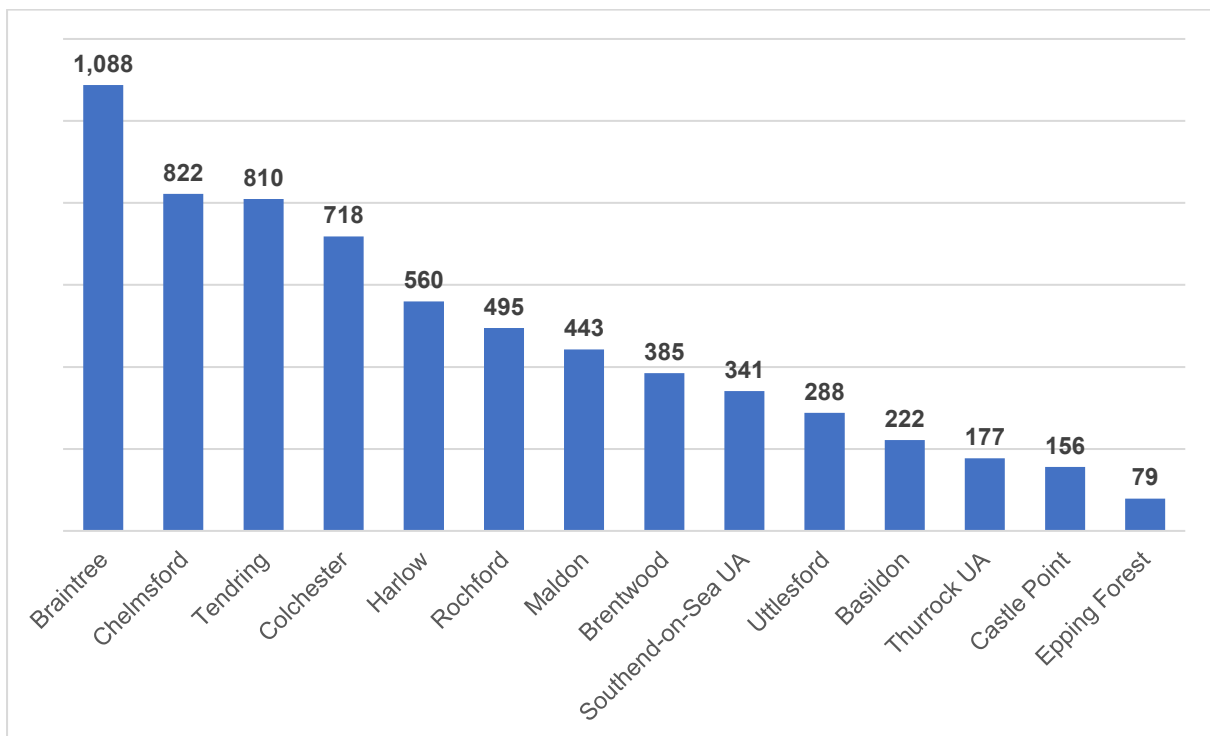


# Housing supply in Braintree District

## The Net Supply of New Homes in Recent Years

The District delivered a high level of new homes in the monitoring year 2022/23, with a total of 1,088 completions – the highest in Greater Essex (see Figure 1, below).

**Figure 1: Net supply of new homes, Greater Essex, 2022/23**

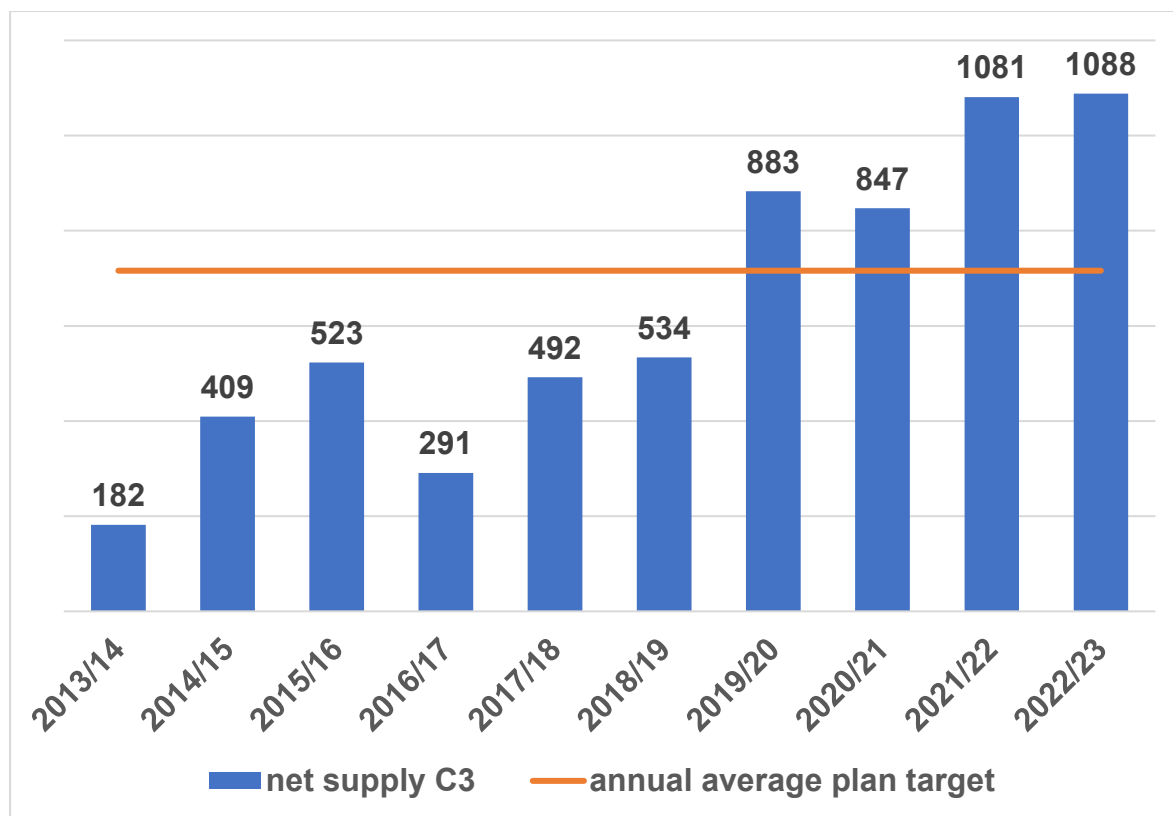


Source: Government Live Tables, Table 122

Table 1 and Figure 2 show the number of housing completions in the District (not including the contribution to supply from additional C2 Use Class developments) from the start of the plan period.

<b>Table 1: Net dwelling completions per year C3 use class 2013-2023</b>			
2013/2014	182	2018/2019	534
2014/2015	409	2019/2020	883
2015/2016	523	2020/2021	847
2016/2017	291	2021/2022	1,081
2017/2018	492	2022/2023	1,088
		<b>Total 2013-2023</b>	<b>6,330</b>

**Figure 2: Housing completions 2013/14 to 2022/2023 (C3 use class)**



The NPPF and the Housing Delivery Test clarified the calculation of the contribution from communal accommodation development. It is calculated by dividing the additional rooms by 1.8.

Over the monitoring year 2022/2023 there was a gain of 18 rooms; 8 new rooms were added at the Riverdale care home in Braintree, and 10 residential care places were added at Conrad Road Witham.

Applying the ratio of 1.8 to the change over the year of 18 rooms, this was the equivalent of +10 dwellings, which brings the net overall supply 2022/2023 to 1,098 (1,088 C3 Use Class net increase plus 10 from the change in C2 Use Class).

The total new rooms 2013-2023 was 78, resulting in the equivalent of 43 dwelling completions (78/1.8). The addition of an equivalent 43 dwellings to the net supply from C3 use class completions brings the total housing supply 2013-2023 to **6,373**.

## The Housing Delivery Test

The Government Housing Delivery Test (HDT) measures supply over the most recent 3 years against the housing target for the District, the target being either as calculated by the Government's Standard Methodology Target or, for a time when the adopted plan is less than 5 years old, the adopted plan target.

The target varies from year to year, and a district can be deemed to have declined in performance even though delivery has increased. The Government adjusted the target with a reduction to take into account the period for which delivery was affected by the Covid-19 pandemic (the national lockdown caused temporary disruption to local authority planning services and the construction sector).

If a district has failed to deliver 95% of the target over the previous three years, the local authority must produce an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years. If a district has delivered less than 85%, in addition the target for the identified supply should be increased by the addition of a buffer of 20%.

However, if the District has a recently adopted local plan (less than 5 years old) and that Local Plan Examination found that the Plan did identify a five-year supply of deliverable sites in the Plan, then the buffer requirement can be disregarded. If the district has delivered less than 75% of the target, in addition there is a presumption in favour of sustainable development. The result applies from the date of publication by Government of the HDT Results.

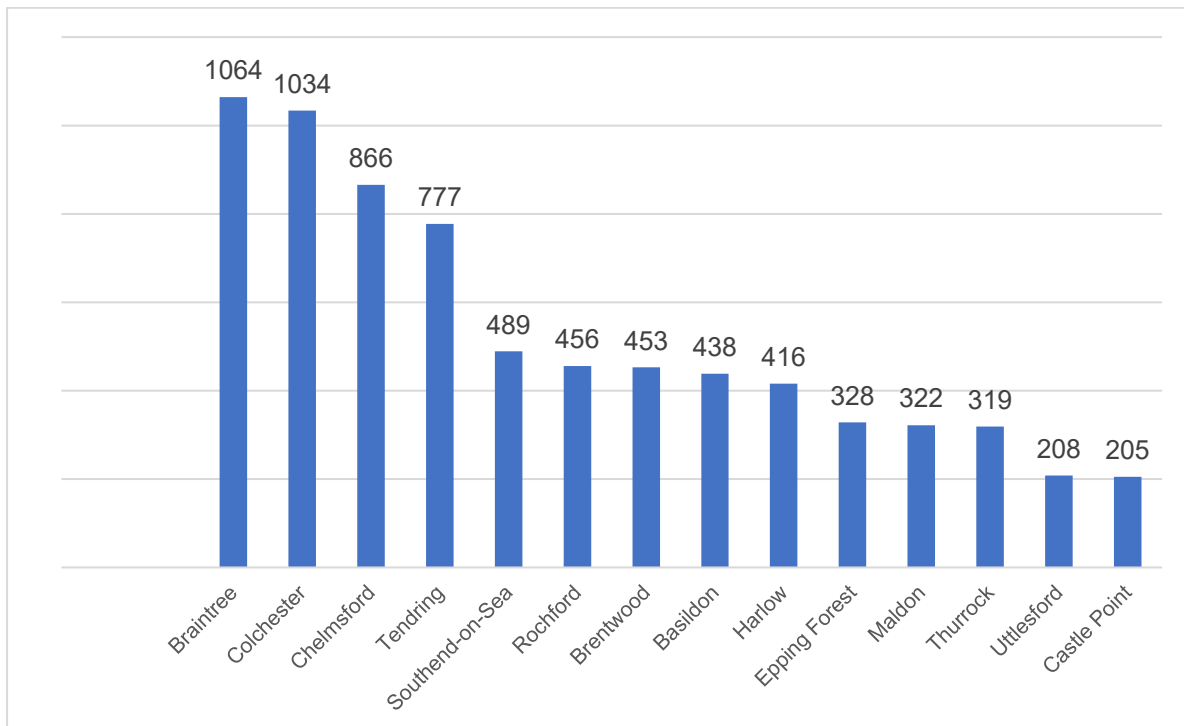
The 2021 HDT results were published in January 2022 and tested delivery over the 3-year period 2018/19 to 2020/21. Braintree District achieved 125% and was confirmed as a 5% buffer authority, with no action plan required.

