



REPORT of CHIEF EXECUTIVE

**to
PLANNING AND LICENSING COMMITTEE
20 JULY 2017**

BRAINTREE DISTRICT COUNCIL PUBLICATION DRAFT LOCAL PLAN CONSULTATION

1. PURPOSE OF THE REPORT

- 1.1 Braintree District Council has published its Draft Local Plan for consultation. The primary role of the Draft Local Plan is to set out the required housing delivery growth and other land use requirements for the district, to allocate sites to meet that growth, and to produce policies for the determination of planning applications up to 2033. It also includes proposals for strategic development for North Essex. The purpose of this report is to consider the Council's response to this Draft Local Plan (see **APPENDIX 1** of this report).

2. RECOMMENDATION

That this Committee approves the Council's response to the Braintree District Council Publication Draft Local Plan consultation.

3. SUMMARY OF KEY ISSUES

- 3.1 The three councils of Braintree, Colchester and Tendring have jointly prepared their draft Local Plans. The Braintree draft Local Plan is in two parts:
- **Section 1** - Strategic Plan for North Essex - including the Garden Communities (This document is shared with Colchester Borough Council and Tendring District Council)
 - **Section 2** - Policies, maps and sites for development, housing, employment, regeneration etc. within Braintree District.
- 3.2 The three Local Plans have been simultaneously published for consultation. The Braintree Publication Draft Local Plan consultation closes on 28 July 2017.
- 3.3 This is the Local Plan which Braintree District Council intends to submit to the Planning Inspectorate for an independent examination. All responses to the consultation will be sent on directly to the Inspector to consider in the examination of the Local Plan (Section 1 examination is anticipated to occur in late 2017 / early 2018).

- 3.4 When making a response this Council needs to consider whether the Plan is:
- Legally compliant
 - Sound
 - Complies with the Duty to Co-operate
- 3.5 In order to be considered 'sound' the Inspector must be satisfied that the plan is positively prepared, justified, effective and consistent with national policy. An explanation of soundness can be found in paragraph 182 of the NPPF.

4. SECTION 1

- 4.1 The section 1 proposals that are specific to Braintree District are highlighted in this report. The main purposes of the strategic chapter of the Local Plan are to:
- Articulate a spatial portrait of the area, including its main settlements and strategic infrastructure, as a framework for accommodating future planned growth;
 - Provide a strategic vision for how planned growth in North Essex will be realised and set strategic objectives and policies for key growth topics;
 - Set out the numbers of additional homes and jobs across the area that will be needed covering the period to 2033. The choices made, particularly in relation to the location of development, will also set the framework for development well beyond the plan period; and
 - Highlight the key strategic growth locations across the area and the necessary new or upgraded infrastructure to support this growth.
- 4.2 **Housing**
- 4.2.1 The Braintree draft LP has a total minimum housing supply in the plan period (2013–2033) of 14,320, equating to 716 housing units per annum (policy SP3).
- 4.2.2 Braintree Council proposes growth through a mixture of urban extensions and new communities. Braintree town, as the largest service centre in the District, will have a number of new urban extensions. Over 4,000 new homes will be allocated in this area (paragraph 3.3; policy SP2).
- 4.2.3 New strategic scale garden communities will be located to the west of Braintree, near the boundary with Uttlesford District Council and on the eastern boundary with Colchester Borough Council, at Marks Tey. They will be planned and developed drawing on Garden City principles, with necessary infrastructure and facilities provided and a high quality of place-making and urban design.
- 4.2.4 Joint Local Plans between Braintree, Colchester and Tendring Councils will allocate land to specific uses within Garden Communities. They also provide relevant policy guidance, and set out policies for the management of development.
- 4.2.5 The other main focus for development will be the A12 corridor with allocations of over 2,000 new homes. Other parts of the District, including Halstead, will have

smaller allocations to reflect a more local need and make the best use of brownfield sites, recognising that these areas are not as sustainable as other locations.

4.3 Employment

- 4.3.1 For Braintree District the annual jobs forecast is 490. Braintree District's employment land requirements for the period 2016 – 33 are set out for two plausible scenarios: baseline and higher growth. This approach is intended to provide flexibility. The amount of B uses employment land required is between 23ha-43.3ha (policy SP4). Section 1 does not allocate employment sites.

4.4 Infrastructure and Connectivity

- 4.4.1 The LP identifies strategic priorities for infrastructure provision or improvements within the strategic area, including (policy SP5):

- Improved road infrastructure and strategic highway connections to reduce congestion and provide more reliable journey times along the A12, A120, and A133 to improve access to markets and suppliers for business, widen employment opportunities and support growth;
- Improved junctions on the A12 and other main roads to reduce congestion and address safety;
- A dualled A120 between the A12 and Braintree.

