

**From:** [Massow, Alan](#)  
**To:** [Johnson, Carolyn](#)  
**Subject:** FW: Responses at examination - HPNDP  
**Date:** 25 January 2024 09:48:53  
**Attachments:** Responses to Tony Burton at examination (15.01.24) combined HPV2.xlsx

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**From:** Sarah Gaeta <parishclerk@hatfieldpeverelpc.com>  
**Sent:** Wednesday, January 24, 2024 8:52 AM  
**To:** Tony Burton <tony@tonyburton.org.uk>  
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**Subject:** Responses at examination - HPNDP

Dear Mr Burton

Please find attached Hatfield Peverel Parish Council's responses to questions raised.

Kind regards

Sarah

**Sarah Gaeta** CertHE Community Governance  
**Parish Clerk and Responsible Financial Officer**



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Evidence for Tony Burton for Examination.

No.	Subject	Comments	Outcome
1	Evidence of Natural England having been consulted on the conclusions of the SEA and HRA Screening Reports and any responses.	BDC	
2	Evidence of Environment Agency having been consulted on the conclusions of the SEA and HRA Screening Reports and any responses.	BDC	
3	Evidence of Historic England having been consulted on the conclusions of the SEA and HRA Screening Reports and any responses.	BDC	
4	Larger scale version of Map 13.2	BDC	
5	Larger scale version of Map 13.3	BDC	
6	Larger scale version of Map 13.6	BDC	
7	Map showing location of NDHAs in 17.2.9	NDA's are shown on Map 17.1 Map of Historic Features and are numbered according to the corresponding NDHA asset list.	
8	What comprises the development plan for the neighbourhood area?	BDC	
9	Does BDC consider the submitted Plan to be in general conformity with the strategic policies of the development plan?	BDC	

10	Evidence any representations from Braintree District Council on the pre-consultation draft plan and/or any other significant comments prior to its representations on the submitted plan	BDC	
11	Does the evidence base for the neighbourhood plan comprise solely the documents listed in Appendix 5 and where is it publicly available	No, it is the principal list of documents to support the revisions to the plan. We have not included documents that are in the public realm such as Government Planning Guidance on Heritage and Air Quality. Other documentation is to be found under the original adopted plan. Documentation for both the Plan adopted in 2019 and reviewed Plan under examination can be found on the Parish Council website <a href="https://www.hatfieldpeverelpc.com/neighbourhood-development-plan/">https://www.hatfieldpeverelpc.com/neighbourhood-development-plan/</a> and BDC website <a href="https://www.braintree.gov.uk/planning-building-control/neighbourhood-planning/5">https://www.braintree.gov.uk/planning-building-control/neighbourhood-planning/5</a>	
12	Policy ECN1 - What is the evidence for not supporting the use class change specified in Policy ECN1 B. and resisting proposals for B8 uses in Policy ECN1 C.?	BDC	
13	Policy ECN2 - What is the evidence supporting a need for "work hubs " in "new larger housing schemes " and what is defined as "larger "?	Hatfield Peverel is considered to be a village in the commuter belt and through Covid more people have worked from home part time/full time. Larger sites are considered to those developments greater than 10 dwellings consistent with BDC's definition of large sites.	

14	<p>Policy ECN4 - What is the basis for defining the boundaries of the three commercial zones shown in Map 12.1? Are there other locations in the plan area in the same land uses and on what basis are these not included?</p>	<p>The three commercial zones are included in the adopted Plan. BDC have identified two Local Centres. Businesses, public houses, shops, village hall, nursery are all located in the commercial zones. Farm shop is located between Hatfield Peverel and Nounsley and is outside of the development boundaries</p>	
15	<p>Table 12.3 - On what basis have projects been included in this Table that are not in the Open Spaces Action Plan which is reviewed on an annual basis? Have they been included in more recent iterations of the Open Spaces Action Plan?</p>	<p>The Open Spaces Action Plan is now known as Potential Open Spaces Improvements 2024. This is updated annually following consultation with the Environment Advisory Group under the Parish Council, Sports Clubs, Allotment Association and Charities in the Parish. Some projects referred to do not meet the criteria of BDC for inclusion as not Open Space related but have been identified over the years as improvements required in the Parish. Some projects have been completed, and others still ongoing</p>	

16	<p>Policy HPE1 - On what basis does the Parish Council think it consistent to restrict planting to "<i>locally native species</i>" in Policy HPE1 D.i. while also needing to "<i>take account of the potential impacts of climate change</i>" in Policy HPE1 Diii.?</p>	<p>The wording of the policy is "should" and not "must". Consideration was given to The House of Lords - Native Trees Pest and Diseases debate 13/2/2020. Furthermore we wished to maintain the character of the village and as such we felt there was no compelling evidence that this policy would hinder Climate Change initiatives. Consideration was given to the Woodland Trust report that encourages native woodland that supports native wildlife and biodiversity. Locally collected seeds are more likely to produce trees adapted to locally present pressures -tree disease, drought. Policy in 2019 adopted Plan. As part of the initiative to meet the adopted policy the PC created a Wilder Village Plan which supports native plants. The Parish Council maintains that both paragraphs are important and not inconsistent - planting of native plants that are suited to our local environment (soil, climate, etc) will best support the native wildlife and environment and take into account the effects of climate change.</p>	
17	<p>Policy HPE3 - Is there any further evidence supporting the designation of each of the four Local Green Spaces to that provided in Table 13.2?</p>	<p>After adoption of the 2019 the PC acquired ownership of the Community Park in Wickham Bishops Lane and Community Land at Stone Path Meadow and therefore these were included in the Protection for Local Green Space</p>	