The 2022 HDT results were published on 20 December 2023 and tested delivery over the 3-year period 2019/20 to 2021/22. Braintree District achieved 152%.

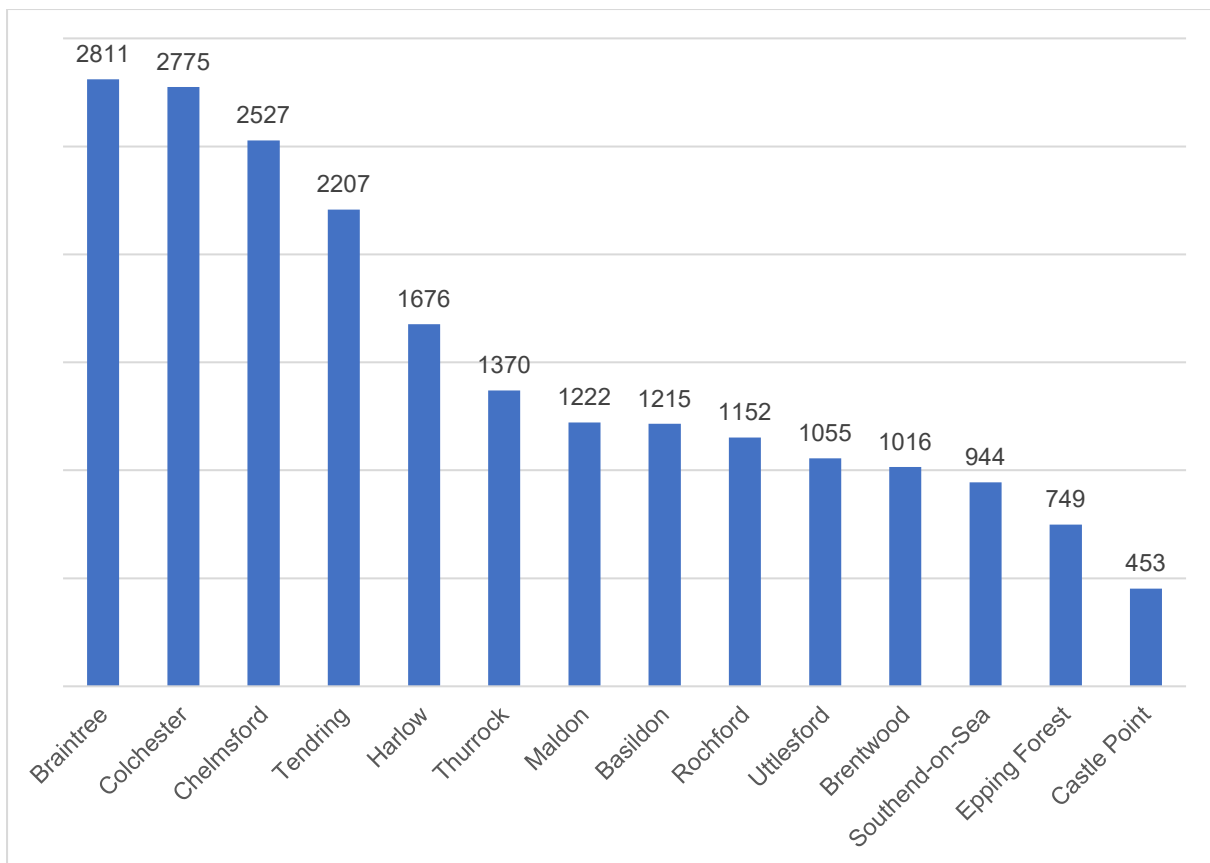
Of the local planning authorities in Greater Essex, Braintree achieved the highest number of homes completed 2021/22; the highest number completed over the 3-year HDT period 2019-2022; and the fourth highest HDT result (delivery against target):

Government published data on housing supply 2021/22 showed that the proportionate increase in Braintree District, measured as the net addition per 1,000 existing dwellings, was in the top 10% of the 309 local planning authorities (*Housing Supply in England 2021-2022, DLUHC, November 2022*).

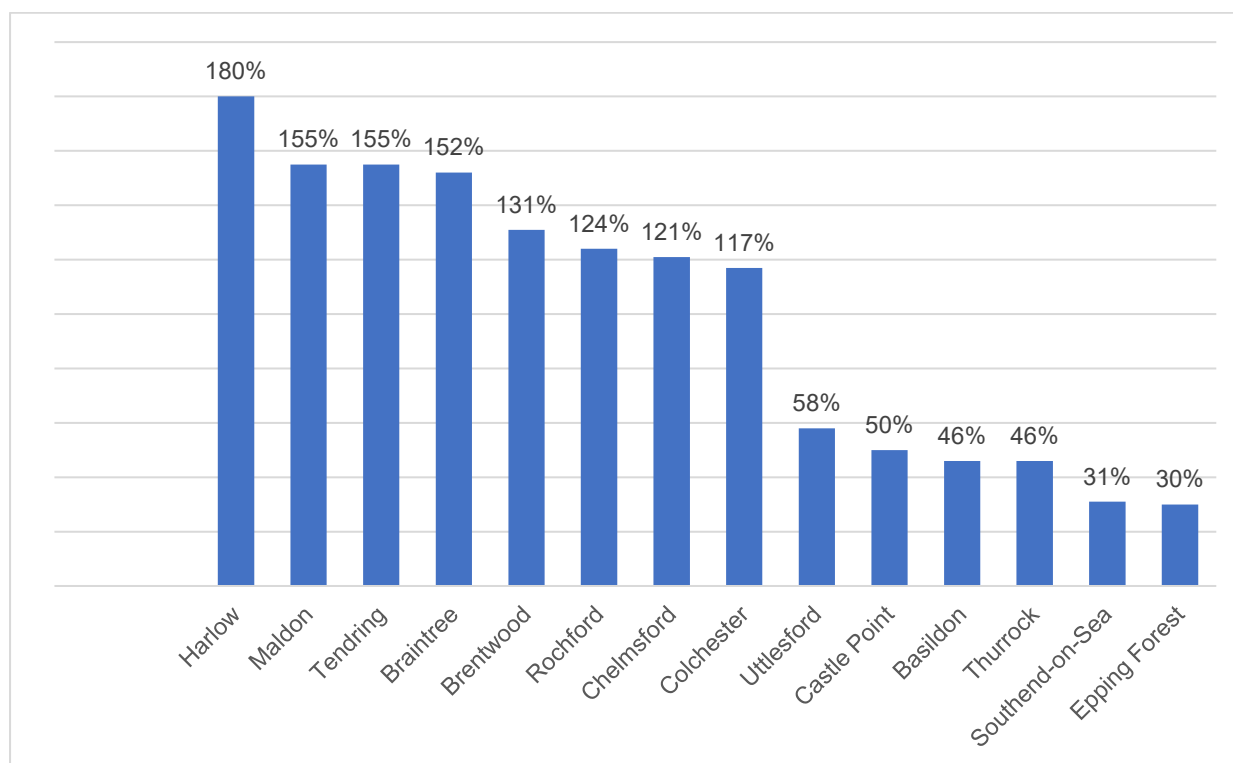
**Figure 3: HDT Results 2022: Number of new homes 2021/22, Greater Essex:**



**Figure 4: Number of new homes over 3-year HDT period 2019-22, Greater Essex:**



**Figure 5: HDT Results Greater Essex: supply against target, 2019-2022**

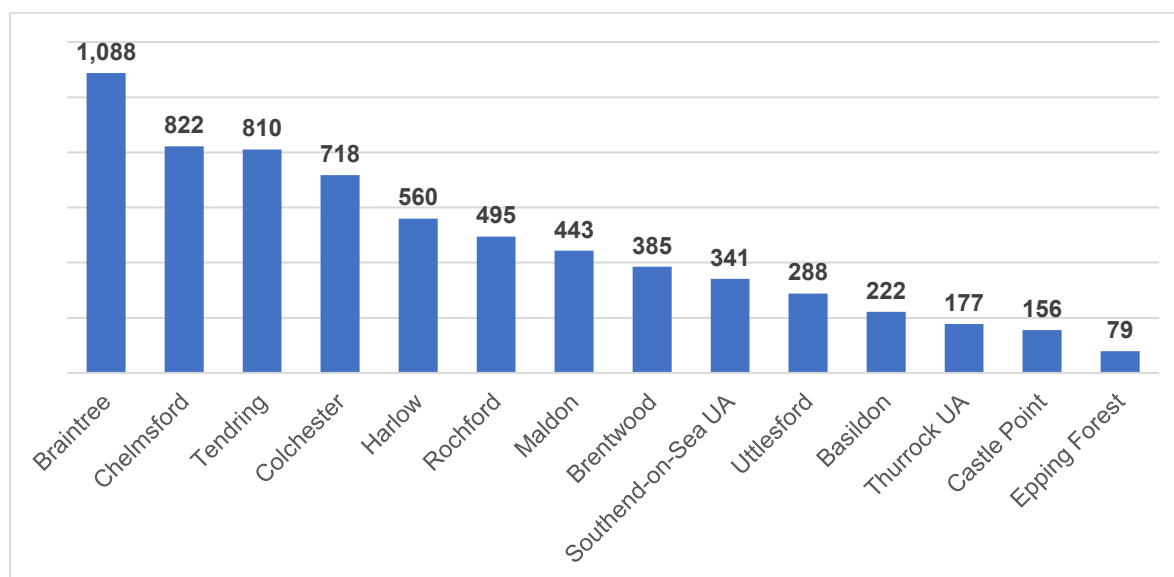


The 2023 HDT results (covering the period 2020/21 to 2022/23) were not published by the Government as at January 2024. but it is clear that the District has performed well and the expected result is 158%.

