

# LOCAL PLAN SUB-COMMITTEE AGENDA

**Wednesday, 05 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**  
*(Please note this meeting will be webcast and audio recorded)*  
[www.braintree.gov.uk](http://www.braintree.gov.uk)

---

**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](mailto: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](mailto: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.

Please note that there is public Wi-Fi in the Council Chamber, users are required to register in order to access this. There is limited availability of printed agendas.

### **Health and Safety**

Any persons attending meetings in the Council offices are requested to take a few moments to familiarise themselves with the nearest available fire exit, indicated by the fire evacuation signs. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by officers. You will be assisted to the nearest designated assembly point until it is safe to return to the building.

### **Mobile Phones**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

### **Webcast and Audio Recording**

Please note that this meeting will be webcast and audio recorded. You can view webcasts for up to 6 months using this link: <http://braintree.public-i.tv/core/portal/home>

### **Documents**

Agendas, reports and minutes for all the Council's public meetings can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

We welcome comments from members of the public to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these via [demse@braintree.gov.uk](mailto:demse@braintree.gov.uk)

## **PUBLIC SESSION**

## **Page**

- 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 12th July 2016 (copy previously circulated).
- 4 Public Question Time**  
(See paragraph above)
- 5 Hatfield Peverel Neighbourhood Plan - Consultation** **5 - 20**
- 6 Braintree District Local Development Scheme 2016-2019** **21 - 41**
- 7 Braintree Draft Local Plan - Outcome of Consultation Strategy** **42 - 47**
- 8 Braintree Draft Local Plan - Consultation Responses** **48 - 68**
- 9 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.
- 10 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.*

**11 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.

<b>Hatfield Peverel Neighbourhood Plan – Regulation 14 Consultation</b>		<b>Agenda No: 5</b>
<b>Portfolio:</b> Planning and Housing <b>Corporate Outcome:</b> Securing appropriate infrastructure and housing growth  <b>Report Presented by:</b> Alan Massow <b>Report Prepared by:</b> Alan Massow		
<b>Background Papers:</b> <ul style="list-style-type: none"> <li>• National Planning Policy Framework (NPPF)</li> <li>• National Planning Practise Guidance (NPPG)</li> <li>• Localism Act (2011)</li> <li>• Planning and Compulsory Purchase Act (2004)</li> <li>• Local Plan Review (2005)</li> <li>• Core Strategy (2011)</li> <li>• New Draft Local Plan (2016)</li> <li>• Hatfield Peverel Neighbourhood Plan</li> <li>• Strategic Environmental Assessment (SEA) – Screening Report (2016).</li> </ul>		<b>Public Report:</b> Yes  <b>Key Decision:</b> No
<b>Executive Summary:</b>  <p>Hatfield Peverel Parish Council's Neighbourhood Plan group has been working on a neighbourhood plan for the parish of Hatfield Peverel. Neighbourhood Plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications. They have the same status as the non-strategic elements of the Local Plan.</p> <p>A draft of the plan has been released for public consultation, which concludes on the 30<sup>th</sup> September.</p> <p>The plan contains policies on the economy, environment, infrastructure, and housing. It does not allocate any sites for housing development.</p> <p>The Council has a number of comments and suggestions in response to the Plan which are set out in the <b>Appendix 1</b>.</p> <p>Once this consultation concludes, the Plan will be submitted to Braintree District Council, who will have to carry out a further period of consultation, followed by an examination which, if successful, will enable a referendum on the Neighbourhood Plan.</p>		

<b>Decision:</b>	
<b>To note the proposed portfolio holder response to the Hatfield Peverel Neighbourhood Plan Regulation 14 consultation and make any comments.</b>	
<b>Purpose of Decision:</b>	
<b>To respond to the consultation on the Hatfield Peverel Neighbourhood Plan.</b>	
<b>Corporate Implications</b>	
<b>Financial:</b>	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.
<b>Legal:</b>	To comply with Governments legislation and guidance.
<b>Equalities/Diversity:</b>	The Councils policies should take account of equalities and diversity.
<b>Safeguarding:</b>	None
<b>Customer Impact:</b>	There will be public consultation during various stages of the neighbourhood plan.
<b>Environment and Climate Change:</b>	This will form part of the evidence base for the emerging Neighbourhood Plan and will inform policies and allocations.
<b>Consultation/Community Engagement:</b>	There will be public consultation during various stages of the emerging Neighbourhood Plan.
<b>Risks:</b>	The Neighbourhood Plan examination may not succeed at examination. The Neighbourhood Plan may be rejected at a referendum. Risk of High Court challenge.
<b>Officer Contact:</b>	
Alan Massow	
<b>Designation:</b>	
Senior Policy Planner	
<b>Ext. No.</b>	
2577	
<b>E-mail:</b>	
<a href="mailto:almas@braintree.gov.uk">almas@braintree.gov.uk</a>	

## 1 Background

- 1.1 Neighbourhood planning is a right for communities introduced through the Localism Act 2011. It allows communities to shape development in their areas through the production of Neighbourhood Development Plans, Neighbourhood Development Orders, and Community Right to Build Orders.
- 1.2 Neighbourhood Development Plans become part of the Local Plan and the policies contained within them are then used in the determination of planning applications. The policies in the plan cannot block development that is already part of the Local Plan. What they do is shape where development will go and what it will look like.

- 1.3 In early 2015 Hatfield Peverel Parish Council applied for a Neighbourhood Area covering its parish. This is the first step in the process for creating a Neighbourhood Plan; the application was determined and approved by Braintree District Council in March 2015.
- 1.4 Since then the Neighbourhood Plan group of the Parish Council, has conducted extensive workshops, and consultations with residents to help formulate the draft plan. Evidence base has also been commissioned in the support of the plan including a parish specific Landscape Character Assessment. This is available at;

<http://www.essexinfo.net/hatfieldpeverel/the-neighbourhood-development/more-information/>

## **2 Consultation**

- 2.1 The parish council has published its neighbourhood plan for consultation under regulation 14 of The Neighbourhood Planning (General) Regulations (2012). This concludes on the 30<sup>th</sup> September 2016. An extension of time has been agreed for the Council response to be submitted.

## **3 Plan Contents**

- 3.1 The document includes sections on the environment & countryside, transport and communications, economy, community wellbeing, education, health & healthcare, and housing. Policies include economic, environment, facilities & infrastructure, and housing policies.
- 3.2 No sites have been allocated for housing development.

## **4 Comments**

- 4.1 Braintree District Council acknowledges and applauds the hard work which Hatfield Peverel Parish Council and its Neighbourhood Plan group have put into producing the draft Neighbourhood Plan. Officers are pleased with the effort which has been put into the Plan and how it has engaged with the population of the Parish. Braintree District Council continues to support and provide advice to the Neighbourhood Plan group.
- 4.2 A table of comments, in the response format requested by the consultation, is included as an appendix to this report.

- 4.3 Many of the comments proposed are factual/typo corrections. In addition, some of the policies include repetition of exiting Local Plan policies or national guidance which would not need to be included in a Neighbourhood Plan, as development proposals would have to accord with them anyway. Council officers also suggest a number of ways in which the Plan could be more robust.
- 4.4 The draft Neighbourhood Plan covers a range of issues clearly important to the local community. Officers have made a series of suggestions to try aid the robustness of the document and address concerns including the likelihood of being able to obtain s106 contributions for community type uses, the ability of the planning process to specifically deliver a tea room, the requirement to ensure that sufficient evidence to support the Neighbourhood Plan is available and supports the plans justification, the need to formulate a more robust policy for the protection of Local Green Space, and that reference should be made to the proposed country park at the quarry.

## **5 Basic Conditions**

- 5.1 In order for a plan to be successful at examination it is necessary for it to meet what is known as the basic conditions. They are as follows;
- Have regard to national policies and advice contained in the guidance issued by the secretary of State
  - The making of the Neighbourhood Plan contributes to the achievement of sustainable development
  - The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
  - The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations
  - Prescribed conditions are met in relation to the Plan and prescribed matters have been complied with.
- 5.2 The first 4 bullet points are self-explanatory. For bullet point 5 the prescribed matters cover impact on European habitats and Environmental Impact Assessments.



- 5.3 It is necessary to ensure that the basic conditions are being met throughout the production of the Neighbourhood Plan, otherwise a Plan would not be able to proceed to its referendum.
- 5.4 Braintree District Council carried out an Environmental Impact Assessment on a draft of the Plan which concluded that the Plan could be screened out for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC. The Plan was considered to not have a significant effect on the environment in so far as it does not allocate land for development. In addition, no policy approach can be considered to be contrary to the requirements of sustainable development in the Plan Area or national and existing/emerging LPA planning policy requirements. The Plan does therefore not requirement Strategic Environmental Assessment.

## **6 Next Steps**

- 6.1 Once Hatfield Peverel Neighbourhood Plan consultation has closed, the document will be revised by the neighbourhood plan group, taking into account all the comments received. Once this has been done the Plan and its supporting documents, will be submitted to Braintree District Council for a further round of consultation under regulation 16 of the 2012 regulations. The Council will then have to publish the Plan on its website with details of how to view and comment on the document. It is anticipated that this will take place in the Spring 2017.
- 6.2 Once this has been completed it is necessary to arrange for the examination of the Plan.
- 6.3 If the examiner is satisfied that the Plan can meet the basic conditions set out above, then the plan can proceed to referendum. If it receives more than 50% of the vote in favour it will be made, and become part of the Local Plan.

### **Recommendation**

**To note the proposed portfolio holder response to the Hatfield Peverel Neighbourhood Plan Regulation 14 consultation and make any comments.**

## Appendix 1 – Braintree District Council response to Hatfield Peverel Neighbourhood Plan consultation

POLICY	AGREE	DISAGREE	COMMENTS
Introduction text			<p>Page 7 – Need to add reference to Essex County Council policy documents such as the waste local plan and the Minerals Plan to the planning context diagram.</p> <p>Page 10 – Add reference to the emerging draft Local Plan to diagram. In addition “Other Villages” will be referred to as “Villages” in the emerging Local Plan.</p> <p>Page 14 – Objective 3 – Re-word reference to “High Level” internet connectivity, suggest changing it to “superfast broadband”.</p> <p>Page 19 – Special Landscape Areas do not exist anymore and have been replaced at the district level by Landscape Character Assessments.</p> <p>Page 20 – The Open Spaces Action Plan was originally published in 2013 with the latest version being adopted in 2016.</p> <p>Page 20 – The purpose of including open spaces in the Action Plan is not to identify open spaces but to set out a list of outline proposals for the provision and enhancement of those spaces. Its purpose is to demonstrate the need for the provision and enhancement which enables the Council to demonstrate where financial contributions being sought from developments under the Open Spaces Supplementary Planning Document will be spent.</p> <p>Page 21 – Planning Issues, bullet point 3 – Development proposals in the flood plain would have to be in accordance with the sequential test as set out in national guidance.</p> <p>Page 21 – Planning Issues, bullet point 4 – Need to ensure that the plan’s evidence base supports this statement.</p> <p>Page 24 – Traffic Challenges – Supporting evidence would need to be referenced against the list of factors which have contributed to increased traffic flows.</p> <p>Page 25 – Section on HGV movements, was this in relation to the Arla dairy site?</p> <p>Page 25 – Need evidence to support the statement that the current road infrastructure is incapable of dealing with increasing demands.</p> <p>Page 27 – paragraph 3 – The 2012 LSH report is out of date and the 2015 version which is available on the Council website should be used instead.</p> <p>Page 29 – First bullet point – In the context of local business what is meant by general</p>

POLICY	AGREE	DISAGREE	COMMENTS
			<p>amenity value? Does this refer to a business providing an important local service?</p> <p>Page 29 – Bullet 8 – this may be more of a non-planning matter, as it would most likely have to be delivered by a third party.</p> <p>Page 32 – Bullet 2 – Improvements to an existing outdoor facility to provide a outdoor gym could be covered by the Open Spaces Action Plan. Motorised sport would however not be suitable on an existing green space as it would sterilise the area for other uses.</p> <p>Page 34 – Does Essex County Council agree with the statement under infant &amp; primary schools regarding children under 11 going to the school at Lodge Farm?</p> <p>Page 35 – First 2 bullet points, likely to need re-wording, bullet point 3 is a non-planning issue.</p> <p>Page 38 – third paragraph, owner occupation rates seems very low.</p> <p>Page 39 – Paragraph 5 – Needs updating as the draft Local Plan has been published which includes the housing distribution strategy.</p> <p>Page 41 – 3<sup>rd</sup> paragraph, section requires updating as 2015 update is now available.</p> <p>Page 42 – Bullet 1 - Clarification required on the first bullet point as to what the uniqueness of the settlements are? Does this mean separation?</p> <p>Page 42 – Bullet 7 – This is not a planning issue and should be moved to the non-planning section.</p>
ECN1 Support for Small Business			<p>What constitutes a small business is often dependent on the type of business and the sector in which it operates. That being said it may be more appropriate to change the number of staff which defines a small business in line with a recognised definition of a small business. Suggest less than 50 which is the PAYE definition.</p> <p>First two criteria need clarification.</p>
ECN2 – Use of Redundant Agricultural Buildings/Rural Buildings			<p>This policy repeats the policy in the Local Plan and would therefore be a unnecessary duplication and could be removed from the neighbourhood plan.</p>

<b>POLICY</b>	<b>AGREE</b>	<b>DISAGREE</b>	<b>COMMENTS</b>
ECN3 – Working From Home			Reference required to support statement that home working has significantly increased in the past 10 years. Figure was 2.9 million in 1998 and 4.2 million in 2014 (Source - ONS)
ECN4 – Broadband & Mobile Connectivity			No comments at this time.
ECN5 – Retention of Assets of Community Value			<p>Reference should be to government guidance, regulation or legislation not secondary sources.</p> <p>ACV applications are determined by Braintree District Council, with parish councils or other groups with a local connection able to nominate them. ACV's can't be nominated by individuals.</p> <p>ACV typos as AVC.</p>
ECN6 – Protection of Commercial Premises			Commercial premises have very limited permitted development rights in relation to the operation of a commercial business. Other permitted development rights could be removed on grant of a planning permission.
ECN7 – Public Realm			<p>Page 52 typo top of page.</p> <p>The final section of policy ECN7 is aspirational, but does provide a clear expectation as to what would happen to Hatfield Peverel in the event of it being bypassed from Maldon Road to the A12. Ultimately it is ECC who would determine how the route would be managed, and Highways England as to what contingency would need to be in place in the event of disruption on the A12</p>
ECN8 – Support for Provision of a Café			Planning permission is granted on the basis of use classes which would not limit a particular use to a “tea room” but either A3 or perhaps part A/3A5, use depending on what business model was in use.

