Buildings or Structures Text

3.58 “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.

Policy LPP 51 - 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 all the following criteria are fully satisfied:

- a) The demolition is demonstrably unavoidable for structural safety reasons*

- b) *The redevelopment of the site would provide an extraordinary benefit for the local area which would decisively outweigh the loss resulting from demolition*
- c) *Demolition works are made conditional upon planning permission being granted and a contract agreed for when redevelopment is intended*
- d) *Appropriate specialist recording is carried out ~~likely to be required~~ prior to demolition*
- e) *All reasonable efforts have been made to sustain existing uses, find viable new uses through appropriate marketing or secure preservation through a form of charitable or community ownership and that these efforts have failed*

3.59 Enabling Development

- 3.60 3 comments have been made against the enabling development policy.
- Comments have been made in regard to the West of Braintree community,
 - the chapter ordering
 - Historic England who have suggested alterations to paragraph 7.48, and LPP52 to improve the clarity of the policy and its pre-amble, as currently worded it would potentially cause confusion, as the statement is also within criteria d.

- 3.61 *Officer Comment - It is agreed that the proposed changes by Historic England and ECC and incorporated into the policy in order to ensure its soundness. The removal of the text referencing the personal circumstances of its owner, is necessary as this point is already covered under criteria d.*

3.62 Recommendation BB – Updated Enabling Development Text.

3.63 “Enabling Development

Enabling development is defined as development within the vicinity of a 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. **Historic England’s 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’.*

Policy LPP 52 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 meeting all 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.

3.64 Sites of Archaeological Importance

3.65 6 comments have been made.

- Comments have been made against Braintree West garden community
- ECC have recommended a clarification to paragraph 7.52
- A minor change is suggested to improve the terminology used.
- Historic England have suggested additional wording which would strengthen the policy, with a view to preserving remains of sufficient importance in situ where they cannot be moved or mitigated within a proposed development.

3.66 *Officer Comments* - Officers agree with the changes proposed by ECC and Historic England as they improve the soundness of the policy. Use of the word significance over importance is consistent with the wording used in the NPPF. The additional section makes it clear that archaeological evidence should be proportionate to the development proposed, and that in some circumstances development proposals could be refused dependent on the value of archaeological assets and whether it would need to be preserved in situ or not.

3.67 Recommendation CC – Sites of Archaeological Importance.

3.68 “Sites of Archaeological Importance

A Historic Environment Characterisation Report (HECR) has been produced for the Braintree District which outlines the sensitivity, diversity and value of the historic environment within the District. It provides a comprehensive account of the character of the District's 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 500,000 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 6,622 records relating to the historic environment in the Braintree District. 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 **with archaeological interests** applications the applicant 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 where they are found 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.

Policy LPP 53 - 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, **significance** ~~importance~~ and extent of the archaeological remains and will allow an informed decision to be made on the planning application. **Such assessments should be proportionate to the importance of the site and a programme of archaeological investigation may be necessary for sites likely to contain significant archaeology.**

Planning permission will not be granted if the remains identified are of sufficient importance to be preserved in situ and cannot be so preserved in the context of the development proposed, taking account of the necessary construction techniques to be used.

Where archaeological potential is identified but there is no overriding case for any remains to be preserved in situ, development which would destroy or disturb potential remains will be permitted, subject to conditions ensuring an appropriate programme of archaeological investigation, recording, reporting and archiving prior to ~~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.