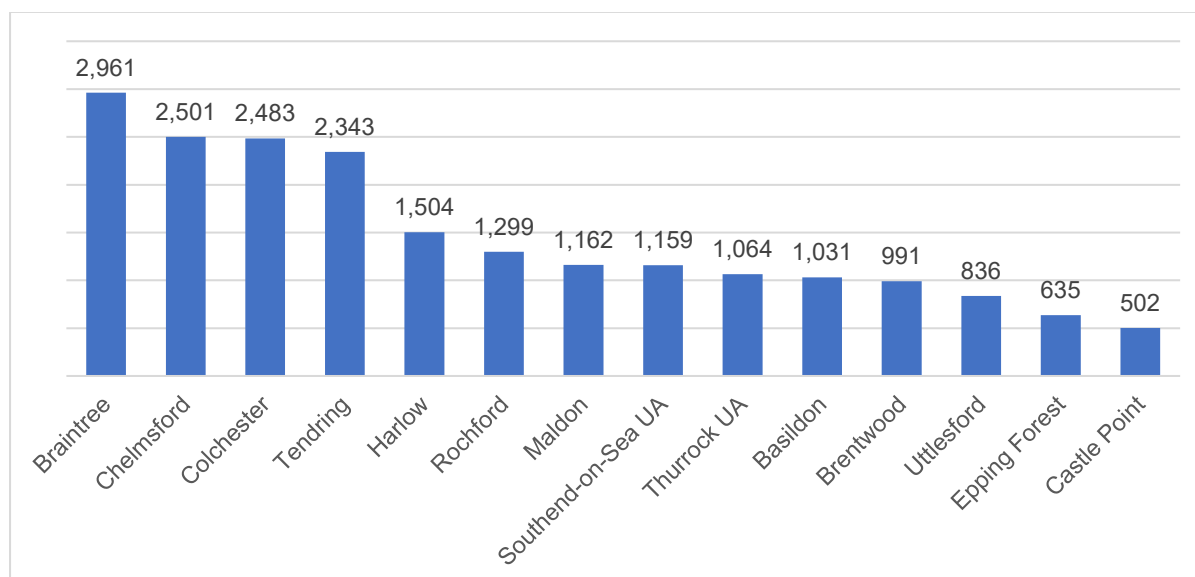
The Government has published the net supply of housing results for local planning authorities for up to 2022/2023. Once again Braintree delivered the highest number of new homes in Greater Essex, both in the monitoring year 2022/23 and for the 3-year period that will be tested in the Housing Delivery Test 2023 (and one of the highest for the past five years, 2018-2023).

In the monitoring year (2022/2023), Braintree delivered 17% of the Greater Essex housing supply, and 18% of the Essex shire districts total (that is, excluding the two unitary authorities Southend and Thurrock). Of all the shire districts for which data was available, Braintree was in the top 10%.

**Figure 6: Net dwelling supply 2022/2023, Greater Essex districts**



**Figure 7: Net housing supply over 3-year period 2020/21 to 2022/23, Greater Essex**



Delivery rates have increased dramatically since the start of the new plan period and have exceeded the 716 dpa average annual target in each of the past three years that are examined in the HDT (2020/21 to 2022/23). Supply in each of the past two years (2021/22 and 2022/23) was over 150% of the Plan Period annual average target of 716.

## The five-year supply position 2023-2028

### The new National Planning Policy Framework:

The publication of the new (December 2023) version of the NPPF made important changes to the review of housing supply in Braintree District, which came into effect immediately:

- Under the previous NPPF (paragraph 74 of the September 2023 version of the NPPF) there was a default buffer of 5% added to the target for the five-year supply; this requirement has been deleted, reducing the target. This meant that the Council's assessment of supply for the 2022-27 period, which was 4.86, translated into a 5.1-year supply. The 2023-2028 target was calculated based on the December 2023 NPPF.
- Paragraph 76 now states:  
"Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:
  - a) Their adopted plan is less than five years old; and
  - b) That adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded."
- Under transitional provisions (footnote 79), applications submitted prior to 19 December 2023 continue to be tested against the 5-year supply requirement.

This report sets out the Council's five-year housing land supply position for the period 1 April 2023-31 March 2028 taking into account permissions granted and development progress up to 31 March 2023. Information on those sites which post-dates the base date was considered to inform the planning judgement (for example if a planning permission that existed at the 31 March 2023 base date was later quashed, this evidence would need to be taken into account when considering whether the site remained deliverable).

**The five-year supply position for 2023-2028 was assessed at 5.8 years.**

## **The Local Plan housing target for Braintree District**

The Local Plan Section 1 ('Meeting Housing Needs') sets the housing requirement as an annual average of 716 dwellings per year, resulting in a minimum total of 14,320 across the plan period from 2013 to 2033. This figure was subject to detailed examination during the Local Plan Section 1 examination. The Braintree District Local Plan Section 1 was adopted on 22 February 2021 and at that point replaced the Core Strategy in terms of the housing target.

By way of context, in 2011 the Council adopted its Local Development Framework Core Strategy which included a housing target to deliver 4,637 new homes across a 17-year period between 2009 and 2026 (273 dpa). Compared to that, the objectively assessed need of 716 dpa that was defined in November 2016 represented a very large increase, but even more so when taken into account that the higher target was backdated to apply from 2013.

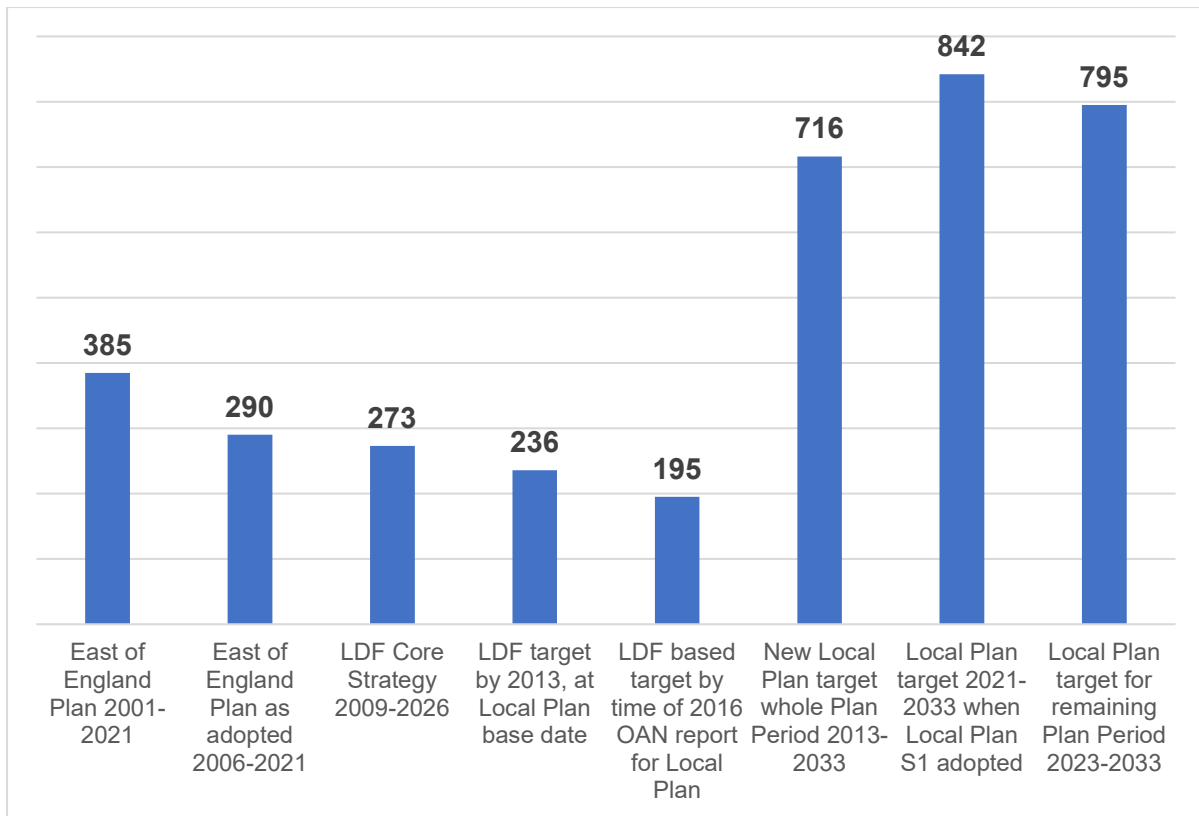
Figure 8 illustrates the scale of the change in target for the District. The lower target in the previous plan, together with the continuing impact of the recession, meant that development rates in the early part of the new plan period were much lower than the emerging Plan housing target.

As would be expected, sufficient sites were not in place in the early years to deliver increased supply. The Council took action to increase supply; it removed phasing limits on the Core Strategy strategic growth locations; granted permission on draft allocations in the Local Plan and granted permission on additional sites not included in the Draft Plan.

Housing delivery rates have increased, reducing the annual average target needed for the remainder of the Plan Period, and with the adoption of the Section 2 Local Plan and its housing allocations on 25 July 2022; sites are in place to meet the housing needs of the District based on the higher target.



**Figure 8: the scale of the change in the housing target for the District:**



## Calculating the 5-Year Housing Land Supply Target for 2023-2028

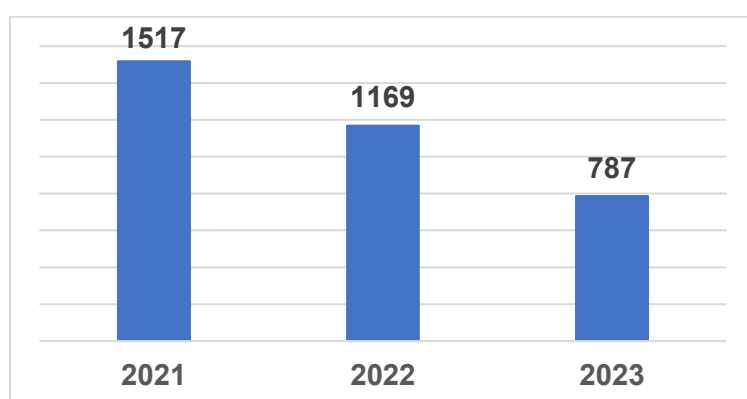
As Braintree District has an up to date adopted local plan, the target for the five-year supply is based on the Local Plan housing provision (716 dpa).

Although housing delivery in recent years has exceeded that level, low delivery rates in the early years of the plan period mean that overall, from 2013-2023, there was a cumulative shortfall measured against the target of 716 dpa of **787** dwellings. The calculation of the shortfall is summarised in Table 2 and Figure 9.

<b>Table 2: Calculation of the shortfall in supply 2013-2023</b>	
Net supply of homes 2013-2023, C3 Use Class	6,330
Net additional rooms C2 Use Class 2013-2023	78
Equivalent contribution to dwelling supply from C2 Use Class 2013-2023 (after applying ratio of 1.8)	43
Net total housing supply 2013-2023	6,373
Pro-rata target 2013-2023 at 716 X 10	7,160
Shortfall at 31.03.2023	787

The high delivery rates achieved in recent years have reduced the cumulative shortfall from 1,517 dwellings in 2021 (when the Local Plan target of 716 dpa from 2013 was adopted) to 1,169 in 2022, and 787 in 2023.

**Figure 9: The reduction since 2021 in the cumulative shortfall against pro-rata cumulative target of 716 dpa from 2013**



The cumulative shortfall is added to the basic target of 716 dpa for future supply. The 5-year supply target calculation for 2023-2028 is set out in Table 3. The target is calculated on the basis that the cumulative shortfall from 2013 of 787 is to be made up within the 5-year period (the default “Sedgefield Approach”). This is added to the basic annual average 5 X 716 dpa target. The result is that the five-year supply target for the District is 4,367, an annual average of 873.

