

Statement of Common Ground Between Braintree District Council and Maldon District Council on the Braintree District Section 2 Local Plan (BLP2).

June 2021

Introduction

This Statement of Common Ground identifies the areas of agreement and disagreement between Maldon District Council (ID – 61727) and Braintree District Council (BDC).

This statement address the representations submitted by Maldon District Council at the Publication Draft Local Plan consultation period in 2017.

Background

Maldon District Council is a statutory consultee in Local Plan making, as it is an adjacent Local Authority.

Responses have been received to the Section 2 Local Plan (BLP2), from Maldon District Council which were given the following reference numbers – 381, 382, 384, 622, 623, 624, 625, 626, 627, 628 and 629. The responses are set out in the table below.

Areas of Agreement

That the Braintree District Council Section 2 Local Plan (BLP2) is legally compliant and represents a sound basis on which to plan for development within the Braintree District Council Area.

The table below sets out the Maldon District Council representations and the agreed position between Maldon DC and Braintree DC on each of those responses.

Policy / paragraph	Summary of Maldon DC response in 2017	Changes agreed by the authorities
LPP2	<p>The proposed employment allocations for the Garden Communities within Braintree District should be allocated in this plan, alongside the proposed 3,650 homes in the housing trajectory, rather than be delegated down to a daughter DPD. Without sufficient employment land allocated and delivered, the Garden Communities are at risk of becoming commuter settlements, not functional sustainable communities.</p> <p>It is not clear in the draft Plan, whether there has been any analysis of</p>	<p>The elements relating to garden communities have been deleted from this policy.</p>

	employment land requirements against housing provision.	
LPP17	Rather than have it in some, but not all the Strategic Growth Location policies, this overarching policy should include the following statement: 'Development proposals which could compromise the delivery of an identified Strategic Growth Location will be resisted.'	No change required if the Inspector is otherwise satisfied.
LPP18	<p>The last sentence in the policy is not required, as this is already a strategic growth location. . <u>Delete</u> 'Development proposals which could compromise the delivery of an identified Strategic Growth Location will be resisted.'</p> <p>It would be more logical to have this statement of intent in policy LPP17.</p>	No change required if the Inspector is otherwise satisfied.
LPP22	<p>Strategic Growth Location – Land at Feering</p> <p>The element of the policy (final bullet point) requiring contributions to an all directions A12 junction at Feering is supported.</p> <p>The last sentence in the policy is not required, as this is already a strategic growth location. . <u>Delete</u> 'Development proposals which could compromise the delivery of an identified Strategic Growth Location will be resisted'. It would be more logical to have this statement of intent in policy LPP17</p>	No change required if the Inspector is otherwise satisfied.
LPP60	The term 'appearance' appears in conjunction with character, notably in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in reference to conservation areas. The impact of development on the appearance of a building is major consideration in determining planning applications.	Agree that the word 'appearance' can be included in the policy if necessary.

	<p>Therefore, the Council recommends a modification to LPP60a to read:</p> <p>a. The works or uses do not harm the significance of the setting, character, appearance, structural stability, and fabric of the building or structure.</p>	
Fig 1 Housing Trajectory	Windfall allowance is supported by evidence. The lapse rate is too low, it should be increased to 2.6%. There are inconsistencies within the plan (para 6.60 and the housing trajectory) regarding the housing target of OAN+10%	MDC have no further observations to make on the revised housing trajectory.
LPP31	The development of the Comprehensive Redevelopment Area must not negatively impact on the limited parking at, and consequently the long term viability of, Hatfield Peverel Train Station. Maldon District Council therefore supports the inclusion of access and capacity improvements to the Hatfield Peverel Train Station car park in this policy, and would expect this to be an integral aspect of the delivery of any development in this area.	As planning permission has been granted across the site, it is agreed that this comment is no longer relevant.
LPP44	The policy does not explicitly protect train stations from being adversely affected by development. As a key aspect to sustainable transport network, the existing train stations should be protected and train station improvements sought from relevant developments.	It is accepted that developer contributions from relevant development can only be used outside of Network Rail's landownership in areas surrounding train stations. It is agreed that the management of the rail network and infrastructure is outside the scope of the Local Planning Authority's influence.

Area of Disagreement

Policy/ Paragraph	Summary of the Maldon DC 2017 response	Reason for disagreement
Para 9.1	<p>The draft Local Plan does not include a review mechanism or trigger for a whole or partial review of the Plan. As a significant portion of the housing development in this plan is reliant on a small number of large sites, if these sites do not come forward as expected, the delivery of the Plan could be impacted. Therefore, a review mechanism should be included in the Plan. For example:</p> <p><u>If the Authority Monitoring Report demonstrates that the Garden Communities and the Strategic Growth Locations deliver less than 75% of their projected housing completions in three consecutive years (based on the trajectory set out in this Plan), the Council will undertake a partial review of this Plan.</u></p>	<p>MDC consider that the proposed amendment would make the plan more effective.</p> <p>BDC disagree with the MDC response which they consider overly prescriptive given the range of size and type of sites which are allocated in the Plan and the number of those sites which already benefit from planning permission.</p>
LPP48	<p>The proposed new link road between Inworth Road and the A12 Kelvedon North/Feering junction is supported. As 1,000 homes are planned at Feering in the long term, this feeder route to the A12 must be improved in order to accommodate the additional traffic generated by the development.</p> <p>Improvements should be made to the feeder routes to the A12, to ensure that the additional traffic generated by the allocations in the draft Local Plan do not detrimentally impact these important local routes, and reduce the accessibility of the A12 from surrounding areas. The Council seeks that the Plan includes specific reference to the proposal for a new link road from the realigned A12 and a new junction between Hatfield Peverel and Witham with the B1019. This would</p>	<p>Braintree District Council notes the support from Maldon District Council for the wording within the policy. However whilst Braintree District Council shares Maldon District Council desire for better link roads to the A12 from Maldon District this is not a matter for this policy and may well be better dealt with during the NSIP application for the A12 improvement works.</p>

	<p>remove the need to travel through Hatfield Peverel to Maldon from the A12. This is essential to enable direct connectivity to/from Maldon to the A12, whilst relieving traffic congestion in Hatfield Peverel and improving flows along the A12.</p> <p>The roads infrastructure, including any A12 junction improvements must be designed to accommodate the traffic from the completed Garden Communities, not just the first phase of development as identified in this Plan.</p> <p>Increased traffic movements on Braxted Park Road to/from Rivenhall and Maldon Road to/from Kelvedon, as a result of the expansion of Kelvedon/Feering/Witham, must not cause harm to either of the listed bridges over the River Blackwater (Appleford Bridge on Braxted Park Road and the bridge on Maldon Road at the junction with Ewell Hall Chase). Consideration should be given to implementing structural works to relieve the pinch point on the Great Braxted Road at Appleford Bridge.</p>	
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No change proposed.

	<p>LPP61</p> <p>It is suggested that the policy should be amended to better differentiate between 'substantial harm' and 'less than substantial' harm as required by the NPPF and to provide greater clarity on how the policy will be applied.</p>	<p>BDC note that Historic England do not object to the wording here and as such suggest it should remain.</p>
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Signed

Paul Dodson

Maldon District Council

Braintree District Council