POLICY	AGREE	DISAGREE	COMMENTS
			Link evidence from the survey in the justification text to support provision of an internet café/meeting hub.
ECN9 – Redevelopment of Arla Site			<p>Last section of policy starting “The village would prefer...” is superfluous as the policy is supportive of redevelopment. Suggest including that statement under the justification.</p> <p>Any scheme would have to include market housing in order to make the development viable, which would be of a variety of sizes.</p> <p>Add to the benefits list that the scheme would provide housing, provide contributions to health and education services.</p>
HPE1 – Prevention of Coalescence			<p>Page 56 – Justification for statement on low density housing. What would you estimate to be the density of development?</p> <p>Reference to village envelope should be changed to development boundary for consistency with the Local Plan.</p> <p>Terminology re “industrial” not the same as that used in conversion of buildings policy.</p> <p>Policy should not refer to Green Belt. Suggest adding criteria which guides how development would be considered appropriate in those areas. National guidance on Local Green Space should be referenced.</p> <p>Is it the intention that the wedge which is shown adjacent to Wood End Farm should only run along part of the allocation, or should this extend further to the north east?</p>
HPE2 – Natural Environment & Bio-diversity			Suggest that any such loss will be appropriately mitigated, is change to “There should be no net loss of/any loss will be re-provided elsewhere.”
HPE3 – Protection of Local Green			Provide full address details so they can be easily identified by third parties.

<b>POLICY</b>	<b>AGREE</b>	<b>DISAGREE</b>	<b>COMMENTS</b>
Space			Remove reference to Green Belt. Local Green Space guidance is provided under the NPPG, which states that protection policies should have equivalent protect as green belt. The NPPF set outs more guidance on how green belt should be protected, from which a policy could be formulated. Paragraph 89 of the NPPF set out uses which may be appropriate in green belt locations.
HPE4 – Strutt Memorial Ground			The third paragraph under the justification may not be necessary as provision of appropriate facilities for outdoor sport, outdoor recreation, would be permissible if they preserve openness and does not conflict with the purposes of including land within it.
HPE5 – Sport & Recreation			Reference should be made to the quarry site.  Clarification required under the justification paragraph 4. Footpaths are protected but they are not assets of community value which would be a building or other land rather than a right of way.
HPE6 – Protection of Important Views			A list of the key elements contained within those views should be provided.  The table listing important views also appears to list open areas, suggest splitting this table or removing those which are open areas.
HPE8 – Heritage			Map of historic features – May be worth leaving TPO's off the map for clarity and they would not all be considered historic features.
T1 – Sustainable Modes of Transport			T1 – Suggest changing the wording of policy to make it locally specific, as it currently doesn't add anything locally specific to Hatfield Peverel.
T2 – Transport Considerations			Repeat of Local Plan policy. Update of map and supporting table require reflecting the fact that Arla dairy has been closed, and alternative uses are being sought.  KSI information could be used to improve the map of traffic hazards.

POLICY	AGREE	DISAGREE	COMMENTS
			<p><a href="http://www.essexworkstraffweb.org.uk/main.html">http://www.essexworkstraffweb.org.uk/main.html</a></p> <p>When looking at accident records available (from 2011), for areas 2, 6, 7, 8, 9 10 and 11, have had no accidents, but the unidentified junction the B1019 and Ulting Road has had 1 slight injury as has the junction with Wickham Bishops Road. Junction 12 has had no accidents on it but has had accidents in close proximity.</p> <p>This gives the impression that this map is not one which is identifying hazards but rather a junction which is perceived as difficult to use. The table does not tie up with the available KSI information, for example for junction 4 it states that this has been the site of several fatal accidents, but KSI data shows only 2 accidents one of which was serious, but no fatal accidents. One fatal accident is recorded on the A12 but this is away from the junction.</p>
P1 – Parking Provision			<p>This policy is broadly the same as the Local Plan policy.</p> <p>Under general public parking, opportunities for public car parking near to community services could be identified through the neighbourhood plan.</p> <p>Under justification paragraph 2 – Need to establish, through evidence, the speculated link between commuter parking in residential streets and cost of parking at the station.</p> <p>Under justification paragraph 5 – first sentence should read “Essex Parking Standards”</p>
P2 – Electric Charging Point Provision			<p>No new public car parks have been identified in the plan. For the third part this could be expanded to provide charging points in non-communal areas to take into account future occupiers needs for charging points. The addition of charging points is considered to be permitted development.</p>
EDP1 – Education for All			<p>Second paragraph is a non-planning issue and should be removed or put into background text.</p>

<b>POLICY</b>	<b>AGREE</b>	<b>DISAGREE</b>	<b>COMMENTS</b>
EDP2 – Safe Routes to School			This policy should be checked against ECC standards for safe routes to school to ensure that it is not a duplicate.
PHC1 – Health & Wellbeing			This policy may require re-wording as it is reliant on third parties for delivery. Whilst the provision of additional health facilities can be secured through s106 contributions, the NHS would determine when provision would be required.
HPG1 – Burial Ground			Does the parish council have a site in mind? If so it should be allocated.
HPD1 – Developer Contribution			<p>Do you have a site in mind for motocross circuit? It could be a major attraction which would need to be carefully planned, especially in light of the noisy nature of the use. It would also be difficult to justify and accumulate sufficient funding for such a facility through s106 contributions. A policy supporting the provision of a motocross site within the parish may be a more appropriate way to delivery that facility, perhaps as part of the country park proposals?</p> <p>Should education provision be added to the priorities?</p>
HO1 – Design of New Developments			<p>Page 82 – Preamble on housing policies, remove “and its supporting Site Allocations Document.” As this is not accurate, the new Local Plan will be an all-encompassing document.</p> <p>Policy does repeat a lot of the Local Plan design policy.</p> <p>Bullet 4 – The first sentence is not a design criterion, also it conflicts with the beginning of the policy which states that it applies to all development, then specifies a development threshold of between 10 to 30 dwellings, perhaps a better approach would be to do a density study of the village to guide what development density should be in future, subject to other sustainability considerations such as ease of access to public services and transport.</p> <p>Need evidence to support the requirement of 1 wheelchair dwelling per 10 dwellings.</p>
HO2 – Retirement			Remove reference to owner occupier.



POLICY	AGREE	DISAGREE	COMMENTS
Housing			The neighbourhood plan could allocate a site for this use.
HO3 – Affordable Housing			<p>Overall, we are pleased that the community in Hatfield Peverel is highlighting the need for affordable housing and seeking to adopt policies that support its future provision. The following comments focus on the detail of policy HO3 – we support the overall intention of the policy.</p> <ul style="list-style-type: none"> <li>• Current national planning guidance sets a national threshold of 10 units for the provision of affordable housing. While our evidence and our previous policies support the thresholds in the draft Neighbourhood Plan, the proposed policy is likely to be challenged by developers unless the requirement for 40% affordable housing applies to schemes of 11 or more.</li> <li>• We would not recommend making reference to exceptions to the above to secure bungalows etc. We think it would be more sensible to simply leave any concessions to secure particular types of homes to the negotiation process.</li> <li>• The proposed policy states that <i>“the housing type should reflect that identified as being required by applicants with a local connection on the Housing Register”</i>. We are not unsupportive of this approach but recommend that the Parish Council works with the District when negotiations begin for a development. Basing needs on people simply with a local connection may lead to some issues as the people registered at the beginning of the negotiation process may well have moved on by the time the homes are completed. We would want to share our experience from other areas to make sure what is built has the most beneficial impact.</li> <li>• We agree that affordable housing should be integrated within the market housing but it should be clustered in sensible numbers rather than pepper-potted.</li> <li>• Rather than a 80/20 tenure split we would suggest it be 70/30 rented over shared ownership which is in line with the current general approach on negotiating affordable housing. Indeed the second paragraph of justification section which refers to the SHMA findings rather supports aiming at a 70/30 mix. The main purpose of shared ownership is to help people who can sustain a</li> </ul>

POLICY	AGREE	DISAGREE	COMMENTS
			<p>mortgage but may not be able to afford to purchase without assistance with monthly costs and with deposits. Reducing the proportion of shared ownership homes from 30% to 20% will not help the “apparent limited capacity to secure lending” mentioned in the ‘justification’.</p> <ul style="list-style-type: none"> <li>• The National Housing and Planning Act 2016 introduced ‘Starter Homes’ and although at the time of writing, no regulations have been passed that define the detail, all of the Government’s technical consultation documents have indicated an intention to require: <ul style="list-style-type: none"> <li>○ that Starter Homes are defined as ‘affordable’ for the purposes of negotiating the affordable housing requirement; <i>and</i></li> <li>○ a proportion of Starter Homes (20% has been the proposed proportion) is required on all sites above 10 units; <i>and</i></li> <li>○ that the way in which they are marketed and sold will be set nationally and outside the control of the Local Authority (and presumably by implication outside the control of Neighbourhood Plans).</li> </ul> </li> </ul> <p>We would not recommend that the Plan is changed in its assumptions about the tenure mix but the community should be aware that it may not be possible to sustain the proposed policies.</p> <ul style="list-style-type: none"> <li>• The issue of local connection can be very difficult to oversee and can have far-reaching implications if it is poorly set out and managed. We would rather look at schemes on an individual basis than see the adoption of a blanket policy across all developments. It is understandable that the Plan seeks to ensure that local people are given priority for the first letting of new homes. We have used a similar approach in other locations and, provided it is clearly set out and well managed, have found it can be workable. If the Plan continues to require local connection criteria, we would urge that some changes are made so that the Plan takes the following issues into account: <ul style="list-style-type: none"> <li>○ We would recommend the following amendment: “First occupation of any dwelling will be specifically for people <u>with a housing need in accordance with the prevailing Allocations Policy of the Local Authority</u> with a local connection to the village of Hatfield Peverel”. The purpose of this is that</li> </ul> </li> </ul>

POLICY	AGREE	DISAGREE	COMMENTS
			<p>our lowest banding in our current register (Band E) is for people with no housing need. This band includes some homeowners, private tenants with no threat of eviction and people already in the social sector with no particular need to move. Amongst others, our policy does give some priority (Band C) to adults living at home with their parents, so as drafted above, would achieve some of the aims of the policy to help local people but if people are housed who have a local connection but no housing need over people who have a very high need and either a weak connection or no connection, we cannot support the policy.</p> <ul style="list-style-type: none"> <li>○ We understand the wish to prioritise applicants with a strong connection but policies that set out very specific levels of local connection (such as 5 out of the last 8 years occupation) mean that someone who left 2 years ago is given priority but someone who lives in the village and has done for 4 years (and could be an active member of the community; perhaps a school governor or parish councillor) is not given priority. This is why a scheme-by-scheme approach is desirable. On smaller sites with fewer allocations and more demand relative to supply, it is possible to adopt policies as set out but allow a 'cascade' that gives a 'lesser' priority to people who currently live in the village. On larger sites, we would urge that it is considered to simply give priority to people who live in the village, or have lived there for 5 out of the last 8 years (if that is the timeframe you wish to adopt).</li> <li>○ If you adopt local connection policies, we support the connection applying to family members but would urge that you consider people who work in the village. This can support people who have to travel to work at the moment and makes the village and your businesses more sustainable.</li> <li>○ If you were to adopt a policy that allowed a variation to lettings policies depending on the scale of the scheme, we are happy to assist in helping frame a policy that secures a scheme for local people <b>and</b> is possible for the housing provider to implement.</li> </ul>

<b>POLICY</b>	<b>AGREE</b>	<b>DISAGREE</b>	<b>COMMENTS</b>
HO4 – Minimum Garden Sizes			May be more suitable to specify appropriate densities for Hatfield Peverel for housing developments, the reference to private amenity allow for reduced garden sizes relates to higher density situations, which are more likely to be found in larger towns or the more sustainable locations.
HO5 – Creating Safe Communities			No comments at this time.