<b>Table 3: The Five-Year Housing Land Supply Target for 2023-2028</b>		
i)	Basic annual average target of 716 X 5	3,580
ii)	Cumulative shortfall in 2023	787
iii)	Basic target plus shortfall	4,367
iv)	Annual average target	873

Since the Local Plan was submitted in 2017, the Government introduced a Standard Methodology formula for assessing local housing need; this applies to new local plans and where local plans are more than 5 years old. The Local Plan target was adopted in February 2021, which means that the Standard Methodology would not be used to define the five-year supply target for Braintree District until a future review of the Plan is adopted or when the Plan reaches 5 years old in February 2026.

The Standard Methodology based target changes each year and it is not possible to predict what the target would be in 2026. Table 4 sets out the calculation of what the Standard Methodology target would be for Braintree District in 2023. The Standard Methodology target in 2023 represents a 39% uplift on the 2014 based household projections. Currently, it would be lower (830 dpa) than the target that applies based on the adopted plan (873 dpa).

<b>Table 4: Calculation of the 5-year supply target if it were based on the Standard Methodology formula, for comparison</b>	
2023-2033 annual average projected increase in households, from 2014-based household projections	597
Adjustment factor, Local Affordability Ratio 2022, published 2023 by ONS	10.25
Ratio minus 4	6.25
Ratio minus 4 then divided by 4	1.5625
Then multiplied by 0.25	0.390625
Then multiply the projections by (1 + adjustment factor) = 597 X 0.390625	830
Uplift compared to household projections (830 minus 597)	233
% uplift compared to household projections (233/597)	39%
Standard Methodology Target (830 X 5)	4,151

## The projected supply of new homes and the five-year housing land supply position

For decision making purposes, in the context of applications submitted before 19 December 2023 the Council needs to identify a 5-year supply of deliverable sites in accordance with the 2023 National Planning Policy Framework. This test does not apply in the case of applications submitted from 19 December.

(note: the Government Planning Practice Guidance has yet to be updated to reflect the 2023 NPPF; the update is “forthcoming”)

The NPPF defines deliverability: “To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years”.

“In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

The East Northants Consent Order of 12 May 2020 (Claim No. CO/917/2020) clarified that the scope of categories of site that can be included in the deliverable supply according to the glossary in the NPPF (the “limb b sites) is not a closed list.

As found in the Consent Order: *“The proper interpretation of the definition is that any site which can be shown to be ‘available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years’ will meet the definition; and that*

*the examples given in categories (a) and (b) are not exhaustive of all the categories of site which are capable of meeting that definition.*

*Whether a site does or does not meet the definition is a matter of planning judgment on the evidence available.”*

The sources in Braintree District 5-year supply assessment are made up from:

- Sites with detailed planning permission
- Sites with outline planning permission
- One site on which an application had a Resolution to Grant planning permission, subject to signing of a Section 106 Agreement
- One adopted Local Plan Allocation (without permission)
- A windfall allowance
- Contribution from detailed permissions for communal accommodation

In order to be “deliverable”, the Council does not have to demonstrate that there is *certainty* of delivery within 5 years, or even a *probability* of delivery; simply that there is a realistic prospect of housing being delivered within 5 years (this principle was established in the St Modwen judgement).

For sites that do not yet have detailed permission (other than non-major outline permission) – referred to as “category b sites”) the onus is on the Council to provide clear evidence of deliverability. There is no pre-defined category of the type of evidence which is capable of meeting this standard (examples are given in the PPG which are inexhaustible). It is highly case-specific.

The PPG advises that examples may include for instance current planning status; progress towards submission of a detailed application; progress on site assessment work, or evidence of developers’ intended anticipated start and delivery rates.

Local Plan allocations were not included in the Braintree District five-year supply assessment unless they had planning permission; Prior Approval; or a Resolution to Grant (with the exception of the site at Cox’s Yard Braintree; that site was the subject of a Full application for development of 15 dwellings (net supply 14) which then gained a Resolution to Grant in July 2023; the permission was issued 10 August 2023, and site clearance work was being undertaken in preparation for development.

A windfall allowance has been included, taking into account the continuing evidence that windfall sites will form a reliable source of supply.

Whereas the 2012 version of the NPPF referred to consideration of a lapse allowance, this was omitted from subsequent versions of the NPPF and a lapse allowance is not required by policy or guidance. This is because the assessment is concerned with whether there is a “realistic prospect” of sites delivering, not whether they will actually be delivered.

The supply assessment included a small number of permissions for additional communal accommodation, to which a ratio of 1.8 was applied in accordance with Government Guidance. This is consistent with the measurement of net housing supply in the Housing Flows return to Government.

The categories within the 5-year supply 2023-2028 at 31<sup>st</sup> March 2023 is summarised in Table 5. A full breakdown of sites can be found in Appendix 1 (the Five-Year Supply Housing Trajectory 2023-2028).

<b>Table 5: Summary of sources of supply in the 5-year supply 2023-2028</b>	
Source category (as at 31 March 2023)	Projected supply 2023-28
Sites under construction	2,456
Sites not yet started, with Full, Reserved Matters or Prior Approval	563
Non-major sites with outline permission	25
Windfall allowance	225
Communal accommodation contribution (rooms/1.8)	152
Sites with outline permission, 10 dwellings/0.5 hectares or more	1,554
Sites with Resolution to Grant	81
Local Plan allocation without permission or Resolution to Grant	14
<b>Summary net supply</b>	<b>5,070</b>

**Further information on the “category (b) sites” is set out in Appendix 2.**

## **The windfall allowance**

The term “windfall” relates to sites that were not specifically identified through the local plan process. The windfall allowance is for supply that comes forward over time from the base date to supplement currently identified sites. This allowance must be supported by evidence demonstrating that it is realistic to conclude that level of supply will come forward. Windfall sites are often small sites, but some may be larger. They are sites that come forward via the development management process rather than through being selected to be included in Local Plans, although subsequently windfall sites that have gained permission or Prior Approval via the development management process may then be shown in Local Plans.

Evidence on windfall supply was considered in the Local Plan Examination in 2021, and was set out in Topic Paper 2 for that Examination. The Council has included a modest allowance for supply from windfall sites of 75 dwellings per year from year 3, with no allowance within Years 1 and 2 in the trajectory. Over a 5-year supply period, this would amount to 225 dwellings.

Windfall permission supply has continued after the adoption of the Plan, as would be expected, and includes amongst other sources prior approvals for permitted development (the regulations for which have been amended recently to encourage an in case in supply from this source).

Table 6 provides information on completions from windfall permissions within five years of that permission. Over the period since the Local Plan base date, 2013-2023; the median average completions in Monitoring Year 1 from the windfall permission was 7; with median averages of 43 in Year 2; 53 in Year 3; 104 in Year 4 and 49 in Year 5. Applying these average rates rolled over the 5-year period 2023-2028 would yield a windfall supply of 256 dwellings (there being a 5-year range of windfalls from 2023, a 4-year range from 2024, a 3-year range from 2025, a 2-year range from 2026 and 1-year in 2027/28). The results for the most recent 5-year period (2018-2023) show there was a total of 424 completions within 5 years of the windfall permission.

Table 7 summarises the windfall permissions that have added to supply over the five-year period 1 April 2018 to 31 March 2023.

The evidence demonstrates that windfall permissions are continuing to add to the supply. and that the allowance of 225 dwellings over a five-year period from windfalls is likely to be met or exceeded.

**Table 6: Analysis of windfall completions by monitoring year, that were completed within 5 monitoring years of windfall permission**

*(Monitoring Year of permission = Year 1; e.g. if permission granted 2014/2015 and completed in that year, = Year 1)*

	Completions by Monitoring Year from permission, that were within 5 years of windfall permission									
	2013/2014	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/23
Permissions granted 2013/2014	12	47	28	14	5					
Permissions granted 2014/2015		6	42	42	35	70				
Permissions granted 2015/2016			6	47	76	65	8			
Permissions granted 2016/2017				14	104	54	150	18		
Permissions granted 2017/2018					9	56	44	97	99	
Permissions granted 2018/2019						14	13	62	119	92
Permissions granted 2019/2020							4	31	60	247
Permissions granted 2020/2021								1	25	56
Permissions granted 2021/2022									3	25
Permissions granted 2022/2023										4
Total yield in completions over 5 monitoring years from permission					229	259	219	209	306	424



<b>Table 7: Additions to net supply from windfall planning permissions granted</b>					
	Small sites (1-9 dwellings)	Large sites (10+ dwellings)	<i>Communal rooms</i>	Communal dwelling equivalent	Total dwellings added from windfall permissions
April 2018 to March 2019	142	428	2	1.1	571
April 2019 to March 2020	114	518	2	1.1	633
April 2020 to March 2021	147	582	14	7.8	737
April 2021 to March 2022	104	242	-22	-12.2	334
April 2022 to March 2023	98	963	101	56.1	1117
Total 2018-2023	605	2733	97	53.9	3392
Annual average 2018-2023	121	546.6	19.4	10.8	678

## Delivery rates

*Note: Construction activity was adversely affected by the pandemic, in Braintree district as elsewhere, as was recognised in the Government's application of the Housing Delivery Test in 2020 and 2021.*

The Council has analysed delivery rates on current and recent housing development sites in the District. The results are set out in Appendix 3 of this Monitoring Report. The results show that there is considerable variation between sites, demonstrating that average rates need to be interpreted with care. It is not realistic to apply them in a prescriptive way or as a cap on projected delivery rates on other sites.

For many sites, the first and final years of the build out period cover only part of that year, i.e., completions start, or finish, part way through the monitoring year. This has the effect of lowering the average annual delivery rate, particularly where the build out period is not over a lengthy period and reduces the usefulness of the data if applied as a guide to potential delivery rates for full years.

The analysis in Appendix 3 shows the delivery rates by Monitoring Year (April-March) from when completions started to the end of the delivery period or – if the site is still under construction – to January 2024; but the table also shows the start date (month/year) of completions, and calculates the delivery period shown in full-year equivalents (calculated from the number of months of the delivery period from first month to last month or January 2024 if under construction). For developments that have a particularly short build out period, such as the Polly's Hill retirement home development and the Lime Tree Place conversion of offices, both of which were completed in a single month, the full year equivalent rates are meaningless. It is more useful for sites that are developed over a longer period, and where completions have been coming through for some time.

The Lichfields' Start to Finish report (2020) sets out several factors that tend to affect average delivery rates and can be a useful general starting point, including the size of the site, the strength of the local housing market, and the level of affordable housing provision in the development.

The local housing market at Braintree District is stronger than average. The Lichfields report advises using the ONS local housing affordability ratios as an indicator of the relative strength of the housing market. Appendix 3 of the Start to Finish Report lists sites in the 100-499 size band from which information was used to produce the average delivery rates shown for that size band. According to the 2022 local housing affordability ratios published in 2023, the average affordability ratio for England and Wales was 8.16, and Braintree had a ratio of 10.25. The ratios for the districts with site delivery rates analysed in the Start to Finish report ranged from 4.86 (Gateshead in the North East) to 17.37 (Waverley in Surrey). Twelve of the 56 sites analysed were in districts with a higher ratio than Braintree, and 44 sites were in districts with lower affordability ratios than Braintree (i.e., indicating a weaker local housing market). According to the analysis in the Start to Finish Report, average delivery rates in Braintree District could be expected to be higher than the averages shown in the Start to Finish Report.

## Conclusion: Braintree District Five-Year Housing Land Supply Position

Table 8 calculates the Five-year housing land supply position for 2023-2028.

