



# Braintree District Council

## Local Plan Examination of Section 2

### Main Matter 8 - A Prosperous District – Homes – Comprehensive Redevelopment Areas 1

June 2021

## **Main Matter 8 - A Prosperous District – Homes – Comprehensive Redevelopment Areas 1**

Policy LPP 24 Comprehensive Redevelopment Area - Land East of Halstead High Street

Policy LPP 26 Comprehensive Redevelopment Area - Factory Lane West/Kings Road

Policy LPP 27 Comprehensive Redevelopment Area - Former Dutch Nursery, West Street, Coggeshall

Policy LPP 31 Comprehensive Redevelopment Area - Land between A12 and GEML, Hatfield Peverel

- **Are the above policies and site allocations justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the BLP Section 1?**

8.1. The National Planning Policy Framework (2012) encourages the effective use of brownfield or previously developed land stating:

*'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.'* Paragraph 111.

*'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'.* One of the core principles listed at paragraph 17.

8.2. Policies LPP 24, 26, 27 and 31 seek to ensure the effective use of brownfield land and provide certainty to stakeholders through providing a policy framework for these sites to be developed.

8.3. These four allocations for comprehensive redevelopment areas are consistent with the spatial strategy set out within BLP Section 1 and 2. Two of the allocations are within the Town of Halstead, which is considered to be a top tier settlement in terms of sustainability. The other two allocations are within or in close proximity to the Key Service Villages of Coggeshall and Hatfield Peverel. Key Service Villages are considered to be the most sustainable locations after the three main towns and Hatfield Peverel is also located on the A12/GEML corridor which is particularly highlighted for growth within the spatial strategy.

8.4. **Land East of Halstead High Street (LPP 24)** – an outline application for the site ([18/02084/OUT](#)) for up to 73 homes was dismissed at appeal (December 2019; [APP/Z1510/W/19/3224638](#)), the main issues related to the impact of the

development on heritage assets. However, the Council consider that a scheme which has a reduced impact upon heritage assets could come forward under policy LPP 24. Proposed modification MM31 within document SDBDC008a is suggested by the Council to change the wording of the policy to protect all the air raid shelters (rather than at least one) to reflect appeal decision which set out that the loss of any of these features would be harmful. Whilst the Council believes that a redevelopment scheme could come forward which contains some element of residential development, no homes are now assumed to come from the site within the updated housing trajectory. Any homes which form part of the redevelopment will be considered as windfall.

- 8.5. **Factory Lane West/Kings Road (LPP 26)** now has planning permission with the first phase ([18/01119/FUL](#)) under construction and the remaining part of the site having outline permission ([19/02304/OUT](#)). The Council have proposed MM33 in document SDBDC008a which suggests wording amendments to this policy to correct an error.
- 8.6. **Former Dutch Nursery, West Street, Coggeshall (LPP 27)** now has the benefit of detailed permission (17/00359/OUT &) ([19/01047/REM](#)) and construction on site is well under way with 47 of the 48 plots reported under construction by the end of March 2021. The Council has suggested in MM34 of SDBDC008a that the policy could be deleted due to its progress but would welcome a discussion with the Inspectors on this issue.
- 8.7. **Land between A12 and GEML, Hatfield Peverel (LPP 31)**. This comprehensive development area consists of 4 major sites with smaller private residential sites scattered across the development and back Gardens to rear of properties on Station Road. The majority of this site has detailed planning permission with construction having started. This includes: – Arla Dairy, 145 dwellings ([19/00494/REM](#)) and Sorrells Field, 50 dwellings ([17/00973/FUL](#)). Hatfield Bury Farm, 46 dwellings has the benefit of a detailed planning permission ([19/01803/FUL](#)) but has not yet started construction on site. It is estimated that there is potentially a small remaining capacity of around 20 units on the site. The Council have agreed to amendment to the wording of paragraph 2, bullet point 1 in accordance with the SoCG013 with ECC. ‘The main vehicular access to the site will be taken from Station Road’.