<b>Braintree District Local Development Scheme 2016 - 2019</b>		<b>Agenda No: 6</b>
<b>Portfolio:</b> Planning and Housing <b>Corporate Outcome:</b> Securing appropriate infrastructure and housing growth  <b>Report Presented by:</b> Sean Tofts <b>Report Prepared by:</b> Emma Goodings/Sean Tofts		
<b>Background Papers:</b> <ul style="list-style-type: none"> <li>National Planning Policy Framework (NPPF)</li> <li>National Planning Practise Guidance (NPPG)</li> <li>Localism Act (2011)</li> <li>Planning and Compulsory Purchase Act (2004)</li> </ul>		<b>Public Repot:</b> Yes  <b>Key Decision:</b> No
<b>Executive Summary:</b>  Local authorities are required to produce a Local Development Scheme which is the project management document which sets out the timetable for the production of the Local Plan, other Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). The draft Local Development Scheme (LDS) is included in <b>Appendix 1</b> of this report. It updates and replaces the previous LDS from January 2015.		
<b>Decision:</b>  <b>To approve the Braintree District Local Development Scheme 2016 – 2019.</b>		
<b>Purpose of Decision:</b>  <b>To agree the timetable and project management document which sets out the production of the Local Plan and other supporting documents.</b>		
<b>Corporate Implications</b>		
<b>Financial:</b>	N/A	
<b>Legal:</b>	To comply with Governments legislation and guidance.	
<b>Equalities/Diversity:</b>	The Councils policies should take account of equalities and diversity.	
<b>Safeguarding:</b>	None	
<b>Customer Impact:</b>	There will be public consultation during various stages of the emerging Local Plan.	
<b>Environment and Climate Change:</b>	This will form part of the evidence base for the emerging Local Plan and will inform policies and allocations.	

<b>Consultation/Community Engagement:</b>	There will be public consultation during various stages of the emerging Local Plan.
<b>Risks:</b>	That the Council is penalised for not achieving the timetable set out in the Local Development Scheme.
<b>Officer Contact:</b>	<a href="mailto:Sean.tofts@braintree.gov.uk">Sean.tofts@braintree.gov.uk</a>
<b>Designation:</b>	Planning Policy Officer
<b>Ext. No.</b>	2556
<b>E-mail:</b>	Sean.tofts@braintree.gov.uk

## 1 Background

- 1.1 Braintree District Council is preparing a new Local Plan which will guide development between now and 2033. It will also be producing additional planning policy documents which support and build upon the policies and allocations set out in Local Plan.
- 1.2 It is a requirement that the Council publish a Local Development Scheme (LDS) which sets out what documents will be produced over the next 3 years. The last LDS was approved in January 2015 and was for the period January 2015 – December 2017. An update is required to take into account the updated Local Plan timetable and to incorporate the additional documents which will be produced to support the garden communities.

## 2 The Local Development Scheme

- 2.1 The LDS sets out the planning context and national and local government policy and this section has been slightly updated to reflect the current position.
- 2.2 The LDS provides an update on the timetable of adoption of the Braintree Local Plan. This has been amended to reflect the current position and includes the anticipated timetable around the Shared Strategic Part 1 as well as the Braintree specific section of the Local Plan.
- 2.3 The LDS also includes for the first time that the Council intends to produce additional Development Plan Documents (DPDs) to provide further guidance in relation to the garden communities. These may be produced jointly as appropriate. The LDS sets out the timescale for production and consultation of these documents.
- 2.4 As the LDS has been rolled forward, an additional programme of works has been added in relation to a revision of the current Supplementary Planning Documents (SPDs) on Open Space, External Lighting and Affordable Housing. These will take place after the adoption of the Local Plan.

- 2.5 The neighbourhood planning information has also been updated and sets out where a neighbourhood plan area has been designated and the broad progress of each of the Plan.
- 2.6 The evidence base section has been updated to reflect the current position and the substantial progress that has been made in this area since the last LDS was published.
- 2.7 Finally the risks and resources section has been updated to the latest position.

### **3 Conclusion and Next Steps**

- 3.1 If approved by committee the LDS will be published on the website. The timetable set out in the LDS will be the subject of continuous review and be updated if necessary. The LDS will be formally reviewed and updated yearly.

### **Recommendation**

**To approve the Braintree District Local Development Scheme 2016 - 2019**



# LOCAL PLAN | LOCAL DEVELOPMENT SCHEME

2016 - 2018

September 2016



# Contents

1.	Introduction	2
2.	Planning Context	3
	• National Planning	
	• Guidance County Planning	
	• Policy Adopted Planning Policy	
3.	Local Plan and Local Development Framework	5
4.	Supplementary Planning Documents	9
5.	Neighbourhood Planning	11
6.	Evidence Base	12
7.	Monitoring and Review	15
8.	Resources and Risk	15
9.	Timetable of Documents for Production	17

# 1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 requires the Council to prepare a Local Development Scheme (LDS). This sets out the rolling programme for preparation of planning documents that together will form Braintree District's Local Plan. It identifies the key stages in the preparation of the Council's Local Development Documents.
- 1.2 It also sets out what resources will be required in order to ensure that the work will be completed in accordance with the timetable and identifies the risks that could result in delay.
- 1.3 This is the eighth version of the Local Development Scheme that has been prepared by Braintree District Council. The first was published in September 2005 and the last review was published in January 2015. Progress on the Local Development Scheme has been monitored and the extent to which the milestones identified have been achieved is set out in the Council's Annual Monitoring Reports.
- 1.4 The Braintree Local Development Scheme is therefore a project management document, which informs the public and stakeholders of the planning documents that the Council will produce and the timescale for their production. It includes;
  - A timetable for the production and adoption for all Development Plan Documents within the Local Development Scheme time period (3 years).
  - Identifying background studies and documents, which form the evidence base for the Local Plan.
  - A list of current adopted Supplementary Planning Documents, Material Planning Guidance and Development Briefs.
  - Arrangements for monitoring and review.

## 2. Planning Context

### National Planning Guidance

- 2.1 The Planning Practice Guidance sets out in paragraph 158 that each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.

### County Planning Policy

- 2.2 Essex County Council is the authority responsible for production of the Waste and Minerals Local Plans, which form part of the Development Plan. At present the adopted plan for Essex is;
- The Essex Minerals Local Plan (2014)
  - The Waste Local Plan (2001) (New Waste Plan submitted for examination)
- 2.3 More details on the waste and minerals development document can be found on the Essex County Council website [www.essex.gov.uk](http://www.essex.gov.uk) following the links from planning to minerals and waste policy.

### Adopted Local Planning Policy

- 2.4 Current adopted planning policy in Braintree is made up of the Core Strategy, adopted in September 2011 and the Braintree District Local Plan Review, which was adopted in July 2005.
- 2.5 The Braintree District Local Plan Review was adopted in July 2005. In July 2008 the Secretary of State for Communities and Local Government decided that the majority of the Braintree District Local Plan Review policies would remain in force with the exception of the following 11 policies, which have either already been implemented, or have been superseded by more recent Government policy guidance;
- RLP23 Provision for Gypsies and Travelling Showpersons
  - RLP43 Atlas Works Site, Earls Colne
  - RLP57 Freeport Special Policy Area
  - RLP66 Flood Risk in Developed and Urban Areas
  - RLP66 Flood Risk in Undeveloped Areas
  - RLP68 Functional Floodplains
  - RLP130 Indoor Sport and Leisure Site, Braintree Retail Park
  - RLP131 Swimming Pool, Millennium Way, Braintree
  - RLP132 Community Swimming Pool, Ramsey School, Halstead
  - RLP156 Community Uses Site, Colchester Road, Halstead
  - RLP165 Monitoring

- 2.6 When the Core Strategy was adopted in 2011, it superseded the following additional policies in the Braintree Local Plan Review 2005;
- RLP1 Housing Provision
  - RLP5 Affordable Housing in New Developments
  - RLP60 Braintree Branch Line Improvement
  - RLP61 New Road Schemes
  - RLP78 Countryside
  - RLP79 Special Landscape Areas
  - RLP88 Agricultural land
  - RLP110 Retail and Town Centre Development
  - RLP111 Retail Development
  - RLP137 Open Space Standards
  - RLP139 Allotments
  - RLP163 Infrastructure and Community Facilities
- 2.7 It was the intention that the remaining policies in the Local Plan Review 2005 would be used, until they were superseded by the adoption of new policies in the Site Allocations and Development Management Plan Document. However, the transitional arrangements following the publication of the NPPF in March 2012 and set out in Annex 1: Implementation of that document state;
- “For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given)”.*
- 2.8 This means that after 28th March 2013, policies in the Core Strategy and remaining policies in the Local Plan Review will have different weight depending on their compatibility with the NPPF and the presumption in favour of sustainable development.
- 2.9 The NPPF also allows for weight to be given to relevant policies in emerging plans according to:
- “The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);***
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and***
- The degree of consistency of the relevant policies in the emerging plan to the policies in this (sic) Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given).”***
- 2.10 The Council progressed a Site Allocations and Development Management Plan in 2014 and 2015, this was not submitted for examination and has now been superseded by the Draft Local Plan (2016).

## 3. Local Plan

- 3.1 The Planning and Compulsory Purchase Act 2004 required the preparation of new planning documents to replace the previous planning system. This new suite of documents was part of the Local Development Framework (LDF). However, following the change of government in 2010, a new set of Town and County Planning (Local Planning) (England) Regulations came into force in April 2012 (And amended in November 2012) and these revert to the former terminology of a 'Local Plan'.
- 3.2 The Local Plan will set out how the Council plans for, and makes decisions about, the future of towns, villages and countryside and will set out a strategy for the future development of the District, which is based on a clear and locally distinct vision. This vision will be developed with the involvement of the local community and there should be commitment by all relevant agencies to its delivery.
- 3.3 The Local Plan consists of a number of documents, including Development Plan Documents (DPDs) such as the Local Plan, Supplementary Planning Documents (SPDs), a Local Development Scheme (LDS), the Authorities Monitoring Report (AMR) and a Statement of Community Involvement (SCI). Further details about each document and their progress in Braintree District are given as follows:-

### 3.4 The Statement of Community Involvement (SCI)

- 3.5 **Purpose:** This document sets out the standards and approach to involving the community and stakeholders in the production of the Local Plan.
- 3.6 **Status:** The Council adopted its SCI in July 2006 following agreement by an independent planning inspector, with a supplement agreed in 2009. A revised draft SCI was published in January 2013, to reflect new national guidance and changes in the way that information is accessed, particularly in relation to electronic media. The revised SCI was approved by Full Council on the 23rd September 2013.

### 3.7 The Core Strategy Development Plan Document

- 3.8 **Purpose:** The key document in the Local Development Framework, which sets out the key strategic vision and objectives for the District and contains strategic sites, which are essential to the delivery of the plan.
- 3.9 **Status:** The Council adopted its Core Strategy in September 2011, following examination of soundness by an independent planning inspector.

### 3.10 The Site Allocations and Development Management Plan

- 3.11 **Purpose:** A development plan document, which is in conformity with the Core Strategy. This allocates sites for new housing, employment, retail and other land uses and sets out non-strategic planning policies, by which planning applications are judged, to ensure that they will meet the vision set out in the Core Strategy.

- 3.12 **Status:** The Site Allocations and Development Management Plan was withdrawn on the 30th June 2014. At a Full Council meeting on the 15th September 2014 the Council agreed that the document would be considered as a material consideration in the determination of planning applications. It has now been superseded by the draft Local Plan.

### 3.13 Local Plan

- 3.14 **Purpose:** Sets out strategic and non-strategic allocations for land use, and policies for the determination of planning applications.
- 3.15 **Status:** Currently un-adopted, the council has completed the public consultation in August 2016. The Document includes the development management policies, site allocations and strategic policies that the council would like to take forward.

### 3.16 Strategic Growth Development Plan Document(s)

- 3.17 **Purpose:** For Braintree District these will take the form of area Action Plans (AAP) for the development of Garden Communities. Each Garden Community; if progressed through the Local Plan Process will require an APP. This will be a joint or separate APP depending on the administrative boundaries of the Garden Community.
- 3.18 **Status:** Early stages of the document preparation are underway and the documents will be subject to public consultation summer 2017.