<b>Table 8: The Five-Year Housing Land Supply 2023-2028</b>		
i)	Basic annual average target of 716 X 5	3,580
ii)	Cumulative shortfall at 2023	787
iii)	Basic target plus shortfall	4,367
v)	Annual average target 2023-2028	873
vi)	Projected supply 2023-2028	5,070
vii)	Five-year supply position	5.8
viii)	Projected surplus	703

The five-year housing land supply position for 2023-2028 is **5.8 years**.

**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	20/00425/FUL	Under construction	Braintree	68 Bradford Street	1	0	1	0	1	0	0	0	1	Conversion of garage and orangery into 1 bedroom independent dwelling. Building Regs ref 21/01129/MULBN, close to completion at Nov 2023
BOCN 127	21/01896/FUL 21/03504/DAC 22/00179/DAC 21/03702/VAR 22/01793/NMA	Under construction	Braintree	Land off Elizabeth Lockhart Way	9	1	8	8	0	0	0	0	8	
BOCN 137	19/00786/OUT 21/01900/DAC 21/02625/DAC 21/03199/DAC 21/03210/ADV 21/03231/REM 21/03418/DAC 21/03439/DAC 21/03500/DAC 21/03608/REM 21/03714/DAC 21/70007/PPA 22/00907/DAC 22/00914/DAC 22/00915/DAC 22/00895/DAC 22/03145/NMA	Under construction	Braintree	Phase 1 Towerlands Park	168	0	168	73	0	0	0	0	73	Developer Dandara Eastern Ltd. DAC on condition 3, phasing plan, submitted June 2021. Reserved Matters for Phase 1, 168 dwellings, approved 13 April 2022.
	19/1680/FUL 20/01832/VAR 20/02022/DAC	Under construction	Braintree	Sunrise (formerly Moongate) Thistley Green Road Braintree	1	0	1	0	1	0	0	0	1	
	19/00851/FUL 19/02319/FUL 21/02189/VAR 21/03163/DAC 22/00005/DAC	Under construction	Braintree	3 Foley Paddocks High Garrett	1	0	1	0	1	0	0	0	1	Allowed on appeal. Building Regulations Initial Notice ref 21/01143/IN
BOS 6H	15/01319/OUT 22/02800/DAC	Under construction	Braintree	Land West of Panfield Lane	189	0	189	0	0	49	0	0	49	Hybrid planning permission granted 2 March 2020 - Phase 1 full permission for 189 homes and outline only for remaining 636 homes. This phase Includes 38 affordable homes. Building Regs Initial Notice submitted for first 100 homes Nov 2022 22/01150/IN. s.78 Highway Works Agreement in place. Construction of first plot started March 2023
BOCS 700	19/01743/FUL 20/01983/DAC 21/00506/DAC 21/00680/VAR 21/02337/DAC 21/02549/DAC 22/00063/DAC 22/01059/DAC	Under construction	Braintree	Land at Braintree College Church Lane (Coulson Gardens)	19	0	19	19	0	0	0	0	19	Permission granted 15.10.2020 for demolition of existing college buildings, structures and facilities and the erection of a 75 bedroom care home and 19 sheltered housing units for people aged 55+ or living with a disability.
BOS 10H	18/01917/FUL 21/02162/DAC 22/00489/S106A 22/01101/DAC 22/01549/DAC 22/02479/DAC	Under construction	Braintree	Land rear of 49-57 Church Lane	19	6	13	13	0	0	0	0	13	Developer Dimora Homes. Permission for 19 homes (15 = net)

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	21/00420/FUL 21/02701/DAC 21/01969/DAC 21/02870/FUL 22/00084/VAR	Under construction	Braintree	200-202 Panfield Lane	2	0	2	0	0	1	1	0	2	Redevelopment of dwelling, 2 new dwellings, net gain +1. Existing dwelling demolished Autumn 2021
BOCS 140A	18/00092/OUT 20/02213/DAC 21/02518/DAC 21/02863/REM 21/02945/DAC 21/03674/DAC 22/02628/DAC	Under construction	Braintree	Land north of Rayne Road (Rayne Lodge Farm Phase 2)	42	0	42	10	22	10	0	0	42	Includes 14 affordable homes. Developer Mulberry Homes.
	11/00348/FUL 12/00089/PLD	Under construction	Braintree	Land rear of 68-70 South Street	4	0	4	0	0	0	0	4	4	LDC obtained confirming development commenced.
	18/0601/FUL 19/01131/VAR	Under construction	Braintree	13-17 Bank Street	6	0	6	0	6	0	0	0	6	Conversion of upper floors from commercial use that was previously ancillary to ground floor retail
	18/00204/FUL 19/01207/VAR	Under construction	Braintree	76-78 High Street	7	0	7	7	0	0	0	0	7	3 from conversion of first floor offices/storage and 4 new build in grounds
	20/00332/FUL 20/00977/DAC 20/02120/FUL	Under construction	Braintree	First floor above Braintree Pharmacy 10 Great Square	1	0	1	0	1	0	0	0	1	
	20/00698/FUL 22/00843/DAC	Under construction	Braintree	29A Bank Street	2	0	2	2	0	0	0	0	2	Change of use from office to 2 flats.
	21/01836/FUL	Under construction	Braintree	Top floor above 57 High Street (2nd floor)	1	0	1	0	1	0	0	0	1	
	22/00809/FUL	Under construction	Braintree	First floor 55 High Street	2	0	2	0	2	0	0	0	2	Conversion of first floor part of estate agents' premises
BRAW 751	19/01793/FUL 22/02186/DAC	Under construction	Braintree	263 Rayne Road	12	0	12	0	6	6	0	0	12	Demolition of all buildings and removal of commercial uses and construction of two buildings containing 12 flats.
BRAW 153	18/02015/FUL 20/02110/DAC 21/70003/PPA 21/00924/VAR 21/01341/DAC 21/01339/DAC 21/01381/DAC 21/70003/PPA 21/02436/DAC 21/02790/VAR	Under construction	Braintree	Broomhills Estate, south of Rayne Road	81	16	65	30	35	0	0	0	65	Permission granted 6 Nov 2020 for 59 houses and 22 flats; Developer Croudace Homes.
	18/01646/COUPA 19/1346/FUL 20/00361/DAC 21/02022/NMA 21/02761/NMA	Under construction	Birdbrook	Wash Farm Finkle Green Birdbrook	1	0	1	0	1	0	0	0	1	Change of use from storage and distribution
	09/01300/FUL 16/01658/NMA 21/00039/NMA 16/01824/VAR 21/00634/FUL 21/01604/VAR 22/01341/FUL	Under construction	Helions Bumpstead	Barn at Helions Farm Sages End Road	2	0	2	0	2	0	0	0	2	
	11/00949/FUL	Under construction	Steeple Bumpstead	Rylands Farm Barn, Broad Green	1	0	1	0	0	0	1	0	1	Barn conversion.

**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
STEB 395	18/00408/FUL 20/01192/DAC 21/01067/DAC 21/02171/DAC	Under construction	Steeple Bumpstead	Land South of Freezes Farm, North Street/Water Lane	2	0	2	2	0	0	0	0	2	
	16/01525/OUT 21/01540/FUL 22/00357/DAC 22/00527/DAC 22/00606/DAC 22/00674/DAC 22/01635/DAC 22/01023/DAC 22/00922/DAC	Under construction	Steeple Bumpstead	Land North of Helions Road	9	0	9	0	3	6	0	0	9	Redevelopment of agricultural machinery depot. Developer Troy Homes Ltd.
	19/01195/FUL 21/02040/DAC 21/03612/FUL 22/01482/DAC	Under construction	Steeple Bumpstead	Maltings House Sturmer Road	1	0	1	0	1	0	0	0	1	Redevelopment of dwelling, nil net change
	12/1034	Under construction	Bradwell	Bradwell Trout Farm The Slades Cuthedge Lane	1	0	1	1	0	0	0	0	1	
	17/02242/FUL	Under construction	Bradwell	The Old Dairy Church Road	1	0	1	1	0	0	0	0	1	Conversion from previous commercial use
	19/01801/FUL 20/00628/DAC	Under construction	Bradwell	Corner Bungalow Hollies Road	0	0	0	0	0	0	0	0	0	Redevelopment, nil net gain, self build project
	20/01462/FUL	Under construction	Coggeshall	Barn at Great Nuntys Nuntys Lane	2	0	2	0	0	0	2	0	2	Change of use of barn and re-construction of collapsed barns to form 2 x 4 and 1 x 5 bedroomed two-storey detached residential. Superseded permission for conversion for 1 dwelling. Conversion of barn to 1 dwelling Building Regs completion late 2021, 18/00266/IN - reconstruction to create 2 dwellings outstanding
	12/01600/FUL	Under construction	Coggeshall	Stablehands Cottage adj Curds Hall Farmhouse Cut Hedge Lane Kelvedon Road	1	0	1	1	0	0	0	0	1	Conversion of former hunting lodge
	10/01121 18/01755/FUL	Under construction	Coggeshall	The Vineyard West Street	1	0	1	1	0	0	0	0	1	Vineyard centre completed, but dwelling that was part of the same permission is not yet built.
	14/00115/FUL 20/00719/FUL 20/02064/DAC	Under construction	Coggeshall	Barn B Highfields Farm	1	0	1	1	0	0	0	0	1	Self build/custom build project.
	14/01297 /FUL 16/01023/DAC 16/01080/DAC	Under construction	Coggeshall	Curds Hall Farm Cut Hedge Lane Kelvedon Rd	4	0	4	4	0	0	0	0	4	
	19/2255/FUL 21/00398/VAR	Under construction	Coggeshall	Magnolia House 7 Queen Street	1	0	1	0	1	0	0	0	1	Redevelopment of workshop buildings.

