

Statement of Common Ground between Braintree District Council and ‘The Consortium’ (comprising Bellway Homes Ltd, Bloor Homes, Martin Grant and Miller Homes) on the Braintree District Council Section 2 Local Plan

June 2021

1.0 Introduction

- 1.1 This Statement of Common Ground identifies the areas of agreement and disagreement between the developers, ‘The Consortium’, of the land to the east of Great Notley as represented by Andrew Martin – Planning Ltd (AM-P) (id 307555) and Braintree District Council on matters relating to the Section 2 Local Plan. Prior to the establishment of the current Consortium in 2019, representations were submitted separately by AM-P on behalf of Bellway Homes, and Pegasus, on behalf of the ‘Braintree South Alliance’ comprising Bloor Homes, Martin Grant Homes and Miller Homes (id 451873)
- 1.2 The Consortium and District Council are working in close collaboration, having agreed a Planning Performance Agreement, which includes a detailed project programme including a wide range of pre-submission topic – based workshops and other meetings. These meetings have provided the opportunity to produce an Illustrative Concept Layout Plan showing a potential basis for the design of a detailed masterplan, together with parameter plans and a design code. The current ‘working’ Illustrative Concept Layout Plan for the overall proposed allocation is attached at Appendix 2.
- 1.3 This Statement addresses key issues raised in representations submitted to the Section 2 Braintree Local Plan during the Publication Draft Local Plan consultation period in 2017, and provides an update on the current position in relation to the delivery of development on the site.

2.0 Summary of Representations by Bellway and Braintree South Alliance

- 2.1 The following sets out a comprehensive summary of the representations referred to above:-

AM-P on behalf of Bellway Homes

- LPP2 – Location of Employment Land : **objection.**
- LPP3 – Employment Policy Areas : **objection.**
- LPP17 – Housing Provision and Delivery : **objection** on the basis BDC could not demonstrate a 5YHLS and that additional housing sites on the fringes of the main towns should be identified.
- LPP18 – Strategic Location, Land East of Great Notley : **objection** to:
 1. Employment uses;
 2. Gypsy and Traveller requirement;
 3. That the reference to restricting additional minor access from Bakers Lane is an unnecessary restriction.

Pegasus on behalf of Braintree South Alliance

- LPP2 – Location of Employment : **objection.**

- LPP17 – Housing Provision & Delivery : **support**, but the number of homes should be a ‘minimum’.
- LPP18 – Strategic Growth Location, Land East of Great Notley : **objection** to:
 1. Employment uses;
 2. Gypsy & Traveller requirement;
 3. Restrictions on access from Bakers Lane.
- LPP33 – Affordable Housing : **support**.
- LPP37 – Housing Type & Density : **objection** to 10% Category 2 or 3 Building Regulation requirement and need to make allowance for viability considerations.
- LPP44 – Sustainable Transport : **support** and confirmation that GNE will comply with policy.
- LPP49 – Broadband : **support** and confirmation that GNE will seek to provide.
- LPP50 – Built and Historic Environment : **support** and confirmation that GNE will comply.
- LPP52 – Health & Wellbeing Impact Assessment : **objection**, as there should be more clarity in wording as to which types of applications would require assessments.
- LPP53 – Provision of Open Space, Sport & Recreation : **support** and confirmation that GNE will meet the requirement.
- LPP55 – Layout & Design of Development : **support** and confirmation that GNE will comply.
- LPP60 – Heritage Assets & their Settings : **support** and confirmation that GNE will comply.
- LPP63 – Archaeological Evaluation, Excavation & Recording : **support**, but concerns about some wording, which should be removed.
- LPP74 – Climate change : **support** policy aspiration and welcomes policy flexibility.
- LPP75 – Energy Efficiency : **support** aspirations, but concern over supporting text that goes beyond current legislative standards.
- LPP77 – Renewable energy within new development : **objection**, and advocate ‘fabric first’ approach.
- LPP82 – Infrastructure Delivery & Impact Mitigation : **support**

2.2 This Statement focusses on the objections to three policies, namely: Policy LPP 2 – Location of Employment Land, LPP 3 - Employment Policy Areas and LPP 18 – Strategic Location, Land East of Great Notley. It updates the position of both The Consortium and the Council and identifies the Areas of Agreement and Disagreement. With regard to The Consortium’s submitted objections to Policies LPP 17, 37, 52 and 77, these will be addressed as necessary in Hearing Statements.

