

Gladman Developments Ltd

Braintree District Council - Section 2 Local Plan Examination

Matter 2 Hearing Statement



June 2021

Main Matter 2 – The Spatial Strategy

Is the Spatial Strategy for Braintree justified by appropriate available evidence, having regard to national guidance, and local context, including Section 1 of the BLP?

In light of removal of the 2 garden communities from Section 1 of the BLP is Braintree's spatial strategy supported by robust and up to date evidence and otherwise soundly based?

- 1.1 Gladman query whether the removal of the West of Braintree and Colchester / Braintree Borders Garden Communities from the BLP Section 2 has been properly assessed as part of the Council's evidence base and consequently whether the Council's spatial strategy is soundly based.
- 1.2 As submitted, the Council's spatial strategy was predicated on the delivery of the Garden Communities to deliver a significant proportion of the district's development needs during the Local Plan period (including 3,656 dwellings). This was assessed through the Council's 2017 Sustainability Appraisal (BDC/025/1/2) as part of a hybrid approach seeking to allocate housing sites with high sustainable transport (Option C) and centred around Braintree (Option D), alongside the two garden communities prior to their removal from the authority's strategy.
- 1.3 Whilst noting the contents of the Council's Consequential Changes Topic Paper (Topic Paper 1), it is unclear whether the absence of the two Garden Communities would have resulted in an alternative or modified spatial strategy to that which is currently being promoted through the BLP Section 2.
- 1.4 While the Braintree and wider North Essex Authorities Spatial Strategies were primarily assessed and adopted through the Section 1 BLP examination, the evidence base for the BLP Section 2 has not been updated to reflect the removal of the two Garden Communities.
- 1.5 In this context, although the 2017 and latest iteration of the Sustainability Appraisal relevant to the Section 2 BLP tested the individual components of the hybrid spatial strategy, it did not test a combination of Options C and D without the Garden Communities in place.
- 1.6 As submitted through our Matter 5 and 6 Hearing Statements, we believe that greater flexibility may need to be built into the Section 2 Local Plan to account for potential delivery delays and ensure sufficient housing land is provided during the Plan's lifetime. In conjunction with this, it is considered that the removal of the two Garden Communities represents a significant modification to the Plan.
- 1.7 In this regard, the PPG states:

“...Modifications to the sustainability appraisal should be considered only where appropriate and proportionate to the level of change being made to the plan. A change is likely to be significant if it substantially alters the plan and/ or is likely to give rise to significant effects.

Further assessment may be required if the changes have not previously been assessed and are likely to give rise to significant effects. A further round of consultation on the sustainability appraisal may also be required in such circumstances but this should only be undertaken where necessary. Changes to the plan that are not significant will not require further sustainability appraisal work.”¹

Settlement Hierarchy

1.8 Gladman support the identification of a settlement hierarchy for Braintree district to help inform its overall spatial strategy. Alongside this, we support the inclusion of Cressing Tye as a Second Tier Settlement within the suggested modifications (MM7) to the Section 2 BLP which reflects the settlement’s inherent sustainability in relation to Braintree town, transport corridors and recent levels of housing growth.

1.9 Notwithstanding the above, Gladman would like to reiterate concerns regarding the position of Silver End within the settlement hierarchy. In the adopted Braintree Core Strategy (2011), the settlement of Silver End is designated as a ‘Key Service Village’, which are highlighted as being:

“...large villages with a good level of services, including primary schools, primary health care facilities, convenience shopping facilities, local employment, frequent public transport to higher order settlements and easy access by public transport to secondary schools.”

1.10 Whilst in the emerging Section 2 BLP, Key Service Villages are defined as:

“The Key Service Villages are large villages who serve a wider rural hinterland. The ability to meet day to day needs is normally possible in a Key Service Village through the availability of early years and primary schools, primary health care facilities, convenience shopping facilities, local employment opportunities and links by public transport and road to the larger towns. Development may be considered sustainable within a Key Service Village, subject to the specific constraints and opportunities of that village.”