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
COGG 182	17/02246/OUT 20/00038/REM 19/02072/VAR 20/00519/NMA 20/00419/DAC 21/03037/DAC 21/03447/DAC 21/03389/DAC 22/00699/VAR 21/03668/DAC 21/03543/DAC 21/03542/DAC 21/03541/DAC 21/03540/DAC 21/03539/DAC 22/01530/VAR 22/01894/DAC 22/01891/DAC 22/02727/NMA	Under construction	Coggeshall	Land north of Colchester Road	300	0	300	60	60	60	60	60	300	Developer Vistry Homes. Building Regs Initial Notice reference for Phase 1, 161 dwellings, 22/00088/IN.
	21/03055/FUL	Under construction	Coggeshall	Purley Farm House Colne Road	1	0	1	0	1	0	0	0	1	Redevelopment, nil net gain. Existing dwelling demolished January 2023
	17/01406/FUL	Under construction	Stisted	Glebe Barns Rectory Road	1	0	1	0	1	0	0	0	1	Self build/custom build project
	18/01665/OUT 21/00822/FUL 21/02369/REM 22/00764/VAR	Under construction	Stisted	Land adj 63 Rectory Road	3	2	1	1	0	0	0	0	1	Plots 1 and 3 completed, plot 2 completed April 2023
GOSF 253	17/1066/OUT 20/00653/REM 21/01632/DAC 21/01646/DAC 21/01647/DAC 21/01799/DAC 21/02277/DAC 21/02132/DAC 21/03017/DAC	Under construction	Gosfield	Land to the West of Hedingham Road	35	18	17	17	0	0	0	0	17	
GOSF 251	17/0610/OUT 18/02007/FUL 22/01172/VAR 22/01279/DAC 22/01280/DAC 22/02036/DAC	Under construction	Gosfield	Land South of The Limes/Off The Street	17	1	16	16	0	0	0	0	16	Developer Arbora Homes Limited. Plot 5 completed March 2023
	18/01586/OUT 21/00630/DAC 21/03737/FUL 22/02564/DAC	Under construction	Gosfield	Longwood House Land Adjacent Silverlink Cottage Hedingham Road	1	0	1	0	0	1	0	0	1	Removal of existing outbuilding and erection of a new dwelling and garage.
	20/00887/COUPA 22/00069/FUL 22/01711/DAC 23/00058/DAC	Under construction	Gosfield	Meadow Hall Barn at Beardwood Farm Parkhall Road	1	0	1	0	1	0	0	0	1	Permission for redevelopment of barn superseded earlier prior approval for conversion
GOSF 217	17/0119/OUT 20/00376/DAC 20/00500/REM 22/00890/DAC 22/02188/DAC 22/02615/DAC 22/02762/VAR 23/00079/PDEM	Under construction	Gosfield	10 New Road and land to the rear	8	0	8	0	3	5	0	0	8	Development of 8 homes on mainly industrial site, loss of 1 dwelling now demolished; net gain 7.
	20/01844/FUL 21/00974/FUL	Under construction	Gosfield	Beardwood Farm Parkhall Road	1	0	1	0	1	0	0	0	1	Replacement dwelling; nil net change. Demolition taken place, new dwelling under construction.

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	21/00934/COUPA	Under construction	Greenstead Green & Halstead Rural	Russells Farm Russells Road	3	0	3	3	0	0	0	0	3	Prior approval for conversion of barns. Completed April 2023
	19/01845/OUT 21/03189/REM 22/00815/DAC	Under construction	Little Maplestead	Land adj Kistum Cottage Cock Road (Nightingale House)	1	0	1	1	0	0	0	0	1	Outline permission allowed on appeal 15.09.2020.
	20/01793/OUT 22/00475/REM 22/01416/DAC	Under construction	Little Maplestead	Land south of Saxbys Gestingthorpe Road	1	0	1	0	0	1	0	0	1	Outline permission allowed on appeal 01.12.2021
	11/00821/FUL 17/00616/VAR	Under construction	Wickham St Paul	Shellards Farm Barn Shellards Lane	1	0	1	1	0	0	0	0	1	Site is under construction under revised plans
	16/00168/FUL 18/01447/VAR	Under construction	Black Notley	65 Brain Valley Avenue	1	0	1	0	1	0	0	0	1	Redevelopment, erection 2 new homes
BLAN 112	16/02055/OUT 17/2064/REM 19/01378/DAC 19/01379/DAC	Under construction	Black Notley	Land adjacent Peacehaven, London Road/Bakers Lane	4	1	3	1	1	1	0	0	3	Outline permission indicated 2 plots would be self build. Plot 1 completed January 2023
GNBN 264	15/1193/FUL	Under construction	Great Notley	Land between London Road, Pods Brook and A120	215	203	12	12	0	0	0	0	12	Developer Countryside Properties.
	20/01032/FUL 21/00880/DAC 22/00241/DAC	Under construction	Great Notley	Norrells 184 London Road	2	0	2	2	0	0	0	0	2	Demolition of bungalow, erection of 2 houses, net gain 1
	17/01418/FUL	Under construction	Halstead	First and second floors 7a High Street	2	0	2	2	0	0	0	0	2	Change of use 1st floor flat & offices above to residential on 1st floor, 2 flats 2nd floor.
HASA 293	17/0575/OUT 18/1749/FUL 19/01391/VAR	Under construction	Halstead	Land east of Sudbury Road	218	201	17	17	0	0	0	0	17	Developer Bellway Homes.
	11/00122/FUL	Under construction	Halstead	First floor flat 114 Gardeners Road	1	0	1	0	1	0	0	0	1	Conversion of first floor 2 bed flat into 2 X 1 bed flats, net gain 1
	17/0725/FUL 20/00176/DAC 22/00530/DAC	Under construction	Halstead	3 Market Hill and land to the rear	2	0	2	0	2	0	0	0	2	
HATR 304	18/00774/OUT 20/02101/DAC 20/02238/REM 21/01489/DAC 21/01492/DAC 21/01670/DAC 21/01920/DAC 21/02330/DAC 21/03492/DAC 21/02658/S106A 21/03418/NMA 22/00735/DAC 22/01255/DAC	Under construction	Halstead	Land West of Mount Hill	71	0	71	46	25	0	0	0	71	Site has now been acquired by Eastlight and will be all affordable, 12 affordable rent, 4 social rent, 55 shared ownership (see Planning Committee 30 Nov 2021, 21/02658/S106A



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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
HATR 306	18/01876/OUT 21/03101/FUL 21/02536/DAC 21/02664/DAC 21/03255/DAC 21/03455/DAC 22/01569/DAC 22/01660/DAC 22/01745/DAC 22/02162/DAC 22/02189/DAC 22/02281/DAC	Under construction	Halstead	Land North of Oak Road (Oak Field Tidings Hill)	80	0	80	10	35	35	0	0	80	Developer Bellway Homes.
	16/1562/FUL 19/02273/FUL 21/02526/FUL 22/00104/DAC 22/01109/DAC	Under construction	Halstead	Crowbridge Farm Barn	1	0	1	0	0	1	0	0	1	Permission for conversion of barn to 1 dwelling superseded earlier permission for conversion to 2.
HATR 299	19/02304/OUT 21/02718/REM 22/01376/VAR 22/01637/DAC	Under construction	Halstead	Phase 2 Former PLC Hunwicks site Kings Road	21	0	21	0	21	0	0	0	21	
	20/00975/FUL	Under construction	Halstead	Land adjacent 1 Windmill Road	1	0	1	0	0	1	0	0	1	
	19/01488/FUL 21/01520/DAC	Under construction	Halstead	Former Bird in Hand PH 54 Chapel Hill	3	0	3	3	0	0	0	0	3	Conversion of former public house into three apartments;
HATR 752	16/00850/FUL 20/00429/DAC 23/01535/PLD	Under construction	Halstead	Former Courtauld Boiler Building Factory Lane West	22	0	22	0	0	0	22	0	22	Change of use former boiler building to 22 flats.
	13/00641/FUL 16/00777/DAC	Under construction	Hatfield Peverel	Witham Field Farm Witham Road	1	0	1	1	0	0	0	0	1	Demolition of dwelling, erection of new dwelling; nil net change, demolition taken place
HATF 608	16/2096/OUT 19/0494/REM	Under construction	Hatfield Peverel	Former Aria Dairy Site (Hatfield Grove)	145	143	2	2	0	0	0	0	2	Developer Bellway Homes
HATF 630	17/0341/OUT 19/01803/FUL 20/01606/DAC 20/01607/DAC 20/01608/DAC 21/00750/DAC 21/01248/DAC 21/01511/DAC 21/01512/DAC 21/02353/DAC 21/03298/DAC 21/02837/VAR 23/00404/DAC	Under construction	Hatfield Peverel	Hatfield Bury Farm Bury Lane	50	0	50	20	30	0	0	0	50	Developer Bellway Homes. Permission for 50 homes, net supply 46.

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
HATF 314	16/1813/OUT 20/00002/S106A 20/00004/S106A 20/01233/DAC 20/01329/VAR 20/01906/REM 20/02237/DAC 20/01988/DAC 21/00219/DAC 21/02216/DAC 22/00190/DAC 22/00581/DAC 22/00396/NMA	Under construction	Hatfield Peverel	Priory Grange, Land south of Stonepath Drive	140	58	82	52	30	0	0	0	82	Developer Bellway Homes
HATF 317	16/2156/OUT 19/01710/DAC 20/00906/REM 20/00945/DAC 20/01058/DAC 20/01059/DAC 20/01060/DAC 21/01254/DAC 21/02916/VAR 22/01750/NMA 22/02008/DAC	Under construction	Hatfield Peverel	Land north east of Gleneagles Way	100	49	51	49	2	0	0	0	51	Developer BDW Eastern Counties (David Wilson Homes) .
	19/02248/FUL	Under construction	Hatfield Peverel	42 St Andrew's Road	1	0	1	1	0	0	0	0	1	
	21/01181/COUPA 21/03720/DAC	Under construction	Hatfield Peverel	Priory Farm Sportsmans Lane	1	0	1	1	0	0	0	0	1	Barn conversion by prior approval
	21/00899/FUL 22/00002/VAR	Under construction	Hatfield Peverel	Land rear of Ashgrove Maldon Road	1	0	1	1	0	0	0	0	1	
	22/01703/FUL	Under construction	Hatfield Peverel	Rickstones The Street	1	0	1	0	0	0	1	0	1	
	20/02068/FUL 21/02366/FUL 22/00215/VAR	Under construction	Terling	Rosemead Fairstead Road	1	0	1	0	0	1	0	0	1	Replacement dwelling, nil net change
	18/01019/FUL 22/00029/DAC	Under construction	White Notley	Green Farm The Green	0	0	0	0	0	0	0	0	0	Replacement dwelling, nil net change
	20/00562/FUL 22/01167/DAC 22/01863/DAC	Under construction	White Notley	Redevelopment of buildings at Newlands Farm Station Road	2	0	2	0	0	2	0	0	2	Demolition of the existing buildings to the north east of the site and erection of 2 No. detached residential dwellings (1 x 3 bedroom & 1 x 6 bedroom).
	19/0486/FUL 22/01557/DAC 22/01282/VAR	Under construction	Castle Hedingham	Rosemary Farm Rushley Green	1	0	1	0	1	0	0	0	1	Change of use barn and holiday lets.
	19/0972/FUL 20/0633/DAC	Under construction	Castle Hedingham	Land at 3 Castle Close	1	0	1	0	1	0	0	0	1	Part garden.
	04/1469/FUL	Under construction	Sible Hedingham	Adj The Village Hall	8	6	2	0	1	1	0	0	2	
	15/0662/FUL	Under construction	Sible Hedingham	Greenoaks, 83A Alexandra Rd	1	0	1	0	0	1	0	0	1	Self build/custom build project.
	15/01600/FUL 18/01020/DAC 21/00830/FUL 21/02620/DAC	Under construction	Sible Hedingham	Plots 5 (The Barn Millwood) and 6 St Peter's View Rectory Meadow	2	0	2	1	1	0	0	0	2	
	15/01601/FUL 18/00903/DAC	Under construction	Sible Hedingham	Plot 7 St Peter's View Rectory Meadow	1	0	1	1	0	0	0	0	1	
	17/0026 18/00824/FUL 21/00153/FUL 21/00888/DAC	Under construction	Sible Hedingham	Cobbs Fenn	1	0	1	0	1	0	0	0	1	