### 3.19 The Authority Monitoring Report (AMR)

- 3.20 **Purpose:** To set out the principal characteristics of the District and assess progress in preparing Local Development Documents and monitor progress in housing, employment and other development.
- 3.21 **Status:** The AMR is published in December of each year and assesses the year from the 1<sup>st</sup> of April to the 31<sup>st</sup> of March. The 2015 report is available on the council website.

### 3.22 Local Development Scheme (LDS)

- 3.23 **Purpose:** A project management document to inform stakeholders of the timetable for production of documents.
- 3.24 **Status:** This draft LDS will replace the January 2015 to December 2017 LDS.

### 3.25 Supplementary Planning Documents (SPDs)

- 3.26 These are supplementary to the Local Development Documents. Further detail is set out in Section 4.

### 3.27 Community Infrastructure Levy (CIL) Charging Schedule

- 3.28 **Purpose:** To set out the standard levy which the local authority will be applying to some developments and to define the infrastructure projects, which it is intended to fund.

3.29 **Status:** Braintree District Council will be considering the Community Infrastructure Levy in the latter part of 2017.

### 3.30 Local Plan – Timetable for Production

Role and Content	Sets out the detailed allocations of land for housing, employment, retail and other major land uses. Sets out strategic and non-strategic development management policies.
Status	Development Plan Document
Chain of Conformity	Must be consistent with National Policy as set out in the National Planning Policy Framework.
Geographic Coverage	Whole of Braintree District

Timetables and Milestones	
Evidence Base Update; Update of strategic level evidence base	September 2014 – Summer 2016
Issues and Scoping Consultation	Jan to March 2015
Member Approval of Consultation Document	June 2016
Public Participation of preferred options	Summer 2016
Consideration of Representations and amendment of document	Autumn / Winter 2016
Council Approval of Pre Submission Document and Submission Draft Consultation	Early Spring 2017
Submission to Secretary of State	Late Spring 2017
Hearing	Shared Strategic Plan (Part One) - Autumn 2017 Braintree District Specific Local Plan (Part Two) – Winter 2017/2018
Receipt of Inspectors Report	Spring 2018
Date of Adoption	Autumn 2018
Arrangements for Production	
Lead Department	Braintree District Council Sustainable Development
Management Arrangements	To be managed by Departmental Management Team and Sub Committee of Council Members
Resources	To be prepared by Planning Policy Team involving other services as appropriate. To be funded from base budgets.
Involvement of Stakeholders and Community	As set out in the Statement of Community Involvement
Post Production Monitoring and Review Mechanisms	Document to be monitored on an annual basis and will need to be subject to review, if monitoring highlights a need, or as required.

### 3.31 Garden Communities Area Action Plans – Timetable for Production

Role and Content	The Garden Community Area Action Plans (AAPs) will set out planning policies, masterplans and maps to show how they will be developed. Planning applications in the area will need to conform to the AAP.
Status	Development Plan Document
Chain of Conformity	Must be consistent with National Policy as set out in the National Planning Policy Framework. The document will also be consistent with the Local Plan.
Geographic Coverage	To be confirmed through further studies; maybe prepared with neighbouring authorities.

Timetables and Milestones	
Document Preparation	Autumn 2015 – Spring 2017
Member Approval of Consultation Document	Spring 2017
Public Consultation on Draft AAP	Summer 2017
Document Preparation to reflect Public consultation	Autumn 2017 / 2018
Member Approval of Final Submission Version	Spring 2018
Public Consultation on submission Version of the AAP	Spring 2018
Submission to Secretary of State	
Submission to the Secretary of State	Late Spring 2018
Examination	Summer 2018
Inspectors Report	Autumn 2018
Document Adoption	Winter 2018
Arrangements for Production	
Lead Department	Braintree District Council Sustainable Development
Management Arrangements	To be managed by Departmental Management Team and Sub Committee of Council Members
Resources	To be prepared by Planning Policy Team involving other services as appropriate. To be funded from project budget.
Involvement of Stakeholders and Community	As set out in the Statement of Community Involvement
Post Production Monitoring and Review Mechanisms	Document to be monitored on an annual basis and will need to be subject to review, if monitoring highlights a need, or as required.



## 4. Supplementary Documents

- 4.1 Supplementary Planning Documents (SPD's) and other guidance documents can provide further detail on particular policies or local issues. SPD's can take a number of forms, but can normally be broken down into 2 categories;
- Area based including masterplans and development briefs, which deal with specific parcels of land; and
  - Topic based which provide additional information on local issues, or policies, such as design guides.
- 4.2 Although supplementary documents are not subject to examination, they are produced in consultation with the community and other interested parties and are still subject to regulations regarding their consultations. Supplementary documents are not required to be listed within the Local Development Scheme, but it is considered appropriate to inform the public of the Council's proposals to produce new documents.
- 4.3 The Council also has a number of approved planning guidance documents and development briefs. These are documents, which have been either produced or consulted upon by another authority, or whilst the public and stakeholders have been involved in their production have not undergone the same strict levels of consultation as is required for an SPD.
- 4.4 A list of the current adopted SPD's, guidance and development briefs are included in the table below;

Title and Subject	Produced by	Status	Date Approved
<b>Affordable Housing. The document sets out the process and mechanisms for the delivery of affordable housing in Braintree District.</b>	Braintree District Council	SPD	May 2006
<b>External Artificial Lighting. It provides advice and guidance on what factors the Council will take into account when determining planning applications.</b>	Braintree District Council	SPD	Sep-09
<b>Open Space. The document sets out the processes and mechanisms for the delivery of open space in Braintree District</b>	Braintree District Council	SPD	Updated in 2014
<b>NW Braintree Masterplan. The masterplan to guide development for the strategic growth location off Panfield Lane in NW Braintree</b>	Mersea Homes and Hills Residential & Braintree District Council	SPD	Dec-12
<b>Masterplan Land west of the A131, Great Notley To guide commercial development on the strategic employment site</b>	Braintree District Council and Countryside Properties	Guidance	December 2012 subject to amendments.
<b>Premdor/Rockways site Masterplan. The masterplan to guide development on the regeneration site at Sible Hedingham</b>	Braintree District Council and Bloor Homes	Guidance	Dec-12

<b>Title and Subject</b>	<b>Produced by</b>	<b>Status</b>	<b>Date Approved</b>
<b>Urban Place Supplement. To build on the Essex Design Guide to provide guidance on producing high quality, attractive developments which are sustainable and reflect the local area. (Braintree District Council did not adopt sections 5.8, 6.2, 7.0, 7.1, 7.2 and 7.3 of the document)</b>	Essex County Council in partnership with Essex Planning Officers Association, East of England Development Agency, Environment Agency and Inspire East	Guidance	Jun-07
<b>Parking Standards – Design and Good Practice Guidance Provides car and cycle parking standards together with design guidance on accommodating parking within various types of residential and commercial development.</b>	Essex County Council working in partnership with Essex Planning Officers Association.	Guidance	Nov-09
<b>Essex Design Guide 2005 Provides guidance on design and layout principles including specific information relating to structure and layout of new developments, garden sizes, building design and form, parking design and road layouts.</b>	Essex County Council working in partnership with Essex Planning Officers Association	Guidance	Nov-10
<b>Land East of the High Street, Halstead Guide to development and regeneration on a site in Halstead</b>	Built Environment Branch of Essex County Council commissioned by Braintree District Council	Development Brief	Jan-05
<b>Riskstones Neighbourhood Centre, Witham</b>	Braintree District Council	Development Brief	Sep-10
<b>Silver End Shops Site Guide to development and regeneration on a site in Silver End village.</b>	Stephen Claydon and Michael Munt approved by Braintree District Council	Development Brief	Jun-06

- 4.5 The Council intends to review and update the 3 topic based SPD's (Affordable Housing, Open Space and External Lighting) following the adoption of the new Local Plan. The level of review will vary from document to document and it may be that interim reviews are proposed to update specific parts of the documents during the production of the Local Plan.

#### **4.6 Timetable for Affordable Housing SPD production**

<b>Affordable Housing Supplementary Document</b>	
Preparation of draft document	Spring / Summer 2018
Public Consultation	Autumn 2018
Adoption	Winter 2018 / 2019

#### **4.7 Timetable for Open Spaces Strategy SPD Production**

<b>Open Spaces Strategy Supplementary Document</b>	
Preparation of draft document	Spring / Summer 2018
Public Consultation	Autumn 2018
Adoption	Winter 2018 / 2019

## 4.8 Timetable for External Lighting production

External Lighting Supplementary Document	
Preparation of draft document	Spring / Summer 2018
Public Consultation	Autumn 2018
Adoption	Winter 2018 / 2019

# 5. Neighbourhood Planning

- 5.1 The Localism Act 2011 introduced neighbourhood developments plans which help communities with or without Parish or Town Councils to establish general planning policies for the development and use of land in a neighbourhood. Once completed these plans will form part of the statutory development for the area and will be used in the determination of planning applications.
- 5.2 The first stage of developing a neighbourhood plan is to designate a neighbourhood area. The District has agreed 6 Neighbourhood Areas. Other parish councils are considering developing a neighbourhood plan.
- 5.3 Once a neighbourhood area has been agreed preparation of a neighbourhood plan can be carried out by a parish or town council or in the case of unparished areas a neighbourhood forum.

Area	Stage
Bradwell	Neighbourhood Area approved September 2016
Coggeshall	Preparation of draft plan
Cressing	Preparation of draft plan
Feering	Preparation of draft plan
Hatfield Peverel	Consultation on draft plan (Regulation 14) undertaken Summer 2016
Kelvedon	Preparation of draft plan

## 6. Evidence Base

- 6.1 The Local Development Documents will establish the Council's planning policies. In preparing these documents and to ensure that the proposals and policies contained within them are soundly based, a number of specialist studies and other research projects have been, or will be undertaken.
- 6.2 The following table illustrates the reports and studies that will be used to provide a robust and credible evidence base for the Local Development Framework. This list will be added to, if additional work is required.

Name	Description	Date
<b>General</b>		
<b>Authority Monitoring Report</b>	The monitoring report aims to assess progress in meeting policy targets and milestones, and to present information on housing trajectories demonstrating the delivery of the provision of new homes.	Published in February 2016 the document pertains to the period 1st of April 2015 through to the 31st of March 2016. The document is reviewed annually.
<b>Economic</b>		
<b>Braintree District Retail Study Update 2012</b>	An update to the previous retail study to enable robust and up to date evidence to support the retail boundaries, allocations and policies in the new Local Plan.	2015
<b>Economic Development Prospectus 2013-2026</b>	The Prospectus sets out how the council intends to create the conditions for economic growth and deliver a prosperous Braintree District from 2013 to 2026.	
<b>Employment Land Needs Assessment 2015</b>	The assessment considers projected Employment Land Needs	August 2015
<b>Rural Services Survey</b>	The survey updates previous work done in 2005 to assess the provision of services within rural parishes.	Completed in 2011.
<b>Retail Study</b>	Sets out retail floor space requirements for comparison and convenience goods, and recommends boundaries for town centres, and primary and secondary frontages.	Updated 2015
<b>Environmental</b>		
<b>Braintree Green Spaces Strategy</b>	Builds on the results of the 2006 Open Space Audit to set standards for the quality, quantity and accessibility of open space together with specific needs, surpluses or deficiencies.	Completed in September 2008.
<b>Conservation Area Reviews &amp; Management Plans</b>	A programme of conservation area appraisals has been undertaken. The process provides further detail about the character of the areas as an update to the original conservation area designations.	Dependant on the area from 2009 - 2014
<b>Dedham Vale - Proposed Search Area for AONB Review</b>	The map shows the current Dedham Vale AONB and the maximum potential extension proposed	Ongoing
<b>Habitats Regulation Assessment and if necessary an Appropriate Assessment - In Progress</b>	The report is to identify any effects the proposed development in this District will have on European Sites of Importance for nature conservation and to suggest ways to mitigate this impact.	Ongoing process; Review through the production of the new Local Plan.
<b>Heritage Assets Impact Assessment</b>	Heritage Assets Impact Assessment for Potential Growth Locations within Braintree District	May 2016