- 4.4.2 To maximise the use of public transport new forms of high quality rapid transit networks will be provided to serve existing urban centres such as Colchester and Braintree, key destinations such as the University of Essex, and major transport interchanges in North Essex. To achieve the desired step change in sustainable transport this infrastructure will need to be funded and provided early in the development phase (paragraph 6.22).

4.5 Garden Communities

- 4.5.1 A key element of the spatial growth strategy for North Essex is the development of three new sustainable garden communities in the north Essex area. These new communities will accommodate a substantial amount of the housing and employment growth planned for North Essex within the plan period and beyond.(policies SP7 – SP10):

- Tendring/Colchester Borders, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000-9,000 homes to be delivered beyond 2033);
- Colchester/Braintree Borders, a new garden community will deliver 2,500 within the Plan period (as part of an overall total of between 15,000 – 24,000 homes to be delivered beyond 2033);
- West of Braintree in Braintree District Council, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000- 10,000 homes to be delivered beyond 2033).

- 4.5.2 The policies maps show ‘strategic areas for development’ for the Garden Communities. As the planning of the Garden Communities has been delegated down to a Strategic Growth Development Plan Document (DPD), the strategic areas as shown on the policies maps can be indicative only. The potential area of the Marks Tey Garden Community (with the long term target of 24,000 homes) stretches from the eastern outskirts of Coggeshall and Feering (the western boundary being the Coggeshall Road, which links the two villages), to just west of Copford; and north-south from Roman River (approx ½ mile south of Great Tey) to Feering (effectively an area of approximately 4 miles x 2 miles). It is arguable, as to whether it is sufficient to allocate 7,500 homes to these Garden Communities in this plan period, based on indicative areas only. To provide more certainty, these areas could be defined more clearly on the Local Plan policies maps.
- 4.5.3 The comments on section 1 of the draft Plan only need to be submitted once, as the comments on the Strategic Plan will be shared across the north Essex districts. These comments will be submitted alongside the comments to the draft Colchester Local Plan.
- 4.6 **Examination**
- 4.6.1 The Examination into the joint Strategic Plan (section 1) will be held first, before the Examinations into the individual Districts’ section 2 plans. The broad timetable is for the Section 1 Examination to occur in late 2017 / early 2018. The section 2 Examinations would follow in 2018. The Plans could potentially be adopted by the end of 2018.

5. SECTION 2 – BRAINTREE SPECIFIC POLICIES

5.1 Spatial Strategy

- 5.1.1 The broad spatial strategy for Braintree District concentrates development on the town of Braintree, planned new garden communities, Witham and the A12 / Great Eastern Mainline corridor and Halstead.

5.2 A Prosperous District

- 5.2.1 The draft LP identifies 51.1ha of new employment land allocations for B1, B2 and B8 uses. This is above the minimum identified in Section 1 of the plan, and will provide choice and flexibility for businesses. This includes 6.8ha to the north of Witham, up to 4ha at Feering as part of a new strategic growth allocation, and two new major business parks on the West Braintree Garden Community and on the Marks Tey Garden Community (policy LPP2). The size of the Garden Community business parks is not yet determined. The Plan also protects 283.1 ha of existing employment sites, including 83.8ha in Witham (LPP3). The Essex Fire and Rescue HQ at Kelvedon Park is allocated as a Special Employment Area, which includes a 3.3ha extension to the site (LPP4). The Plan identifies 12.4ha of land for B1 uses (LPP5).
- 5.2.2 The Town Centres of Braintree, Halstead and Witham are identified as the primary location for main town centre uses such as retail, office, leisure and entertainment in the District (LPP10). Hatfield Peverel is identified as a District Centre.

5.3 Housing

- 5.3.1 The Strategic Plan for North Essex sets out the objectively assessed need. For Braintree as 716 new homes per year across the Local Plan period 2013 – 2033, 14,320 new homes overall. The Local Plan has allocated an additional potential supply of at least 10% of homes over and above the Local Plan target (paragraph 6.60). This is to guard against future fluctuations in the figure for objectively assessed need and to ensure that there is sufficient flexibility in the Local Plan so that if a number of sites deliver slower than anticipated for example, the objectively assessed need and the five year housing supply requirement can be met.
- 5.3.2 Land for 8,800 houses is allocated within the strategic growth locations (LPP17), which include the two garden communities (west of Braintree and Marks Tey), 750 units at Feering and 450 units at Wood End Farm, Witham. The latter is in addition to the strategic growth areas at either end of Witham that were allocated in the 2011 Core Strategy.
- 5.3.3 The site at Feering is expected to come forward as a single comprehensive development site which tackles the issue of infrastructure and access, community facilities and contributions at a strategic level. The site is allocated for 750 dwellings in this Plan period, with a further 250 units being delivered after 20133.
- 5.3.4 An all movements access junction onto the A12 at Feering is a requirement of this strategic growth location and as such development will need to be timed to coincide with the provision of that junction. Suitable links from the development to the junction and Inworth Road will also need to be provided to the satisfaction of the highways authority (LPP22). A new link road between Inworth Road and the A12 Kelvedon North / Feering junction is supported by policy LPP48.
- 5.3.5 A Comprehensive Redevelopment Area is allocated to the north of Hatfield Peverel, on land between A12 and Great eastern Main Line. This will provide up to 285 new dwellings in the village, with a suitable road link between Bury Lane and Station Road and contributions towards highways enhancements on Bury Lane including safer access from the A12 slip road (policy LPP31).
- 5.3.6 Although the allocation at Wood End Farm (450 units) is within Hatfield Peverel parish, it is an extension to Witham town. Traffic from the development would access the A12 via the Witham junctions not those at Hatfield Peverel.