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	19/00290/OUT 21/03294/REM 22/02304/DAC	Under construction	Sible Hedingham	Bluebell Cottage Land at Littlefields Prayers Hill	1	0	1	1	0	0	0	0	1	Appeal allowed 30.06.2020
	17/0410/FUL 21/03149/FUL 22/01340/DAC 22/01342/DAC	Under construction	Sible Hedingham	3 Hills Road	1	0	1	0	1	0	0	0	1	Redevelopment of outbuildings.
FEER 233A	16/0569/OUT 19/01222/REM 21/00415/DAC	Under construction	Feering	Land north east of Inworth Road (Part of Strategic Growth Location Land south of Feering/west of A12)	162	136	26	26	0	0	0	0	26	Developer Bloor Homes.
	21/02027/COUPA 22/01424/DAC	Under construction	Feering	Barn land adj Cockerells Farm Skye Green Road	3	0	3	0	3	0	0	0	3	Barn conversion by prior approval.
	21/02679/COUPA	Under construction	Feering	Arthur J. Gallagher House Threshelfords Business Park Inworth Road	12	0	12	12	0	0	0	0	12	Conversion of offices via prior approval.
	11/01638/FUL 21/00464/FUL	Under construction	Kelvedon	Outbuilding at The Red House Church Street	1	0	1	0	0	1	0	0	1	
KELV 335	17/0418/OUT 19/00607/NMA 19/00303/VAR 19/00679/REM 19/01025/FUL 18/00779/DAC 19/00142/DAC 21/00713/DAC 21/02317/DAC 21/02025/DAC 21/03495/DAC	Under construction	Kelvedon	Station Field, Land west of Kelvedon Station Station Road (Monks Farm)	238	32	206	110	60	36	0	0	206	
	13/00811/FUL 21/02630/VAR 22/00087/DAC	Under construction	Kelvedon	The Lawn House Felix Hall Park Hollow Road	0	0	0	0	0	0	0	0	0	New build bungalow within walled garden, replacing apartment within Felix Hall; nil net gain
	19/2260/FUL 20/01136/DAC	Under construction	Kelvedon	The Old Bakery St Marys Square High Street	2	0	2	2	0	0	0	0	2	Change of use from B1 office to 2 X 1 bed flats
	14/00272/OUT 16/00263/REM	Under construction	Bardfield Saling	Kitchen Farm Bardfield Road	1	0	1	1	0	0	0	0	1	
	21/01326/FUL 21/03168/VAR 22/02019/DAC	Under construction	Great Saling	Medlars Blake End	1	0	1	0	1	0	0	0	1	
	19/00511/FUL 20/00910/DAC 20/00896/VAR 21/02282/DAC	Under construction	Great Saling	Great Saling Water Tower Grove Villas	1	0	1	1	0	0	0	0	1	Completed 5 April 2023
	17/01372/COUPA 19/1259/COUPA 21/03132/COUPA	Under construction	Rayne	King & Co. Dunmow Road	2	0	2	0	2	0	0	0	2	
CRESS 192 CRESS 193	16/2144/OUT 19/00739/REM 19/01464/DAC 19/02288/DAC 20/00227/FUL 20/00247/DAC 20/00284/DAC 20/00291/DAC 21/00030/DAC	Under construction	Crissing	Land adjacent to Braintree Road	225	61	164	50	60	54	0	0	164	Developer Countryside Properties
	15/01283/FUL	Under construction	Crissing	Jodanchri Longacre Road	2	0	2	0	0	2	0	0	2	Conversion 1 dwelling to 3, net gain 2

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
CRESS 201	18/00920/FUL 20/01100/VAR 20/01101/VAR 21/01172/DAC 21/01173/DAC 21/01263/DAC 21/01774/DAC 22/02600/VAR	Under construction	Creassing	Land at Appletree Farm Polecat Road	77	15	62	41	21	0	0	0	62	Developer Inland Homes;
SILV 389	15/00280/OUT 18/01751/REM 21/01810/FUL 21/02509/NMA 21/02509/NMA	Under construction	Silver End	Land off Western Road	350	146	204	54	50	50	50	0	204	Developer Redrow Homes.
	17/01436/FUL 19/00445/DAC	Under construction	Silver End	Land adjacent 37 Western Road	1	0	1	0	0	1	0	0	1	Self build project
	20/02050/FUL 22/01645/DAC	Under construction	Silver End	Garages/Land adjacent Jubilee Cottage, adjacent 5 Western Road	2	0	2	2	0	0	0	0	2	
	02/2132	Under construction	Belchamp St Paul	Wakes Hall Farm Barn	1	0	1	0	0	1	0	0	1	Self build project.
	21/00510/COUPA 21/03349/FUL	Under construction	Belchamp Walter	Crows Farm North Road	1	0	1	1	0	0	0	0	1	Prior approval for conversion to 3 dwellings superseded by permission for conversion to 1X 5 bedroom dwelling which was under construction
	16/01996/FUL 21/01214/VAR 18/00989/VAR	Under construction	Borley	Purkins Farm Barns Lower Farm Road	2	0	2	2	0	0	0	0	2	
	20/0350/COUPA	Under construction	Borley	Cherry Tree Barn Borley Barns Hall Road	1	0	1	1	0	0	0	0	1	
	18/01767/FUL 20/01072/DAC	Under construction	Liston	Place Farm Barn Foxearth Road	1	0	1	1	0	0	0	0	1	Barn conversion
	17/01912/FUL 18/01857/DAC 19/00275/DAC	Under construction	Little Yeldham	Barns at Sewells Farm North End Road	3	0	3	3	0	0	0	0	3	
	20/01142/FUL 20/02148/FUL 22/01443/DAC	Under construction	Little Yeldham	70 Little Yeldham Road Little Yeldham	1	0	1	1	0	0	0	0	1	Demolition of workshop and erection of dwelling. Work started June 2022, completed May 2023
	19/0504/FUL 21/03309/DAC 22/02014/DAC	Under construction	Little Yeldham	Barn at The Old Hyde Little Yeldham Road	2	0	2	0	2	0	0	0	2	Conversion of barn to 2 dwellings
	18/0016/FUL 19/00672/DAC 19/02020/DAC 20/01876/DAC 20/01910/DAC 22/01610/LBC	Under construction	Ovington	Barn adj Granary Hall Clare Road	1	0	1	0	1	0	0	0	1	Barn conversion
	20/00480/FUL 21/03062/DAC 21/03060/DAC 21/03577/VAR 21/03062/DAC 22/01927/VAR	Under construction	Pentlow	Storage Barn NE of Bower Hall, Bower Hall Lane	1	0	1	0	1	0	0	0	1	Barn conversion,
	21/01256/FUL 21/02842/DAC 22/02298/DAC	Under construction	Pentlow	Sweet Briars Pinkuah Lane	0	0	0	0	0	0	0	0	0	Nil net change, redevelopment of dwelling.
	15/00036/COUPA	Under construction	Pentlow	Foot of the Folly Barn School Barn Farm	2	0	2	2	0	0	0	0	2	Conversion in progress, 16/01102/DWECON, confirmed ready for occupation June 2023
	17/01638/FUL 19/1322/VAR	Under construction	Bulmer	Land adj Back House Croft Bulmer Street	3	0	3	1	1	1	0	0	3	

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	18/1666/FUL 22/01807/VAR	Under construction	Bulmer	Adjacent May Hill House Park Lane (Dove House)	1	0	1	0	1	0	0	0	1	
	22/02323/FUL 23/00515/DAC	Under construction	Bulmer	Griggs Farm Barn Bulmer Street	1	0	1	0	0	1	0	0	1	Conversion of barn.
	18/1180/FUL 19/00671/DAC 21/02121/DAC 21/03384/DAC	Under construction	Bures	Adj Secretaries Water Lane	1	0	1	1	0	0	0	0	1	Demolition of pool building and erection of dwelling.
	16/00382/FUL 19/01219/VAR 19/01738/VAR	Under construction	Gestingthorpe	Land adjacent Boulders Nether Hill	1	0	1	0	1	0	0	0	1	
	14/0852/FUL	Under construction	Twinstead	Twinstead Manor Coach House	2	0	2	0	2	0	0	0	2	Conversion to 2 dwellings
	17/0603/FUL	Under construction	Wickham St Paul	The Leys Naggs Farm Barn Old Road	1	0	1	1	0	0	0	0	1	Barn conversion. Self build project. Nearing completion
	19/1698/FUL 21/03505/DAC 22/02145/DAC	Under construction	Wickham St Paul	Woodview, Land adj Kingsmead School Road	1	0	1	1	0	0	0	0	1	
	16/00189/FUL 95/00275/FUL 22/01000/NMA 22/02032/VAR	Under construction	Colne Engaine	Ex Haulage yard at 1 Mill Lane	5	0	5	0	0	2	3	0	5	
	19/01511/FUL	Under construction	Colne Engaine	Barn at Burtons Farm Booses Green Pebmarsh Road	1	0	1	0	1	0	0	0	1	
	19/02217/FUL 20/00674/DAC 21/01656/NMA	Under construction	Earls Colne	Hydewell Halstead Road	1	0	1	1	0	0	0	0	1	Demolition/replacement, nil net change
	21/01522/FUL 22/00389/DAC	Under construction	Earls Colne	Meadow Croft Lodge Station Road	1	0	1	0	1	0	0	0	1	
	20/01664/FUL 22/01546/DAC	Under construction	Earls Colne	Pudseys Paddock Station Road	1	0	1	0	1	0	0	0	1	Demolition of stables and erection of a single-storey 3 bedroomed dwelling.
EARC 225	20/02205/REM 15/1580/OUT 20/02206/DAC 20/02207/DAC 21/00497/DAC 21/70009/PPA 22/00861/ADV 22/02174/NMA	Under construction	Earls Colne	Land Rear Of 12 To 24 Halstead Road	80	16	64	34	30	0	0	0	64	Developer Persimmon Homes
	21/02722/FUL 21/03665/DAC 22/02997/DAC	Under construction	Earls Colne	Springtrees Tey Road	2	0	2	0	2	0	0	0	2	
	21/02566/FUL 22/01816/DAC	Under construction	Earls Colne	Colne Place 97 High Street	9	0	9	9	0	0	0	0	9	Conversion of 32 room care home for elderly persons (26 single rooms and 6 shared rooms) to 9 dwellings (1 X 1 bed, 4 X 2 bed and 4 X 3 bed). Work completed April 2023
	16/1111 17/00808/DAC 19/01074/DAC 22/02149/FUL	Under construction	Pebmarsh	Clay Cottage Land adj Ivy Cottage Clay Hills	1	0	1	0	1	0	0	0	1	Self build project
	20/00441/OUT 21/01880/REM 22/01381/DAC	Under construction	Pebmarsh	Land West of Water Lane	2	0	2	0	0	2	0	0	2	Allowed on appeal.
	15/0728	Under construction	Finchingfield	Finchingfield Farm Howe Street	0	0	0	0	0	0	0	0	0	Replacement of temporary dwelling with permanent dwelling; nil net change. New dwelling nearing completion March 2022
	08/1645 19/00637/VAR	Under construction	Finchingfield	Hobtoes Farm Mill Lane	0	0	0	0	0	0	0	0	0	Redevelopment of bungalow, nil net gain
	14/01280/FUL 20/02240/ELD	Under construction	Finchingfield	Cottons Farm Sculpins Lane	1	0	1	0	0	1	0	0	1	