<b>Name</b>	<b>Description</b>	<b>Date</b>
<b>Historic Environment Characterisation Project</b>	Report characterising the historic environment of the district.	2010
<b>Mid Essex Strategic Flood Risk Assessment</b>	The document identifies in more detail areas of existing or proposed development which are at risk from flooding.	Completed in October 2007; review to be completed in 2016
<b>Opens spaces Sport Recreation Strategy (Playing Pitch Strategy)</b>	The open space strategy will set out the Councils strategy with regards to open space including the strategy for the Sports, Leisure and Recreation.	In progress
<b>Protected Lanes Study</b>	Commissioned by Braintree District Council to assess the protected lanes within the district	2013
<b>Strategic Environmental Assessment and Sustainability Appraisal</b>	Makes an environmental and sustainability appraisal of each document to report on likely impacts of the proposed policies and plans.	Ongoing process. To be undertaken as part of the production of Development Plan Documents
<b>Strategic Flood Risk Assessment</b>	An assessment of the flood risk within the district; in progress to be completed late 2016.	
<b>Water Cycle Study Update</b>	Stage 1 also includes the water system around Haverhill and Clare within the St Edmundsbury District. The study looks at the provision of water and waste water infrastructure to serve proposed LDF growth and highlights any constraints and possible solutions.	In progress, to be completed 2016.
<b>Residential</b>		
<b>Affordable Housing Viability Study</b>	Assesses whether the proposed affordable housing policies are viable and achievable in terms of dwelling threshold and percentage of affordable housing that is required by development.	Completed in 2009. Review completed 2015.
<b>Brownfield land study - In Progress</b>	This study will demonstrate the potential for brownfield (previously developed) sites in the district to accommodate redevelopment.	In progress
<b>Demographic projections 2013-2037 Phase 7 Main Report May 2015</b>	Considers the Demographic projections for 2013-2037	May-15
<b>Demographic projections 2013-2037 Phase 7 Macro Areas accompanying Profiles</b>		
<b>Essex Design Guide (The)</b>	Provides guidance on design and layout principles including specific information relating to structure and layout of new developments, garden sizes, building design and form, parking design and road layouts.	Nov-10
<b>Essex Wide Gypsy and Traveller Accommodation Needs Assessment</b>	An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided	The current assessment (2014 ) will be reviewed to be completed in 2016.
<b>Gypsy and Traveller and Travelling Showpersons Accommodation Assessment</b>	An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided	The 2014 document is currently being reviewed.
<b>Objectively Assessed Housing Need Study</b>	Commissioned by Braintree, Chelmsford, Colchester and Tendring. Determines the Housing Market Area and OAN.	Completed July 2015. Further update in progress.
<b>Strategic Housing Land Availability Assessment (SHLAA) 2016</b>	This document builds on the work completed in the Urban Capacity Study but includes an assessment of a sites viability and likely timescale for the site to be developed.	Ongoing process. To be undertaken as part of the production of Development Plan Documents

Name	Description	Date
<b>Strategic Housing Market Assessment (SHMA) and Housing Needs Study</b>	Was commissioned jointly by Braintree, Colchester and Chelmsford Councils. Includes an assessment of the local housing market and recommends a level of affordable housing, along with tenure splits and the situation in the private rental market.	Completed in 2015. Update completed December 2015
<b>Transport and Infrastructure</b>		
<b>Community Halls Consultation Report March 2016</b>	Report on the consultation undertaken for Braintree District Council with community halls in Braintree, Halstead and Witham	March 2016
<b>Cycling Strategy</b>	Strategy for cycling in Essex	In progress
<b>Development Boundaries Review Methodology</b>	Proposes a methodology and a series of criteria that will be used in reviewing the development boundaries for the settlements in the District for the emerging Local Plan	Jun-15
<b>Garden Communities - Charter</b>	Evidence base documents that scope the development of the Garden Communities	June 2016
<b>Garden Communities - Baseline Compendium</b>		
<b>Garden Communities - Opportunities and Constraints</b>		
<b>Garden Communities - Options and Evaluation</b>		
<b>Highways and Transport Assessment</b>	Identifies key issues with the highways and transportation network, in order to determine capacity and any improvement required to transport networks.	Two pieces of work were completed in 2015; further work is in progress.
<b>Infrastructure Plan</b>	A study of key infrastructure capacity, constraints and future improvements.	To be produced prior to the public consultation of the pre-submission draft of the local plan.
<b>Local Transport Plan - Essex County Council</b>	Published by Essex County Council	2011
<b>Parking Standards</b>	The document sets out the required parking standards for the District.	2009
<b>Viability Assessments</b>	This document will seek to demonstrate that the Local Plan is viable.	Ongoing process. To be undertaken as part of the production of Development Plan Documents

6.3 In addition an Equality Impact Assessment is to be undertaken as part of the production of the Local Plan Document to ensure that all policies and documents are free from discrimination and promote equality of opportunity.

6.4 The Local Plan must also have regard to a number of other strategies and policies produced both by the Council and by partners. These include;

- Braintree District Climate Change Strategy and Action Plan 2014-2018
- Braintree District Economic Development Prospectus 2013-2026, (September 2013)
- Essex Biodiversity Action Plan 2011
- Essex Local Transport Plan 2011
- Essex Minerals Local Plan 2014
- Essex and Southend on Sea Waste Local Plan 2001 (To be replaced by Essex Waste Local Plan)

## 7. Monitoring and Review

### Monitoring

- 7.1 The LDS and the development plan documents that it includes will be monitored on an annual basis, in the Monitoring Report with a reporting period of 1st April – 31st March.
- 7.2 Each year the report will set out;
- How the Council is performing against the timescales set out within the previous year's Local Development Scheme.
  - Provide information on housing and employment completions and land availability.
  - Provides a housing trajectory and shows the Council's 5 year supply of housing land.
  - Any required update to the Local Development Scheme as appropriate.
- 7.3 The Local Plan programme will be managed through the Sustainable Development Service reporting to the Cabinet Member for Planning and Housing and the Local Plan Sub-Committee. This will include considering progress on the preparation of Local Development Documents and identifying action to be taken if there are variations from the project programme.

### Review

- 7.4 Following the initial adoption of each Local Plan as set out in the Local Development Scheme, it is anticipated that any subsequent reviews will be in the form of a rolling programme. Reviews may also be necessary as a result of changes in national guidance, as an outcome of the monitoring in the Monitoring Report, or pressures for development or regeneration.

## 8. Resources and Risk

### Resources

- 8.1 The Local Plan process will be led by the Planning Policy team, part of the Sustainable Development Service at Braintree District Council.
- 8.2 The timetable contained within this document is based on using the full resources of the Planning Policy team at the Council, which consists of a team manager who will be responsible for the overall project, planning policy officers, technical and administration staff.
- 8.3 Additional resources, particularly to provide specialist input on various technical matters will be sought from time to time as required from other teams within the Council including Housing Policy and Economic Development, and other organisations including Essex County Council and the Highways Agency. In addition, external consultants may be commissioned to develop elements of the evidence base, or supplementary planning documents.



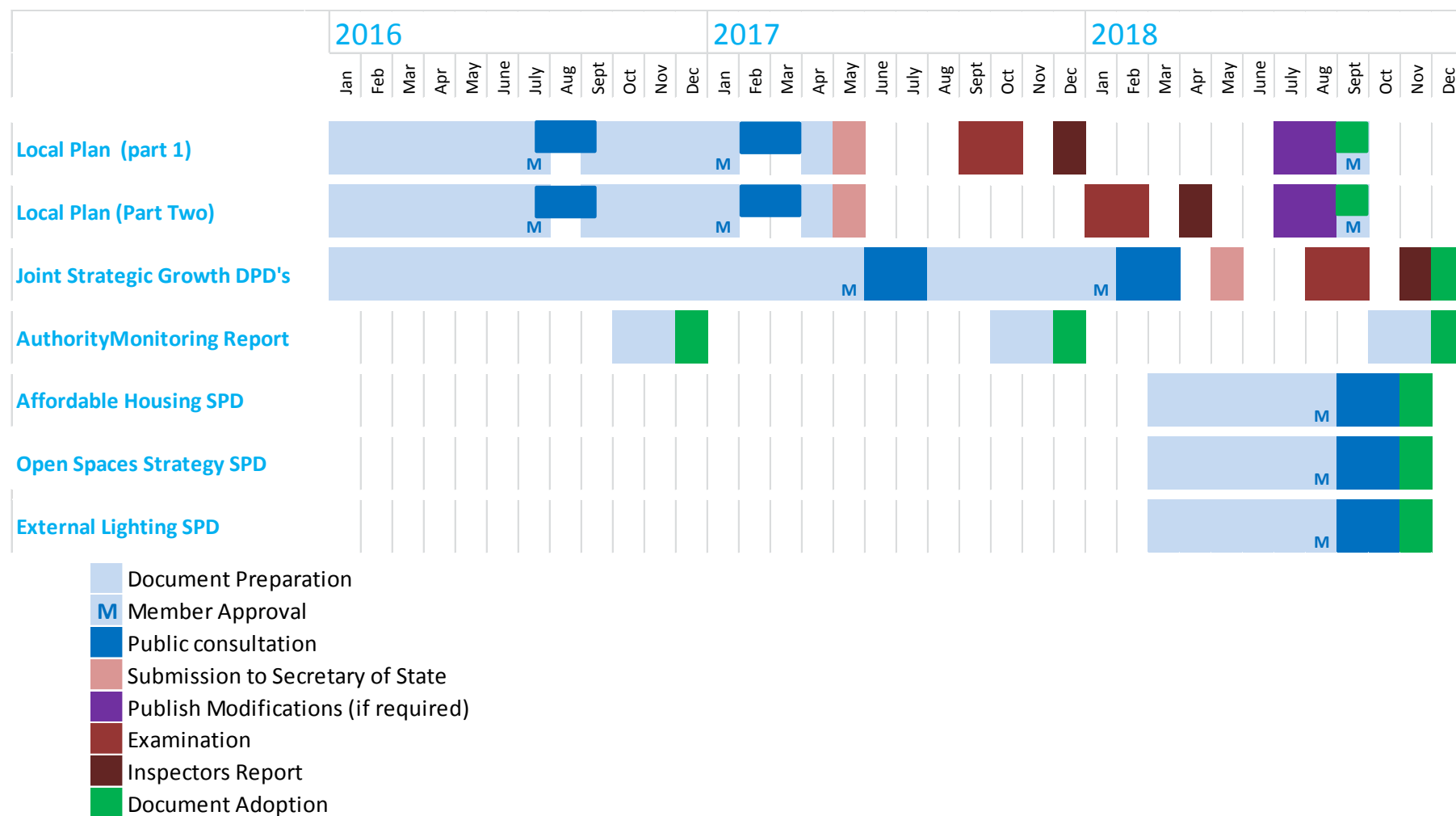
## Risk

8.4 There are several factors which may impact on the achievement of this timetable. The table below considers and deals with the main risks.

Issue	Level of Risk	Impact and Mitigation
Delays to the production of background studies	Medium	Would delay the preparation of development plan documents. The resources for any further studies should be in place to ensure they are commissioned at an early stage
Changes to national guidance in relation to Braintree	Medium	Could delay the preparation of development plan documents or require an early review of those documents already produced. Review the time table for the preparation and review of documents within the Annual Monitoring Report and review of the LDS if necessary.
Supporting Neighbourhood Planning	Medium	Staff time and other resources being diverted to support neighbourhood planning. Resource and timetable planning with neighbourhood plan groups needed.
Problems or difficulties engaging with stakeholders and the community	Low	May delay the preparation of development plan documents. Ensure stakeholders and the community are involved at an early stage of the process, as outlined in the Statement of Community Involvement. Lack of agreement with other Local Authorities regarding the duty to co-operates. Need to maintain a close working relationship with neighbouring authorities.
Inability of the Planning Inspectorate to deliver hearings/ reports to the timetable.	Medium	Would delay the adoption of development plan documents. Agree early with the Planning Inspectorate that the timetable laid out for each document is acceptable. If slippage occurs this should be identified in the Monitoring Report and amendments made to the timetable.
Insufficient staff resources due to staff turnover or volume of work greater than anticipated	Medium	Would delay the production of development plan documents. Consider use of consultants if financial resources allow. Revise timetable for the production of documents through the Monitoring Report and review of the LDS if necessary.
Government New Homes Bonus, neighbourhood planning funds insufficient or no longer available.	Medium	Would delay the production of evidence base and development plan documents which need specialist advice from consultants. Increased budget bids may need to be made if Government New Homes Bonus or neighbourhood planning funds are insufficient or no longer available. Revise timetable for the preparation of documents through the annual monitoring report and review of the LDS if necessary.
Local Plan is found unsound	Low	Would delay the adoption of development plan documents as they would need further work and then resubmission. Undertake self-soundness test and maintain a close working relationship with key stakeholders.