3.0 Areas of Agreement

- a) That the Braintree District Council Section 2 Local Plan is legally compliant and represents a sound basis on which to plan for development within the Council area.
- b) That although Policy LPP 2 identifies Land East of Great Notley to be proposed for ‘*up to 3ha employment policy area. To be determined through Masterplan Framework*’, it is not intended or listed in the Section 2 Local Plan as an ‘Employment Policy Area’ in Policy LPP 3, nor is it identified or designated as such on the Proposals Map. Consequently,

for clarity, Policy LPP 3 will not apply to Land East of Great Notley and the specific and appropriate employment provision in terms of uses and quantum for the new allocation will be determined through the Masterplan Framework and planning application processes.

- c) The parties agree that '*appropriate employment uses to support a major new community*' as stated in the third bullet of Policy LPP 18, can be provided on site. The definition and quantum of employment will be determined through the Masterplan Framework and planning application processes and will be of a non-strategic nature. The Council acknowledges in Topic Paper 1 Consequential Changes, February 2021 that changes to the Section 2 Plan are necessary as a result of the changes to the Use Classes Order.
- d) The parties agree that the revised housing completion trajectory, which has been sent to the Planning Inspectorate (extract attached at Appendix 2) sets out a realistic estimation of the houses which are to be delivered from this site during the Local Plan period (up to 2033). The parties will work together to ensure that this delivery takes place.
- e) The parties agree that Policy LPP 17 and Policy LPP 18 provide for the delivery of around of 1,750 homes to be delivered on the site within the Plan period to 2033, whilst the Publication Draft Housing Trajectory notes that a further 250 homes would be developed post 2033. Consequently, the parties agree that the preamble to Policy LPP 18 should be changed to clarify the overall capacity of the site as around 2,000 homes with 1,750 in the Plan period and 250 post 2033. The parties agree that The Consortium are planning to provide around 1,750 homes on land to the north of Bakers Lane, with the subsequent 250 homes being delivered on land to the south of Bakers Lane.
- f) The parties agree that the provision of a Gypsy and Traveller site can be provided on site or if no suitable site can be agreed during the masterplanning process, then a financial contribution to off-site provision to be determined through the planning application process. In either case, the site area or financial contribution will be assessed on a proportionate basis related to need and the overall residential capacity of the site.
- g) The parties agree that it may be appropriate for the site to contribute towards the Chelmsford North East by-pass (Chelmsford City Council Rep 849) at a rate which is appropriately identified through a transport assessment submitted as part of the planning application process and subject to a viability review mechanism as part of a s106 package. The traffic modelling currently being undertaken demonstrates that the by-pass is not essential to the delivery of the site.

- h) The parties agree to the provision of a site or contribution towards an appropriate NHS facility to serve the development, which could be co-located with other community facilities.

4.0 Areas of Disagreement

- a) The Consortium considers that the stated area requirement of up to 3ha for employment in Policy LPP 2 is too prescriptive and not justified by the employment evidence base. It is considered that the quantum and *'appropriate employment uses to support a major new community'* as stated in terms in Policy LPP18 should be determined through the masterplanning and planning application processes and be based on either an overall job creation target or gross floorspace for the development from all potential sources of employment within the mixed use areas and development of the new community as a whole. The site will also be within proximity to the major strategic allocation of 18.5 ha of land to the west of A131 at Great Notley (Ref LPP 21 and allocation ref. GRNO 260) that is now under construction and known as *'Horizon 120 Business, Innovation and Logistics Park'*, and will provide a wide range of new employment opportunities.
- b) The Consortium maintain their objection to the reference in Policy LPP 18 to access to the site from Bakers Lane being restricted to *'additional minor vehicle access from Bakers Lane only if it is an essential requirement of the development'* which they consider should be deleted. The master planning process and transport studies carried out to date demonstrate the need to plan the highway network to serve the development on a phased basis, reflecting the first major phase in the Plan period of 1,750 homes being to the north of Bakers Lane, and the second phase of 250 dwellings post 2033 to the south.