5.4 Traveller sites

- 5.4.1 The Plan allocates up to 30 pitches for Gypsy and Traveller accommodation, and six travelling showpersons plots at Strategic Growth Locations and the garden communities, through the planning application process or through the expansion or intensification of existing sites (LPP36).

5.5 Transport

- 5.5.1 During the preferred options consultation (2016) the Council highlighted its concerns regarding access to the A12 from the B1019 and the Inworth Road. These concerns have been addressed in the draft Plan through its support for improved road

infrastructure and strategic highway connections and improved junctions on the A12, an all directions A12 junction at Feering, and a proposed new link road between Inworth Road and the A12 Kelvedon North / Feering junction.

- 5.5.2 The level of development will increase the level of traffic on the A12, and the number of passengers on the GEML and local bus routes. However, the level of growth is such that improvements to sustainable transport can be achieved, which should mitigate the impacts on the transport network, for example the proposed rapid transit systems to serve the new Garden Communities, linking them to the existing urban centres.

5.6 Recreation & Leisure

- 5.6.1 The recreational and leisure pressures resulting from the 24,000 dwelling Garden Community at Marks Tey could have an impact on the District. Due to the expected increase in leisure & recreation pressure on adjoining Districts (in particular the Dedham Vale AONB (Area of Outstanding Beauty) and the River Blackwater), arising from the strategic growth and Garden Communities planned in North Essex, Section 106 (S106) / Community Infrastructure Levy (CIL) contributions from these developments should include contributions towards cycle and footpath routes to enable non-car access to leisure and recreation destinations in adjoining districts.
- 5.6.2 The Strategic Plan's (section 1) Appropriate Assessment identified the need to prepare a Recreational Avoidance and Mitigation Strategy covering the Colne and Blackwater Estuaries Special Protection Areas and Ramsar sites and the Essex Estuaries Special Area of Conservation and a separate Recreational Avoidance and Mitigation Strategy for the Stour Estuary, with a view to their subsequent adoption as Supplementary Planning Documents. The Recreational Avoidance and Mitigation Strategy (RAMS) must cover the relevant designated sites in adjoining districts, as the recreation & leisure impacts of the strategic growth and Garden Communities will extend beyond the Borough's borders. As the recreational and leisure impacts will be cross boundary, the RAMS should also be cross boundary, not solely focused on designated sites within the Borough. The impact of the Marks Tey Garden Community on the Blackwater Estuary should be included within the scope of the Strategy.

5.7 Education

- 5.7.1 School pupils are shared across district boundaries. S106 agreements in Braintree / Colchester for education provision must take into account the impact on schools in Maldon District. Funding should be directed to the schools affected by the strategic growth in North Essex, even if the schools concerned are in adjacent districts.

6. CONCLUSION

- 6.1 The Braintree Publication Draft Local Plan allocates land for at least 14,320 new homes and identifies 51.1 ha of land for new employment sites. This Council's previous concerns regarding access to the A12 for Maldon District residents and businesses have been addressed in this draft Plan through support for specific infrastructure projects that will help to secure access to the A12 from this District.

- 6.2 The Council's draft comments are provided in **APPENDIX 1** to this report. The comments on the joint Strategic Plan (Section 1) are listed in the report to the Planning and Licensing Committee on the Colchester draft Local Plan.

7. IMPACT ON CORPORATE GOALS

- 7.1 The level of development proposed in Braintree District has the potential to affect the corporate goals of protecting and shaping the District, and creating opportunities for economic growth and prosperity.

8. IMPLICATIONS

- (i) **Impact on Customers** – The proposals may impact on residents and businesses using either the A12 or train services, through increased traffic flows and passenger numbers.
- (ii) **Impact on Equalities** – The proposals would not have a direct impact on equalities.
- (iii) **Impact on Risk** – The proposals would not have a direct impact on risk.
- (iv) **Impact on Resources (financial and human)** – The proposals would not have a direct impact on resources.
- (v) **Impact on the Environment** – The proposals would not have a direct impact on Maldon District's environment.

Background Papers: The Braintree Draft Publication Local Plan is available at:
https://www.braintree.gov.uk/info/200230/planning_policy/701/new_local_plan/2

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