## 9. Timetable of documents for production



<b>Braintree Draft Local Plan – Report on the Consultation</b>		<b>Agenda No: 7</b>
<b>Portfolio:</b> Planning and Housing <b>Corporate Outcome:</b> Securing appropriate infrastructure and housing growth  <b>Report Presented by:</b> Emma Goodings <b>Report Prepared by:</b> Emma Goodings		
<b>Background Papers:</b> <ul style="list-style-type: none"> <li>National Planning Policy Framework (NPPF)</li> <li>National Planning Practise Guidance (NPPG)</li> <li>Braintree District Council Statement of Community Involvement (SCI) (2013)</li> <li>Local Plan Sub Committee Report – Proposed consultation strategy- 26<sup>th</sup> May 2016</li> </ul>		<b>Public Report:</b> Yes  <b>Key Decision:</b> No
<b>Executive Summary:</b>  <p>Between 27<sup>th</sup> June and the 19<sup>th</sup> August 2016, the Council carried out a consultation on the Draft Local Plan, the Sustainability Appraisal and the accompanying evidence base in order for the public, local businesses and key stakeholders to let us know what they thought of the Draft Local Plan and the policies and allocations contained within it. This report updates Members on the methods of consultation that took place and the number of people that they reached.</p>		
<b>Decision:</b>  <p><b>To note the outcome of the consultation strategy on the Draft Local Plan.</b></p>		
<b>Purpose of Decision:</b>  <p><b>To inform Members of the work that was undertaken in the consultation on the Draft Local Plan.</b></p>		
<b>Corporate Implications</b>		
<b>Financial:</b>	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.	
<b>Legal:</b>	To comply with Governments legislation and guidance.	
<b>Equalities/Diversity:</b>	The Council's policies should take account of equalities and	

	diversity.
<b>Safeguarding:</b>	None
<b>Customer Impact:</b>	There will be public consultation during various stages of the emerging Local Plan.
<b>Environment and Climate Change:</b>	This will form part of the evidence base for the emerging Local Plan and will inform policies and allocations.
<b>Consultation/Community Engagement:</b>	There will be public consultation during various stages of the emerging Local Plan.
<b>Risks:</b>	The Local Plan examination may not take place. The Local Plan could be found unsound. Risk of High Court challenge.
<b>Officer Contact:</b>	Emma Goodings
<b>Designation:</b>	Planning Policy Manager
<b>Ext. No.</b>	2511
<b>E-mail:</b>	Emma.goodings@braintree.gov.uk

## 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. As part of this work a draft Local Plan was published for public consultation between the 27<sup>th</sup> June and the 19<sup>th</sup> August 2016. Members of the public, landowners, local businesses, Parish and Town Councils and stakeholders were invited to find out more about the Local Plan, and send us their views on the proposals it contained. The consultation on the Local Plan should be in conformity with the Councils Statement of Community Involvement (SCI) which was adopted in 2013.

## 2. Results

- 2.1 The total number of comments received during the consultation period was 3,056 from 1,243 individuals. This compares with the Local Plan Issues and Scoping Consultation which received 1,442 comments from 308 individuals and the Site Allocations and Development Management Plan, which at the same draft stage received 1,636 comments from 1,007 individuals.
- 2.2 Of the comments that were received, many were submitted directly into the objective consultation portal. The remaining were received in a mixture of electronically via email and on paper. There was a marked increase in the number of responses which were received on the official response form. This was very positive as it means that more responses came in with the correct personal and supporting information and were clear about which part of the Plan they were commenting on.
- 2.3 All the comments and the supporting information is now available on the Objective consultation portal which is on the website at

[www.braintree.gov.uk/consultLP](http://www.braintree.gov.uk/consultLP) . These can be searched and sorted in a variety of ways. We would encourage all members to read these responses.

- 2.4 The Local Plan also contains the Strategic Plan which is shared with Colchester and Tendring Council's. Responses received to all three local authorities on this section of the Plan will be combined and responses and changes will be prepared by the three authorities working together. Both Tendring and Colchester are still processing responses and we will report back on the comments from this section in due course.

### **3 Exhibitions**

- 3.1 As part of the consultation exercise, the Council held a series of 13 public exhibitions across the District. Officers also attended a further exhibition held by Colchester Borough Council in Marks Tey. Excluding the Marks Tey exhibition, there were around 1,300 attendees at the exhibitions in total.
- 3.2 The busiest exhibitions were those held in Braintree, Kelvedon and Feering and the least well attended were those in Sible Hedingham and Silver End. However at all exhibitions people generally stayed for a considerable amount of time and were able to view the exhibition, discuss with planning officers and look at the document and other supporting evidence that was available. postcards were given out at the event which included the main links to the consultation portal and the website to read more information and to comment. Response forms were also available to either fill in at the exhibition or to take home and return later.
- 3.3 A specific business event was also organised which took a slightly different form, with a formal presentation and question and answer sessions as well as the more informal exhibition display and 1-2-1 discussions with planning policy and economic development officers. A total of 60 business representatives attended this session.
- 3.4 Unstaffed exhibitions were also displayed at Braintree, Witham and Halstead libraries during the consultation weeks. Whilst as they are unstaffed we are unable to quantify how many people viewed the exhibitions this way, library staff noted they had had positive comments. We know that using the libraries in general during the period of the consultation are between 16,500 and 20,500 a month in Braintree, 6,000-7,000 in Halstead and around 12,500 users in Witham.
- 3.5 For those who were not able to attend the exhibitions, the boards were available to view on the website as well as all the supporting information. Staff

have been available on the phone to answer any questions, or for those who called in to Causeway House.

#### **4 Social Media and Web**

- 4.1 The Council's Facebook and Twitter accounts were also used to publicise the consultation. Our local plan activity on Facebook reached 43,566 people. Our Local Plan tweets resulted in 89,817 impressions (number of times people saw our Tweets on Twitter) and 1,193 engagements (number of times people interacted with the tweets i.e. shares or click on the link).
- 4.2 The Local Plan consultation was also advertised extensively on the Braintree District Council website and a series of quick links were created and published which allowed people to directly access particular pages in the document. Of those quick links there were 1,014 unique visits to the [www.braintree.gov.uk/newlp](http://www.braintree.gov.uk/newlp) which is the main introductory page and 736 unique visits to [www.braintree.gov.uk/consultlp](http://www.braintree.gov.uk/consultlp) which is the link to the online consultation portal.

#### **5 Local Papers**

- 5.1 The following editions of the local papers were used to advertise and promote the Local Plan consultation;

16 <sup>th</sup> June 2016	Braintree & Witham Times
17 <sup>th</sup> June 2016	Halstead Gazette
23 <sup>rd</sup> June 2016	Braintree & Witham Times and Halstead Gazette
23 <sup>rd</sup> June 2016	Suffolk Free Press
30 <sup>th</sup> June 2016	Braintree & Witham Times
1 <sup>st</sup> July 2016	Halstead Gazette
14 <sup>th</sup> July 2016	Braintree & Witham Times
15 <sup>th</sup> July 2016	Halstead Gazette
28 <sup>th</sup> July 2016	Braintree & Witham Times
29 <sup>th</sup> July 2016	Halstead Gazette
11 <sup>th</sup> August 2016	Braintree & Witham Times
12 <sup>th</sup> August 2016	Halstead Gazette

- 5.2 The most recent circulation figures we have for the Braintree and Witham Times and Halstead Gazette are set out below and give an idea for the number of households that are reached by the papers within the District.

**Braintree & Witham Times (inc Witham Times and Dunmow Times)**

Location Name	Households	Circulation	Household Penetration %
<u>Braintree</u>	27728	4238	15.28
<u>Halstead</u>	10761	312	2.90
<u>Witham</u>	16474	2773	16.83
<b>Total in Braintree District</b>		<b>7,323</b>	

**Halstead Gazette**

Location Name	Households	Circulation	Household Penetration %
<u>Braintree</u>	27728	374	1.35
<u>Halstead</u>	10761	2684	24.94
<b>Total in Braintree District</b>	<b>Total</b>	<b>3058</b>	

Source: Braintree & Witham Times / Halstead Gazette Readership *figures from The NS and AdWeb Ltd 2015*

## **6 Contact Magazine**

- 6.1 A special edition of Contact magazine was produced to inform residents of the Local Plan consultation. 65,000 copies of the magazine were printed and distributed across the District. It is recognised that a very small percentage of households may not have received the magazine, but any issues which were highlighted to us at the time were addressed, with additional deliveries to households affected.

## **7 Other Publicity Material**

- 7.1 Posters advertising the consultation were sent to all Parish and Town Councils with a request for them to display them around their area. Posters were also displayed in George Yard Car Park where during the consultation period a total of 44,454 tickets were sold, as well as other places in Braintree town centre including on Market Square. A large display that remains in place, was also in main reception of Causeway House. The number of face to face enquiries recorded by CSC for the months of May – August is 22,232.

- 7.2 Postcards were also produced which were given out at exhibitions as well as available to pick up at the libraries and other events

## **8 Ongoing Publicity**

- 8.1 The Council continues to keep its website up to date and containing the latest information in relation to the progress of the Plan. A quarterly update leaflet is also distributed to all those on the consultation database to keep people up to date with current work progress.

- 8.2 Further information and publicity has been scheduled as follows;

- 22<sup>nd</sup> September Braintree & Witham Times (Autumn Update)
- 23 September Halstead Gazette (Autumn Update)
- An Autumn Update postcard has now been published to use in the main Reception display.
- 'Autumn Update' is also being planned to release on social media

## **9 Next Steps**

- 9.1 The consultation responses have now all been processed and are available on the website for public viewing. Planning policy officers are now working through all the responses and identifying changes or additions to the Local Plan and the evidence base that are required as result of the responses. Meetings with key stakeholders will continue to ensure issues raised are dealt with effectively.
- 9.2 Upcoming meetings of the Local Plan Sub Committee will consider the representations received and officer recommendations for amendments to the Local Plan.

### **Recommendation**

**To note the outcome of the consultation strategy for the Draft Local Plan.**

<b>Braintree Draft Local Plan – Responses received to the Draft Local Plan.</b>		<b>Agenda No: 8</b>
<b>Portfolio:</b> Planning and Housing <b>Corporate Outcome:</b> Securing appropriate infrastructure and housing growth  <b>Report Presented by:</b> <b>Report Prepared by:</b> Sean Tofts		
<b>Background Papers:</b> <ul style="list-style-type: none"> <li>National Planning Policy Framework (NPPF)</li> <li>National Planning Practise Guidance (NPPG)</li> <li>Localism Act (2011)</li> <li>Planning and Compulsory Purchase Act (2004)</li> <li>Local Plan Review (2005)</li> <li>Core Strategy (2011)</li> <li>Settlement Boundary Review Methodology (2015)</li> <li>New Draft Local Plan (2016)</li> </ul>		<b>Public Report:</b> Yes  <b>Key Decision:</b> No
<b>Executive Summary:</b>  <p>This report looks at the villages of Alphamstone, Birdbrook, Borley, Liston, Toppesfield, Belchamp Otten, Belchamp Walter, Belchamp St Paul, Colne Engaine, Foxearth, Gestingthorpe, Audley End, Helions Bumpstead, Lamarsh, Little Maplestead, Middleton, Ovington, Pentlow, Sturmer, Fairstead, Twinstead, Great and Little Henny. These are a mixture of villages and those areas which are considered as Countryside as they are not enclosed by a development boundary.</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 <b>Appendix</b>.</p>		
<b>Decision:</b>  <b>Recommendation 1: That Alphamstone remains as a settlement within the countryside with no development boundary</b>  <b>Recommendation 2: That Birdbrook remains as a settlement within the</b>		



**countryside with no development boundary**

**Recommendation 3: That Borley remains as a settlement within the countryside with no development boundary**

**Recommendation 4: That Liston remains as a settlement within the countryside with no development boundary**

**Recommendation 5: The Inset Map for Toppesfield to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 6: The Inset Map for Belchamp Otten to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 7: The Inset Map for Belchamp Walter to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 8: The Inset Map for Belchamp St Paul to remain unchanged from that in the draft Local Plan, as shown in Appendix.**

**Recommendation 9: The Inset Map for Colne Engaine is amended to include a development boundary amendment to include COLE638 and part of COLE612, as shown in the Appendix.**

**Recommendation 10: The Inset Map for Foxearth to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 11: That the Inset Map for Gestingthorpe to remain unchanged from the draft Local Plan, as shown in the Appendix.**

**Recommendation 12: That the Inset Map for Audley End to remain unchanged from the draft Local Plan, as shown in the Appendix.**

**Recommendation 13: That the Inset Map for Helions Bumpstead to remain unchanged from the draft Local Plan shown in the Appendix.**

**Recommendation 14: The Inset Map for Lamarsh to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 15: The Inset Map for Little Maplestead to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 16 That Middleton remains as a settlement within the countryside with no development boundary**

**Recommendation 17: That Ovington remains as a settlement within the countryside with no development boundary**

**Recommendation 18: That Pentlow remains as a settlement within the countryside**

with no development boundary

**Recommendation 19: The Inset Map for Sturmer to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

**Recommendation 20: That Fairstead remains as a settlement within the countryside with no development boundary.**

**Recommendation 21: That Twinstead, Great and Little Henny remains as settlements within the countryside with no development boundary**

#### **Purpose of Decision:**

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

#### **Corporate Implications**

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

<b>Officer Contact:</b>	Emma Goodings
<b>Designation:</b>	Planning Policy Manager
<b>Ext. No.</b>	2511
<b>E-mail:</b>	Emma.goodings@braintree.gov.uk

## **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. 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.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 Full Council on the agreed the new Draft Local Plan for public consultation at its meeting on the 20<sup>th</sup> June 2016.
- 1.8 The Local Plan was subject to an 8 week public consultation which started on the 27<sup>th</sup> June and concluded on the 19<sup>th</sup> August.
- 1.9 A total of 3,056 comments have been received from 1,243 individuals. These are all available in full on the website at [www.braintree.gov.uk/consultLP](http://www.braintree.gov.uk/consultLP) and we would ask all Members to read these comments.
- 1.10 The settlements are now considered individually below, including a summary of the comments received.