5.0 Planning Status

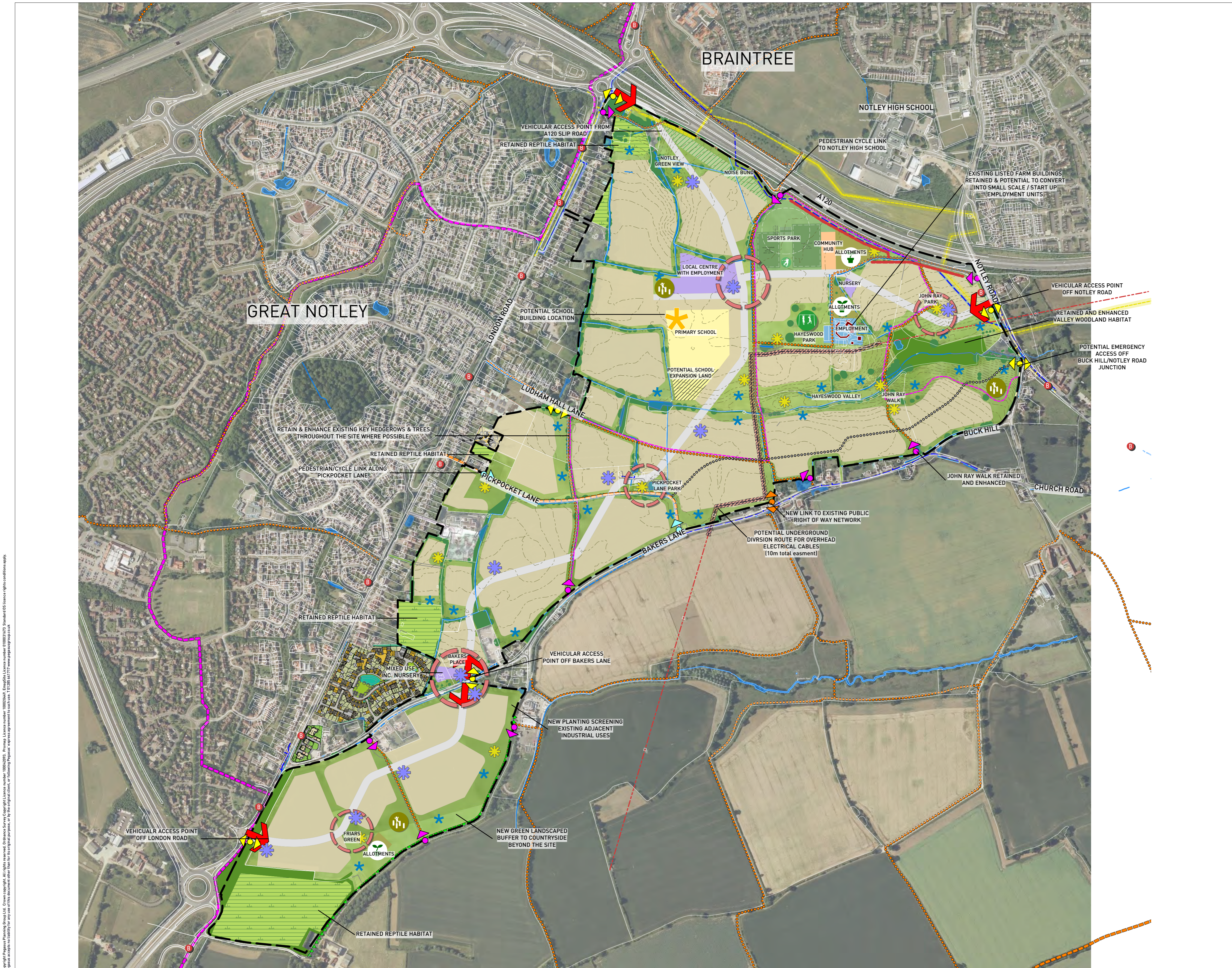
- 5.1 As referred to in paragraph 1.2, The Consortium and the Local Planning Authority have signed a Planning Performance Agreement, which subject to the outcome of the Section 2 examination, commits the parties to continue to work together to develop a planning application.

It is expected that a planning application will be submitted in Autumn 2021.

If the planning application is approved, then work on site will commence Q1 2023, and first homes completion are expected in 2023/24.

Signed:

A. N. Martin for the Consortium



- KEY**
- BLAN114 Allocation Boundary 117.07 Ha
 - Existing tree/hedgerows
 - Existing woodland/treebelt
 - Existing watercourse/waterbody
 - Potential SuDs basins (in addition to swales)
 - PRoW - footpath
 - PRoW - bridleway
 - PRoW - byway (unrestricted)
 - National Cycle Network (NCN)
 - Existing medium pressure gas main and easement (15m total)
 - Existing water main and easement (6m total)
 - Existing 132kV overhead lines
 - Potential undergrounding route of 132kV overhead lines and easement (10m total)
 - Proposed Acoustic Barrier
 - Noise bund
 - NEAP
 - LEAP
 - Skate park
 - Pocket park
 - Allotments
 - Indicative 2.7km walking route (minimum distance)
 - Existing bus stop adjacent to allocation area
 - Cycle/pedestrian link
 - Proposed vehicular access point
 - Existing pedestrian access point
 - Proposed cycle and pedestrian link
 - Proposed new pedestrian link
 - Byway access
 - Residential development
 - Mixed use local centre
 - Education
 - Potential education expansion land (revert to residential if not education)
 - Community hub
 - Infrastructure
 - Existing retained structural planting/woodland
 - Existing retained Ecological Habitats
 - Proposed Public Open Space

GREAT NOTLEY EAST - ILLUSTRATIVE CONCEPT LAYOUT