18	Policy HPE3 - Were any other locations considered for designation as Local Green Space, such as Strutt Memorial Recreation Ground, and on what grounds was it decided not to proceed with them?	We did not wish to be in conflict with BDC's Local Plan Maps. It will be noted that BDC did not allocate SMRG as Green Space but as Recreational. Strutt Memorial Memorial Ground is protected in HPE4 Sport & Recreation Provision.	
19	Policy HPE4 - Are the "recreational facilities" identified in Policy HPE4 A the same as the "Recreation Points " in Map 13.3?	It is accepted that there has been an oversight here as the map omits the Community Land (Stonepath) referred to in HPE 4 D which is shown on map 13.2.	
20	Policy HPE4 - Are the "Proposed Community Park" and "Community Land" currently in recreational use?	The Community Park is not presently in recreational use due to pro-longed legal transfer of land to the Parish Council and creation of a Management Plan. The Community Land is in use but the legal transfer restricts its use. The CL provides a footpath network around the three meadows to join up with the PRoW footpath No 43 through the new development and Meadow 1	
21	Map 13.3 - Where is "Community Land" shown on this Map?	It is shown on map for Local Green Spaces 13.2 and its policy B iv but not consequently on map 13.3 Green Areas and Recreation in support of (D) HPE4 . We believe it could be identified on Map 13.3 Green Areas and Recreation as Community Park is?	
22	Map 13.5 - What is the function of the single arrow shown pointing SSW towards View 10?	This arrow should have been removed. It was in the previous plan but new housing harms the view.	

23	<p>Map 13.6 - There are differences between the boundary of the Coalescence Safeguarding Zone in Map 13.6 and that shown in Figure 12 of the Coalescence Safeguarding Zone Assessment - what is the basis for these differences and how does this support the need for "<i>a clearly defined, identifiable, sensible, and defensible area</i> "</p>	<p>DAC prepared their assessment Nov 2021 pre-approval of further speculative development approvals. BDC have revised the map to account for the planning consents granted.</p>	
24	<p>Are there any bridleways in the neighbourhood area - paragraphs 13.1.3 and 14.2.1 state there are none and 13.1.6 seeks their introduction while paragraph 14.2.2 seeks their protection. There is no mention of bridleways - either protection or introduction - in the Plan's policies</p>	<p>At this point in time there are no formal bridleways but National Highways intend to add horse pathways over the A12 at which point it is hoped bridleways can be opened and once opened protected.</p>	
25	<p>Table 14.1 - How was this list of local infrastructure projects developed and what opportunities were provided for public input?</p>	<p>Local infrastructure projects were identified through extensive community engagement carried out by the NDP engagement group when the adopted Plan was being prepared. Projects were included in the Open Space Action Plan and also included in S106 Agreements for developments that gained planning permission by the developer and BDC during preparation of the adopted Plan. Community Building, PRoW and Sustainable Transport were included in S106 Agreements as agreed between the developer and BDC.</p>	

26	<p>Policy DE1 - What is the justification for departing from the approach to garden sizes in the Essex Design Guide in Policy DE1 C. and what is the evidence for the different dimensions for different dwelling types included in the Policy?</p>	<p>The Essex Design Guide is just that a guide and each LPA may set their own requirements accordingly. The garden sizes are already in the adopted plan.</p>	
27	<p>Policy HE1 - Which elements of this Policy do not duplicate the development plan and/or the National Planning Policy Framework? Is the intention to have a policy which explicitly recognises the Non-Designated Heritage Assets listed in 17.2.9</p>	<p>Heritage policy contained in the first version of the HPNDP was removed at examination stage in 2019. Policy HE1 Heritage - as per this revision of the HPNDP - is an evidence based policy. Policy HE1 Heritage aligns with the development plan and the National Planning Policy Framework. Policy HE1 Heritage contains no intended deviations from the following: <i>Braintree District Local Plan, 2013-2033</i> , (adopted July 2022); and <i>National Planning Policy Framework</i> (July 2021). Policy HE1 Heritage responds to Planning Practice Guidance, note on the <i>Historic Environment</i> (last updated 23 July 2019). Policy HE1 Heritage is informed by Historic England guidance note, <i>Local Heritage Listing: Identifying and Conserving Local Heritage, Advice Note 7</i> (second edition), (January 2021). Policy HE1 Heritage is also informed by the Historic Environment Record for Essex and the National List of Designated Heritage Assets. It is not the intention to have a distinct - or stand alone - policy which explicitly recognises the non-designated heritage assets listed in 17.2.9. Policy HE1 Heritage favours a combined approach that incorporates both designated and non-designated heritage assets.</p>	

**General Note: Many of the wordings are carried over from the adopted plan of 2019**