## **2 Alphasstone**

- 2.1 Alphasstone is a dispersed village in the north east of the District without a development boundary. The proposal in the Draft Local Plan was for it to remain as a settlement in the Countryside. The sites that were put forward in the village can be found on the map in the Appendix.
- 2.2 *Parish Council Comments* – The Parish Council have made comments in support of the Local Plan reiterating they do not wish to see ALPH101 or ALPH525 allocated.
- 2.3 No other comments were submitted during the consultation period.
- 2.4 *Officer Comments* - No new sites have been submitted during the public consultation for consideration and no further information has come forward on the sites previously submitted. The Parish Council are supportive of the proposal to retain the village without a development boundary and not allocate any additional sites for growth.

**Recommendation 1: That Alphasstone remains as a settlement within the countryside with no development boundary**

## **3 Birdbrook**

- 3.1 Birdbrook is a Parish in the north of the District.
- 3.2 No sites or comments have been submitted at any stage during the Local Plan.
- 3.3 *Parish Council Comments* - The Parish Council have not commented upon the Inset Map during the public consultation, however had previously stated that the Parish does not have the infrastructure to cope with further development.

**Recommendation 2: That Birdbrook remains as a settlement within the countryside with no development boundary**

## **4 Borley**

- 4.1 Borley is a small settlement in the north of the District with no development boundary.

- 4.2 No new sites or comments have been submitted during the consultation in relation to Borley.
- 4.3 *Parish council comments* - The Parish Council did not submit any comments during the formal consultation period, but have previously suggested that they strongly oppose the allocation of BORL403 and BORL404.
- 4.4 *Officer Comments* - No new information has been submitted to suggest that BORL403, BORL404 or Borley itself is an appropriate location for further development.

**Recommendation 3: That Borley remains as a settlement within the countryside with no development boundary**

## **5 Liston**

- 5.1 Liston is a village within the north of the District which has no development boundary and is considered to be within the Countryside.
- 5.2 The Inset Map received no comments and no further supporting information has been submitted by the agents for LIST339.
- 5.3 *Parish Council Comments* - The Parish Council has made no new comments and had previously stated they wish the status quo to remain.
- 5.4 *Officer Comments* – Site LIST339 is a large site in the village which is currently the subject of a planning application. There are a number of detailed issues which are being considered through the processing of this application including in relation to flooding, contamination, highways and impact on the local landscape and a Site of Special Scientific Interest. It is proposed to not allocate the site at this time and to allow the site to be determined through the planning application process where more detailed consideration of these issues can be had. If the site is subsequently granted planning permission, then the site will be allocated to reflect this.

**Recommendation 4: That Liston remains as a settlement within the countryside with no development boundary**

## **6 Toppesfield**

- 6.1 Toppesfield is a village with a development boundary in the north of the District. It has some local services including a pub and school.
- 6.2 No sites have been submitted during the public consultation and no comments were made on the Inset Map for the village.

- 6.3 *Parish Council Comments* -The Parish Council had previously stated that they would support the current draft Local Plan with the proviso that TOPP412 and TOPP413 include affordable housing in line with the RCCE housing needs survey.
- 6.4 *Officer Comments* - Taking into account the views of the Parish Council it is suggested that the Inset map remain the same as that proposed in the Draft Local Plan. Affordable housing contributions can only be required of sites of more than 10 therefore this is very unlikely from these sites. Concern was noted by the heritage assessment and the SA over the impact of additional development on the listed buildings and conservation area in close proximity to the site and therefore any built development in this area is likely to be very small scale.

**Recommendation 5: The Inset Map for Toppesfield to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **7 Belchamp Otten**

- 7.1 Belchamp Otten is a small village with a development boundary in the north of the District. The draft Local Plan proposed to retain this development boundary as it is set out in the 2005 Local Plan.
- 7.2 No new sites have been submitted during the public consultation.
- 7.3 One comment was received on the village; supporting the rejection of BLO107 on the grounds that the development of the site could have a detrimental effect upon the grade II High Hall and potential negative effect on the visibility splays.
- 7.4 *Parish Council Comments* - The Parish Council did not submit any formal comments to the draft Local Plan, but previous correspondence indicates that they are supportive for the Inset Map which was published for consultation.
- 7.5 *Officer Comments* – No new information has come forward with regards to BELO105, BELO106 and BELO7 and it is suggested they remain unallocated as per the draft Local Plan.

**Recommendation 6: The Inset Map for Belchamp Otten to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **8 Belchamp Walter**

- 8.1 Belchamp St Walter is a small village with a development boundary in the north of the District.
- 8.2 The draft Local Plan proposed to retain this development boundary as it is set out in the 2005 Local Plan.
- 8.3 No new sites have been submitted during the public consultation for consideration.
- 8.4 No comments were made specifically with regard to the Inset Map.
- 8.5 *Parish Council comments* - The Parish Council have not submitted any formal comments in the Draft Local Plan consultation but their previous comments were supportive of the proposal to retain the village development boundary as it is currently shown and not allocate any additional sites for growth.
- 8.6 *Officer comments* – No sites have been submitted within the village and it is suggested that in principle the location is not considered to be sustainable.

**Recommendation 7: The Inset Map for Belchamp Walter to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **9 Belchamp St Paul**

- 9.1 Belchamp St Paul is a small village with a development boundary in the north of the District.
- 9.2 The draft Local Plan proposed to retain this development boundary as it is set out in the 2005 Local Plan.
- 9.3 No new sites have been submitted during the public consultation for consideration and no further information has come forward on the other sites, which was not considered by Members previously.
- 9.4 Four comments were received on the village a summary of the comments is as follows:
  - The village envelope should remain as shown in the draft Local Plan
  - That Belchamp St Paul is not a sustainable location for further growth
  - That the current draft is in line with the policies and strategic objectives of the plan more widely
  - The village school is over subscribed
  - There is no gas in the village and more lorries to deliver oil is unfavourable.

- The access to BELP109 is very narrow and on a 'blind corner'; the roadway is generally substandard for further development.
- More vehicles will worsen the issue of cars mounting verges and lead to further potholes.

9.5 *Parish Council Comments* - The Parish Council's previous comments were supportive of the proposal to retain the village development boundary as it is currently shown and not allocate any additional sites for growth. No additional comments were submitted during the formal consultation period.

9.6 *Officer Comments* – No further information has been submitted to support the inclusion of BELO108 and BELO109. In line with the commentary of the Parish Council and those who commented upon the Inset Map it is suggested that Belchamp St Paul is not a sustainable location for further development and that no sites are allocated for development.

**Recommendation 8: The Inset Map for Belchamp St Paul to remain unchanged from that in the draft Local Plan, as shown in Appendix.**

## **10 Colne Engaine**

10.1 Colne Engaine is a village with a development boundary to the west of Halstead. It was proposed in the Draft Local Plan that the village was to remain the same as in the Local Plan Review 2005.

10.2 Two new sites have been submitted through the consultation process. Site reference COLE 612 is approximately 0.3 hectares and located to the south side of Brook Street. The L shaped site is currently garden land. A site to the west of COLE612 has also been submitted. The site reference COLE638 is the grounds of Colne Heights a residential property to the western edge of the village.

10.3 The two sites are too small to be allocated for residential development however a development boundary review would permit the inclusion of the sites within the village.

10.4 In total the inset map received 21 comments. 2 comments were made by the agent of COLE186 and COLE187 in support of the sites.

10.5 A summary of the points made by the agent for COLE186 are as follows:

- Development of the site would be negligible to the wider context
- There is not a sufficient supply of housing provided by the draft Local Plan
- The agent does not agree with the general contents of the spatial strategy
- The development of the site would, in line with the NPPF, would be beneficial for the vitality of the village



- The site could help address the council in meeting the five year supply
- The village has a primary school and some shops and services

10.6 A summary of the points made by the agent for COLE187 are as follows:

- There is not a sufficient supply of housing provided by the draft Local Plan
- The agent does not agree with the general contents of the spatial strategy
- The development of the site would, in line with the NPPF, would be beneficial for the vitality of the village
- The site could help address the council in meeting the five year supply
- The village has a primary school and some shops and services
- A small proportion of the site to the east is within flood zone two and the mitigation of this would be assessed by a flood risk assessment.
- The site currently includes a farm building that would be replaced by landscape buffering and the impact of the proposed development could be mitigated.

10.7 Two new sites have been submitted during the public consultation.

10.8 COLE638 is the residential curtilage of Colne Heights. The site is approximately 0.3 hectares and has not had any supporting information relating to the site included.

10.9 COLE612 is a greenfield site of approximately 0.33 hectares next to Bramble Rise. The proposed site also includes a small field to the rear. The supporting information suggests the site could accommodate 1 larger dwelling or 2 smaller dwellings.

10.10 Nineteen of the comments submitted on the village supported the inclusion of COLE612. The contents is summarised below:

- The property next to the site (Bramble Rise) has been replaced by a more substantial property.
  - The development of the site would not be detrimental to the village
  - Local opinion should be considered to include the site
  - The owner of the site has lived in the village all of his life and is deserving of support
  - The non-allocation of the site is an anomaly
- A petition supporting the inclusion of COLE612 has been received by the council signed by 78 residents.

10.11 *Parish Council Comments* – The Parish Council has sent in correspondence suggesting that they are unanimously in support of a boundary review along this section of Brook Street. The Parish Council have attached a Plan to the

letter sent in on the 19<sup>th</sup> of August with a suggested development boundary amendment.

- 10.12 No further commentary has been submitted regarding any of the previously submitted sites however they had previously not sought the inclusion of COLE184, COLE185, COLE186, COLE187 or COLE507.
- 10.13 *Officer Comments* - The Parish Council has not shown any support of COLE186 or COLE187 through the consultation process and no other comments of support were made. Though further supporting information has been submitted by the agent it is suggested that this is not substantive. The development of COLE 186 would be viewed to be a large scale infill and though this would have a potentially negligible impact upon the wider countryside the change in the characteristic of the village could be detrimental to the vicinity. COLE187 is considered to not be a suitable site for residential development. The introduction of a residential development at this location could be viewed to be an unwarranted encroachment into open countryside. Flood mapping indicates that a large proportion of the site is within flood zone 2; contrary to the agents representations. As such officers consider that the sites should not be allocated for development.
- 10.14 Whilst it is not considered that Colne Engaine is a suitable site for major development, due to the Parish Council and public's support for a development boundary review of the village along Brooks Street it is considered that a minor amendment could be permissible to include the cluster of properties to the west of the village and incorporate them and part of COLE612 within the village. The sites cannot be allocated as they are too small for inclusion however a boundary amendment is suggested to include COLE638 and the northern area of COLE612 as the Parish Council had indicated. The inclusion of COLE612 in full would not be favourable; the rear portion of the site if developed would be uncharacteristic of the linear development within the immediate vicinity and it is suggested this would amount to inappropriate backland development. The Parish Council have not indicated their support of the inclusion of the southern element of the site.
- 10.15 Colne Heights, the property to the west of COLE612 has been replaced with a significantly larger property recently and it is suggested that this materially changes the perception of the village edge. The site has a suitable highways access and the mature hedging to the front of the site would be retained as the access is from an existing access shared with Colne Heights this enables the impact of the development of the site to be minimal.

**Recommendation 9: The Inset Map for Colne Engaine is amended to include a development boundary amendment to include COLE638 and part of COLE612, as shown in the Appendix.**

## **11 Foxearth**

- 11.1 Foxearth is a village within the north of the District with a development boundary.
- 11.2 No new sites have been submitted during the public consultation.
- 11.3 One comment has been made during the public consultation. The comment was posted by an agent with regards to FOXE236:
- The 0.11 hectare site is relatively self-contained.
  - Foxearth has no provision for further development currently.
  - The site would provide a small reservoir of housing for this rural community and would offset the current lack of housing sites released in the draft Local Plan
  - The comments should be considered along with the separate representation of the agent that considers the spatial strategy.
- 11.4 *Parish Council Comments* - The Parish Council have not commented during the public consultation however had previously stated that they seek to retain the status quo regarding the development boundary.
- 11.5 *Officers Comments* - No substantive evidence has been brought forward to demonstrate that the location of FOXE236 is a sustainable. The SA report noted no positive effects upon the potential development of the site and possible negatives of developing a site within such close proximity to the conservation area.

**Recommendation 10: The Inset Map for Foxearth to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **12 Gestingthorpe and Audley End**

- 12.1 Gestingthorpe is a village in the north of the District and has a development boundary. Audley End is a hamlet to the south of Gestingthorpe and also has a development boundary.
- 12.2 One new site has been submitted during the public consultation. The site, reference GEST604, is approximately 1.4 hectares and a greenfield site proposed for residential development. The site is on both side of the road between Gestingthorpe and Audley End.
- 12.3 No comments were made by the general public pertaining to Gestingthorpe or Audley End.