1.11 Since 2011, the sustainability credentials of Silver End have been recognised through the granting of detailed planning permission for 519 dwellings, whilst a further outline application

¹ Planning Practice Guidance Paragraph: 021 Reference ID: 11-021-20140306

for up to 94 dwellings is currently under consideration by BDC. These applications are set in Table 1 below:

Table 1 – Major site planning permissions in Silver End since 2011

Planning Reference	Address	Number of Dwellings	Decision Date	Decision
20/01343/REM	The Garden Field Land south of Western Road, Silver End, Essex	45	19/02/2021	Approved
18/01751/REM	Land off Western Road, Silver End, Essex	350	21/06/2019	Approved
15/01392/FUL	Car Park Adjacent Deveron Lodge Sheepcotes Lane, Silver End, Essex	15	08/07/2016	Approved
17/01074/REM	Land west of Boars Tye Road, Silver End, Essex	59	28/12/2017	Approved
19/00634/REM	Land east of Boars Tye Road, Silver End, Essex	50	30/12/2019	Approved
Overall total		519		

1.12 Silver End has a good range of services including; a primary school, pre-school children's centre, sports facilities, medical centre, pharmacy, shops, pubs and places of worship. In addition, the village benefits from frequent bus services which provide connections to the wider area, including Braintree town.

1.13 Gladman assert that there is no justification for Silver End to be removed as a 'Key Service Village' and reclassified as a 'Second Tier' settlement given the recent levels of housing growth in the settlement, which demonstrate its inherent sustainability. In this regard, the settlement hierarchy is not justified and does align with the spatial strategy for Braintree and is therefore unsound.

Are the development boundaries in BLP Section 2 supported by robust and up to date evidence, otherwise soundly based and appropriately drawn?

1.14 Policy LPP1 seeks to control development outside of the development boundaries, with the suggested modifications to the policy (MM9) stating:

*“Development outside development boundaries will be ~~strictly controlled~~ **confined** to uses appropriate to the countryside **whilst also protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils**”.*

- 1.15 Firstly, the evidence base library contains a ‘Development Boundary Review Methodology’ document (BDC030) which was approved at the Local Plan Sub-Committee in June 2015. While this document is referenced in paragraph 5.16 of the Section 2 BLP, we note that the examination library and background evidence documents do not appear to contain an assessment of the development boundaries against this methodology, nor a summary of outcomes.
- 1.16 Given that evidence of the Development Boundaries Review is not publicly available, it is not possible to ascertain whether the Development Boundaries as set out in Policy LPP1 and the Policy Maps are justified and soundly based.
- 1.17 Secondly, Gladman consider that the suggested modifications (MM9) are not justified in that the amendments in wording from ‘strictly controlled’ to ‘confined’ does represent a significant or meaningful change in the context of development boundaries. While the amendments relating to biodiversity, landscapes and geological value Gladman contend are unnecessary duplication of policies within the Plan. The NPPF (2019) is clear in paragraph 16 f) that Plans should serve a clear purpose, avoiding unnecessary duplication of policies, particularly in relation to policies LPP 55, LPP 67, LPP 70 and LPP 73.
- 1.18 Additionally, Gladman do not support the use of settlement boundaries which arbitrarily restrict otherwise sustainable development opportunities from coming forward, indeed this does not accord with the positive approach to growth required by the NPPF. The application of a blanket tool which restricts residential growth outside of development limits does not provide flexibility within the plan to respond to any delays or shortfalls in delivery across the plan period.
- 1.19 This is of significance when considering that the Section 2 BLP is only likely to provide for a 5% supply contingency of allocations above the Section 1 BLP overall housing requirement in comparison to the 10-20% supply buffer which the House Builders Federation recommend.
- 1.20 Indeed, several site allocations are strategic in nature and Gladman consider that the lead-in times of a number of these sites are unrealistic. A flexible development limit policy which allows sustainable residential development opportunities to be delivered adjacent to

settlement development boundaries would provide a mechanism to safeguard against any potential shortfall in delivery.

- 1.21 Furthermore, the application of a blanket, restrictive development limit across all settlements within the settlement hierarchy does not correlate with the spatial strategy which directs growth across the most sustainable settlements whereby growth adjacent to settlement boundaries in Key Service Village, for example, are treated the same as settlements in the third tier which have development limits.