Site	Application Number	Planning Status
Former Arla Dairy Site, Hatfield Peverel	16/02096/OUT 19/00494/REM	Under construction See correspondence with Bellway
Hatfield Bury Farm, Bury Lane	17/00341/OUT 19/01803/FUL	Full consent Aug 2020 See correspondence with Bellway

Sorrels Field, Bury Lane	17/00973/FUL	Under construction
Network Rail Car Park, Station road	-	Retain as car parking
Gardens to rear of properties on Station Road	-	Part of the comprehensive development area.

- **Do the housing land site allocations identified above show how they will contribute to the achievement of the overall housing requirement of the BLP Section 1 (14320 new homes) and its timescale for delivery?**

- 8.8. **Land East of Halstead High Street (LPP 24)** – The revised housing trajectory included within the Housing Topic Paper shows this site as a Local Plan Allocation without planning permission. The trajectory does not currently include any units being delivered on the site within the plan period however the site may well come forward and be delivered within this time. As demonstrated in the Housing Topic Paper, the Plan is not reliant on this site in order to meet its housing requirement across the Plan period or demonstrate a five year housing land supply.
- 8.9. **Factory Lane West/Kings Road (LPP 26)** - The revised housing trajectory included within the Housing Topic Paper shows that the first phase of the site with detailed planning permission ([18/01119/FUL](#)) and currently under construction will deliver all 7 units within the 21/22 monitoring year. The section of the site with outline permission ([19/02304/OUT](#)) for 21 units is anticipated to be completed during the 24/25 monitoring year. There is nothing to suggest these homes will not be completed in line with the outline permission granted.
- 8.10. **Former Dutch Nursery, West Street, Coggeshall (LPP 27)** - The revised housing trajectory included within the Housing Topic Paper shows that this site is under construction and the 48 units will be delivered during the 21/22 monitoring year.
- 8.11. **Land between A12 and GEML, Hatfield Peverel (LPP 31)** - The revised housing trajectory included within the Housing Topic Paper shows that the Arla Dairy section of the site for 145 dwellings ([19/00494/REM](#)) had 14 units complete by April 2021. The rest of the site will be completed by the 23/24 monitoring year. The Sorrells Field section for 50 dwellings ([17/00973/FUL](#)) had 3 completions by April 2021 with the site anticipated to be completed in the 22/23 monitoring year. The Hatfield Bury Farm section for 46 dwellings ([19/01803/FUL](#)) is anticipated to deliver over the 21/22 and 22/23 monitoring

years. Therefore the Council is very confident that these sites will deliver the homes outlined above within the timescales set out.

8.12. In total, this site will contribute 236 dwellings to the overall housing requirement in accordance with the trajectory and evidence published in Council's Housing Topic Paper. The potential remaining capacity on the site (around 20 units) is not currently shown in the trajectory and if built would be treated as windfall development. As demonstrated in the Housing Topic Paper, the Plan is not reliant on these 20 units in order to meet its housing requirement across the plan period or demonstrate a five year housing land supply.

8.13. In summary the Council can therefore confirm that given the outline and full permissions already in place for these sites and the construction work underway, that it has ever confidence that these sites will be delivered at the capacity and timings set out within the updated housing trajectory.

- **Do policies LPP 24, LPP 26, LPP 27 and LPP 31 provide clear direction as to how a decision maker should react to a development proposal in relation to these allocations?**

8.14. As described above, Factory Lane West/Kings Road (LPP 26) now has outline planning permission with part of the site benefiting from detailed planning permission and is under construction. Former Dutch Nursery, West Street, Coggeshall (LPP 27) and Land between A12 and GEM, Hatfield Peverel (LPP 31) have detailed planning permission granted for at least the majority of the sites and are under construction. There is nothing to suggest that these site will not be completed in line with their extant permissions. Nevertheless the Council considers the policies provide clear direction on how any revised applications would be considered.

8.15. The Council considers that Policy LPP 24 Comprehensive Redevelopment Area - Land East of Halstead High Street amended by MM31 provides a clear direction to decision makers. The site is very well located close to the main facilities of the town but has a series of constraints such as vehicular access and nearby heritage assets as demonstrated by the appeal on the site (APP/Z1510/W/19/3224638). The policy therefore provides a clear framework for how the site should be developed to provide certainty to stakeholders while ensuring that the development will be acceptable in overcoming constraints. The accompanying allocation on Inset 35 clearly shows the geographical extent that the policy covers.