12.4 *Parish Council Comments* – The Parish Councils commentary on the site submission was sought and a summary of the formal response is as follows:

- The site is considered to be unsustainable
- The scale of the site submission is out of character with the villages
- The development of the sites would lead to a coalescence of the two villages
- The development of the site would lead to a loss of high grade agricultural land
- The visual impact of developing the site could be detrimental on the wider location.
- The Parish Council included extracts from the Village Design statements.
- The site currently acts as a significant open space
- There is no footpath to and from the site
- The highway margin between the two settlements is often used for recreational purposes.
- The rejection of the site was unanimous

12.5 Gestingthorpe Parish Council also commented upon the inset map within the alternatives section of the Draft Local Plan for Little Yeldham / Gestingthorpe supporting the non-allocation of GEST241.

12.6 *Officer Comments* - The site submitted, reference GEST604, is approximately 1.4 hectares and a greenfield site proposed for residential development. The site is on both side of the road between Gestingthorpe and Audley End and would effectively lead to a full coalescence of the villages. In principle the village of Gestingthorpe is not considered to be a sustainable location for further development and the impact upon the characteristic of the village and Audley End is clearly demonstrably negative. The site is particularly visible from some distance and would impact negatively upon the immediate vicinity as well as the wider context.

12.7 No new information has been submitted to support the inclusion of any of the sites previously submitted and it is suggested that the Inset Maps for Gestingthorpe and Audley End should remain the same.

**Recommendation 11: That the Inset Map for Gestingthorpe to remain unchanged from the draft Local Plan, as shown in the Appendix.**

**Recommendation 12: That the Inset Map for Audley End to remain unchanged from the draft Local Plan, as shown in the Appendix.**

### **13 Helions Bumpstead and Pale Green**

13.1 Helions Bumpstead is a small village in the north of the District with a development boundary. Pale Green is a small hamlet to the North East of the village that was given a proposed development boundary during the last assessment of the village by the Local Plan Sub-Committee and then full Council.

13.2 The village inset maps received 17 comments in total. In summary the comments covered the following considerations:

13.3 Helions Bumpstead:

- There is an insufficient level of services and facilities
- The village should not be required to take further development for the district
- Infrastructure within and around the village is not suitable for further development
- All roads leading to the village are narrow
- Prospective new residents would likely be highly car dependant
- Further traffic is not favourable
- Development should be restricted to those areas of the district with services and facilities

13.4 Pale Green

- There are no services or facilities within the hamlet
- Pale Green has no pavements or mains drainage
- Residential development would change the character of Pale Green
- The improvements required to facilitate further development would ruin the character of the village.
- There is a concern that a development boundary has been added by 1 commentator

13.5 *Parish Council Comments* – No new comments have been submitted since the meeting of the Local Plan Sub-Committee on the 25<sup>th</sup> of May 2016. The previous comments upon the sites submitted are as follows:

- HELI324 – The Parish Council would support any development of this site solely for light commercial use but objects to any housing development.
- HELI325 – The Parish Council has no objections to the development of this site and would like it to be included inside the village envelope.
- HELI326 - The Parish Council would support the allocation of this site for allotments but would object to it being developed.

- HELI327 – The Parish Council has no objections to the development of this site.
- HELI328 – The Parish Council has no objections to the development of this site
- HELI329 - The Parish Council would not support the allocation of this site for development because the site is considered to be too large and, if fully developed, would adversely change the nature of the village.
- HELI330 – The Parish Council has no objections to the development of this site. It recommends the extension of the village envelope to include this sit and land extending from this site to HELI325.

13.6 *Officer Comments* - The change for Pale Green boundary reflects the built form of Pale Green and that the methodology was implemented correctly. Whilst the village does have a limited number of services, there is a likely to be a relatively small scale of growth which would need to be in character with the neighbouring properties and landscape. It is noted that the Parish Council was supportive of the farm buildings at site 324 being allocated for employment uses but the evidence base suggested this was not viable. By including them within the development boundary this allows a range of suitable future uses to be explored. It is therefore recommended that the Inset Map remain unchanged from the draft Local Plan.

**Recommendation 13: That the Inset Map for Helions Bumpstead to remain unchanged from the draft Local Plan shown in the Appendix.**

## **14 Lamarsh**

14.1 Lamarsh is a small village with a development boundary within the north of the District.

14.2 The Inset Map pertaining to the village received no comments and no additional sites were submitted.

14.3 *Parish Council Comments* – No new comments have been submitted during the public consultation relevant to the inset map. Previous commentary had stated that the inset should remain the same.

**Recommendation 14: The Inset Map for Lamarsh to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **15 Little Maplestead**

- 15.1 Little Maplestead is a parish to the north of Halstead. The village has 3 clusters of development within development boundaries, with further more scattered development.
- 15.2 No comments were made upon the Inset Map.
- 15.3 One new site submission has been submitted. The site, reference LITM620 is approximately 0.5 hectares and seeks to develop the site for up to 5 dwellings.
- 15.4 *Parish Council Comments* – the Parish Councils commentary on LITM620 has been sought after the public consultation and a summary of the commentary is that:
- The site is outside the development boundary
  - The loss of the existing light industrial employment use would be detrimental
- 15.5 The Parish Council have not submitted any further commentary regarding any of the previously assessed sites during the public consultations. Previous commentary did not support the development of any of the previously assessed sites.
- 15.6 *Officer Comments* – LITM620 is not within the development boundary and is currently a commercial site. No evidence has been brought forward to suggest that the business is unviable or that the site has been marketed to let or for sale for other commercial uses. In principle the site is not considered to be a sustainable location for further growth, with the only significant facility within the village, the primary school, located within a different cluster with no pedestrian access from this location. Five new homes would not support additional services or affordable housing and would be reliant on private vehicles. The site does not meet the threshold of 10 dwellings and so could only to be allocated by amending a development boundary. Given the considerations above it is not proposed to amend the development boundary, however if the current employment uses on the site ceased, the site were to become vacant and was proven to be no longer viable for employment uses, then the site could potentially come forward through the planning process as a previously developed site.
- 15.7 No new information has been put forward to support the inclusion of LITM342, LITM340 or LITM341 and there are no comments to support them. It is therefore recommended that the inset remain the same as in the Draft Local Plan and that no sites are allocated for development.

**Recommendation 15: The Inset Map for Little Maplestead to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **16 Middleton**

- 16.1 Middleton is a small village in the north of the District with no development boundary. It was proposed in the draft Local Plan that the village was to remain within the Countryside.
- 16.2 One new site has been submitted through the consultation. The site, reference MIDD642 is located on the south side of The Street. The site is a greenfield site and an allocation for 5 dwellings is sought.
- 16.3 *Parish Council Comments* - The Parish Council was informally requested to comments upon MIDD642 after the public consultation. The Parish Council have stated that the site is inappropriate.
- 16.4 No further commentary has been submitted by the Parish Council. The previous commentary had stated they wish to remain within the countryside without a development boundary.
- 16.5 *Officer Comments* - MIDD642 is under the threshold for allocation and as the village has no development boundary would not be able to be incorporated in a boundary review. The village of Middleton is not considered to be a sustainable location for new development as there are very few services and facilities within the settlement and new residents would be reliant on private vehicles. The access to the site is single lane and has no pedestrian provision for safe walking routes. The site boundary to the road is predominately an eight foot in height bank and it is unlikely that the site could be developed and not detrimentally impact upon the village's visual characteristics.

**Recommendation 16 That Middleton remains as a settlement within the countryside with no development boundary**

## **17 Ovington**

- 17.1 Ovington is a small village in the north of the District with no development boundary and is therefore classed as being within the Countryside.
- 17.2 It was proposed in the draft Local Plan that the village was to remain the same as in the Local Plan Review 2005.
- 17.3 The Inset Map received one comment of objection that suggested that the site OVIN402 should be allocated. The commentary included the following points:



- The Parish Council does not object in principle
- The site has a long history of people living on the site
- There are physical remains of a Sextons Cottage (gravedigger) on the site, the grave digger lived there with his wife and daughters until it was burned down in the early 1950's and an old man lived there in a wooden caravan.
- There is documented evidence of a parsonage on site and other buildings possibly farm barns.
- There will be little infrastructure needed as there is electricity over the site and water be fed from village mains, sewage could be dealt with by septic tank, in common with most property's in Ovington
- There are 4 businesses in Ovington
- The site has not "returned to nature" the grass is kept cut the ditches clear, the bushes cut back and the footpath running alongside clear.
- There is no public transport to or from Ovington but this should not be a reason for not including it in the local plan as there are many Villages in the Braintree Council area where development is allowed which do not have public transport
- There is a precedent for redevelopment of sites in Ovington

17.4 *Parish Council Comments* – No further commentary has been submitted by the Parish Council however they had previously stated that they were opposed to the inclusion of OVIN402 on the grounds that the access was inadequate and narrow.

17.5 *Officers Comments* – It is suggested from the site visit and views on the satellite imagery that the site has returned to nature and that though the Parish Council have not objected to the site there are many other factors that must be taken into account. The site is situated in open countryside and Ovington is deemed to be an unsustainable location for further development due to the significant extent that any development would lead to the use of private modes of transport for any new residents. The allocation of the site for development would mean that a new development boundary would need to be created for the village which is not considered appropriate.

**Recommendation 17: That Ovington remains as a settlement within the countryside with no development boundary**

## **18 Pentlow**

18.1 Pentlow is a village with no development boundary and is therefore classed as being within the Countryside.

- 18.2 It was proposed in the draft Local Plan that the village was to remain the same as in the Local Plan Review 2005.
- 18.3 No comments have been made during the public consultation regarding the village.
- 18.4 *Parish Council Comments* – No further commentary has been submitted by the Parish Council. Previously the Parish Council had stated that:
- The village has very little infrastructure; no shop, no mains sewerage and no gas
  - Very little public transport
  - Any development would need to take into account the lack of infrastructure
  - PENT353 and PENT354 were not oppose to the inclusion of the sites in principle
- 18.5 *Officers Comments* – Pentlow is located within open countryside and is not viewed to be a sustainable location for further development due to the lack of facilities and reliance on private vehicles. No further evidence has been submitted to support the inclusion of any sites within the village.

**Recommendation 18: That Pentlow remains as a settlement within the countryside with no development boundary**

**19 Sturmer**

- 19.1 Sturmer is a village in the north of the District with a development boundary.
- 19.2 It was proposed in the Draft Local Plan that the village was to remain the same as the Local Plan Review 2005.
- 19.3 No comments were submitted during the draft Local Plan consultation.
- 19.4 No new sites were submitted during the draft Local Plan consultation.
- 19.5 *Parish Council Comments* – No comments were put forward during the Local Plan Consultation. The Parish council had previously submitted the following considerations:
- STUR405 – The Parish Council considers the site too far from the village envelope to be considered for housing and seeks the existing usages of restaurant and hotel to remain. There is a concern from the parish that the change of use may lead to St Edmundsbury District council to expand into Sturmer.
  - 16.9 STUR406 – The Parish Council has concerns that the development of the site would lead to a loss of trees and wildlife habitat. The Parish Council

want highlighted that the site was rejected by the planning inspectorate and that there would be a potential detrimental impact on the residents of Crunch Croft. There was a minority view expressed by some members of the Parish Council that limited development could be permissible subject to severe environmental controls.

- STUR407 – The Parish accepted the proposed allocation.
- STUR523 – If the site was to be included there should be some affordable housing and the residents of Sturmer would require a financial contribution through section 106 for the village.

19.6 *Officer Comments* – No new information has been put forward to support the inclusion of STUR405 STUR406 or STUR523 and it is suggested that they remain unallocated from the Local Plan.

**Recommendation 19: The Inset Map for Sturmer to remain unchanged from that in the draft Local Plan, as shown in the Appendix.**

## **20 Fairstead**

20.1 Fairstead is a village in the south of the District without a development boundary and is therefore located within the countryside.

20.2 It was proposed in the draft Local Plan that the village would to remain the same as in the Local Plan Review 2005.

20.3 *Parish Council Comments* – No new comments have been submitted during the public consultation or previously during this Local Plan

20.4 *Officer Comments* - Fairstead is a dispersed area of dwellings which are considered to be within the countryside. There is no development boundary and no support for any additional development.

**Recommendation 20: That Fairstead remains as a settlement within the countryside with no development boundary.**

## **21 Twinstead, Great Henny and Little Henny**

21.1 There is no development boundary for Twinstead, Great Henny or Little Henny.

21.2 No sites have been submitted during the public consultation and no comments were made specifically pertaining to the area.

21.3 *Parish Council Comments* – No new comments have been submitted during the public consultation.

21.4 *Officer Comments* – No new sites have been submitted; it is recommended that the villages remain considered as open countryside and no change is made from the Draft Local Plan.

**Recommendation 21: That Twinstead, Great and Little Henny remains as settlements within the countryside with no development boundary**