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
FINC 708	19/00069/OUT 21/03222/REM 22/00158/S106A 21/03538/DAC 22/00265/DAC 22/00707/DAC 22/00708/DAC 22/00709/DAC 22/00710/DAC 22/00806/DAC 22/00807/DAC 22/00808/DAC 22/00836/DAC 22/01072/DAC 22/01105/DAC 22/01143/DAC 22/01365/DAC	Under construction	Finchingfield	Land West of Bardfield Road	50	0	50	10	20	20	0	0	50	Allowed on appeal November 2020. Developer Hills Residential.
	21/01401/FUL 22/01847/DAC	Under construction	Finchingfield	Barn to the West of Favours, Bardfield Road	1	0	1	0	1	0	0	0	1	Redevelopment of barn.
FINC 235	18/01442/OUT 18/01443/OUT 21/00669/FUL	Under construction	Finchingfield	Land West of Hill House Brent Hall Road	11	0	11	0	11	0	0	0	11	Appeal allowed 28.01.2020
	16/0867/FUL 18/00799/FUL 21/03528/FUL	Under construction	Finchingfield	Great Wincey Farm Brent Hall Road	5	0	5	0	0	5	0	0	5	Conversion of redundant offices to 5 dwellings approved. Revised scheme for conversion to 4 submitted. Building Regs shows started Nov 22, recorded as plots 3, 6 and 7 (22/01157)
	14/01308/FUL 15/00054/DAC 16/01257/VAR 16/01919/DAC	Under construction	Great Bardfield	Chiefs Farm Cottage Walthams Cross	1	0	1	0	1	0	0	0	1	Self build project
	21/02014/FUL 22/03611/DAC	Under construction	Great Bardfield	Units 1-5 The Bardfield Centre Braintree Road	2	0	2	0	2	0	0	0	2	Change of use of commercial unit to 2 X 2-bed dwellings.
	19/00205/FUL	Under construction	Great Bardfield	27 The Bardfield Centre Braintree Road and High Barn	1	0	1	0	0	0	1	0	1	Conversion of barn into a dwelling, conversion of adjacent former commercial building into a dwelling and erection of 1 new build dwelling.
	19/0908/FUL 22/01001/DAC	Under construction	Great Bardfield	Barn at Hill Farm Mill Road	1	0	1	1	0	0	0	0	1	Conversion of barn to 1-bed dwelling.
	18/0392/FUL 20/00327/FUL 20/01328/DAC	Under construction	Wethersfield	Barn S of Hyde Farm Hyde Lane Blackmore End (Chestnut Barn)	1	0	1	1	0	0	0	0	1	Barn conversion
	20/00681/FUL 22/01776/DAC	Under construction	Wethersfield	Cottonwood Lodge Widleybrook Lane	1	0	1	0	1	0	0	0	1	Redevelopment of dwelling, nil net gain.
	21/00674/FUL	Under construction	Wethersfield	Bramble Cottage, Land adj Lime Tree Cottage Beazley End Wethersfield	1	0	1	0	1	0	0	0	1	
WITC 423	17/0931	Under construction	Witham	Phase 1A of South West Witham Growth Location, off Hatfield Road	91	80	11	0	0	0	11	0	11	Developer Redrow Homes. 91 total, 80 completed.
WITC 423	18/00884/REM	Under construction	Witham	Phase 1B South West Witham Growth Location, off Hatfield Road	84	83	1	0	0	0	1	0	1	Developer Redrow Homes. Total of 84 dwellings. 15 built 2018/19, 83 completed.
WIS 06	15/0430/OUT 19/01040/FUL 20/01434/FUL 20/01571/VAR 21/00249/REM	Under construction	Witham	Phases 3B, 4 South West Witham Growth Location, off Hatfield Road	216	40	176	75	70	31	0	0	176	Developer Redrow Homes. 40 completed and 41 under construction at March 2023. 53 more completions 1 April 2023-end October 2023

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
WITC 422	19/00109/FUL 19/02327/DAC 19/02327/DAC 20/00384/DAC 21/02154/DAC 21/02450/FUL 22/00076/DAC 22/00997/DAC 23/00230/NMA	Under construction	Witham	Former Bowls Club And Land At Old Ivy Chimneys Hatfield Road	13	0	13	0	6	7	0	0	13	
WITC 421	18/02010/FUL 20/01964/DAC 20/01963/DAC 20/01936/DAC 20/01937/DAC 20/01938/DAC 20/01939/DAC 20/01940/DAC 20/01941/DAC 20/01942/DAC 20/01943/DAC 20/01944/DAC 20/01945/DAC 20/01946/DAC 21/01145/DAC 22/00455/DAC 22/00148/DAC 22/00164/DAC	Under construction	Witham	Gimsons	77	20	57	47	10	0	0	0	57	Total gross capacity 78 dwellings; existing dwelling demolished, net supply 77. 21 plots built and 55 plots under construction at March 2023
WITN 426	15/01273/OUT 19/00026/FUL 20/02073/NMA 21/00444/DAC 21/00445/DAC 21/00446/DAC 21/00482/DAC 21/00511/DAC 21/00818/DAC 21/01145/DAC 21/00459/DAC 21/00460/DAC 21/01164/DAC 21/01167/DAC 21/02713/DAC 21/02789/DAC 21/03396/VAR 22/00224/NMA 21/03247/S106A	Under construction	Witham	Land north of Conrad Road	150	2	148	75	73	0	0	0	148	Developer Sanctuary Group. 54 more plots completed April 2023 - November 2023
	20/02161/FUL 21/02735/DAC 20/02161/FUL 22/00832/DAC	Under construction	Witham	Adjacent Kelsale White Horse Lane	1	0	1	1	0	0	0	0	1	Erection of detached bungalow.
WITN 755	18/00111/FUL 20/01851/NMA	Under construction	Witham	The Old Pool Club 49 Braintree Road	10	0	10	0	0	10	0	0	10	Redevelopment to provide 8 X 1 bed flats and 2 X 2 bed flats.
	20/0146/FUL 21/00318/FUL 21/03408/DAC	Under construction	Witham	Land rear of 59 Bridge Street	1	0	1	0	1	0	0	0	1	Revised plans approved June 2021

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	19/0788/FUL 22/01936/DAC	Under construction	Witham	The Victoria PH Powershall End	1	0	1	1	0	0	0	0	1	Change of use PH to dwelling
	20/00185/FUL 23/01317/DAC	Under construction	Witham	Former car park adj The Victoria PH	2	0	2	2	0	0	0	0	2	
	07/1765/FUL	Under construction	Great Yeldham	Rear of Fear God House High Street	2	0	2	0	0	2	0	0	2	
GREY 274	18/00312/FUL 21/00718/DAC 21/00867/NMA 21/01227/DAC 21/01752/DAC 21/01981/DAC 21/02948/DAC 21/03396/VAR 22/00224/NMA 22/00225/DAC 22/01380/DAC	Under construction	Great Yeldham	Nuns Walk Field	33	13	20	20	0	0	0	0	20	Developer Rose Builders;
	19/1411/COUPA 20/02115/FUL 21/02305/DAC	Under construction	Stam Bourne	Unit 3 Greenfields Farm Great Yeldham Road	1	0	1	0	1	0	0	0	1	Conversion of office to residential.
<b>Sites under construction</b>					<b>4041</b>	<b>1349</b>	<b>2692</b>	<b>1086</b>	<b>745</b>	<b>409</b>	<b>153</b>	<b>64</b>	<b>2,457</b>	
<b>With Full Planning Permission, sites not yet under construction</b>														
	19/01825/FUL	Full	Braintree	Creedy House Bradford Street	0	0	0	0	0	0	0	0	0	Redevelopment of dwelling, nil net change
	21/01754/FUL 22/01252/DAC	Full	Braintree	Land adjacent 29 High Garrett	1	0	1	0	1	0	0	0	1	
	19/02207/FUL	Full	Braintree	Land adjacent Fairacres 76 Church Lane	14	0	14	0	0	14	0	0	14	Granted on appeal May 2022
	22/02126/FUL	Full	Braintree	Water Tower at Lyons Hall Road	1	0	1	0	0	0	1	0	1	Conversion of water tower
BOCN 137	19/00786/OUT 22/01469/REM 21/01900/DAC 21/02625/DAC 21/03199/DAC 21/03210/ADV 21/03439/DAC 21/03500/DAC 21/70007/PPA 22/00907/DAC 22/00914/DAC 22/00915/DAC 22/70006/PPA 22/00895/DAC	Reserved Matters approved	Braintree	Phase 2 Towerlands Park	162	0	162	0	0	0	0	0	0	Developer Dandara Eastern Ltd; now under construction.
	22/01130/FUL 23/02907/DAC	Full	Braintree	75 Thistley Green Road	1	0	1	0	0	0	1	0	1	
	21/03677/FUL 23/02171/DAC	Full	Braintree	272A Bocking Church Street	1	0	1	0	0	0	1	0	1	
	20/01952/FUL	Full	Braintree	First and second floor, 75 High Street	2	0	2	2	0	0	0	0	2	Conversion of offices to 2 X 1- bed flats; Building Regulations Initial Notice submitted 21/00296/IN
	21/02000/FUL	Full	Braintree	Flat 15 The Water Tower Swan Side	1	0	1	0	1	0	0	0	1	Conversion of 1 X maisonette to 2 X 1-bed flats.
	21/03742/FUL	Full	Braintree	Trafalgar House St Michaels Lane	-3	0	-3	-3	0	0	0	0	-3	Net loss; conversion from 6 bedsits for young people (C3b) to 3 self contained flats for Rough Sleeping Accommodation programme (C3a). Specialist accommodation.
	21/03749/FUL	Full	Braintree	Former Fire Station/Restaurant Land at Water Tower Swan Side	4	0	4	0	4	0	0	0	4	Change of use of former fire station from restaurant (Use Class E(b)) to 3 x 1 bedroom and 1 x studio flats



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<b>Sites under construction</b>														
	21/02001/FUL	Full	Braintree	Flat 11 The Water Tower Swan Side	1	0	1	1	0	0	0	0	1	Conversion of 1 X 3 bed flat to 1 X 1 bed and 1 X 2 bed flats, net gain + 1 Building Regs application submitted 22/00436/DWEBND
	21/02437/FUL	Full	Braintree	27 Bank Street	8	0	8	0	8	0	0	0	8	Conversion to create 6 X 1 bed and 2 X 2 bed flats as part of mixed use redevelopment of commercial/retail site
	21/01114/FUL	Full	Braintree	First and Second Floors, 50 Bank Street	2	0	2	0	2	0	0	0	2	Change of use from commercial business and service UC E to 2 X 1 bed flats
	21/02311/FUL	Full	Braintree	2-4 Great Square	4	0	4	0	0	4	0	0	4	Conversion of offices to create 4 no. self-contained residential flats comprising 3 x 2 bedroomed units 1 x 1 bedroom units.
	22/01741/FUL	Full	Braintree	Unit F Ground Floor And First Floor New Mills Silks Way	7	0	7	0	0	7	0	0	7	Change of use of B1 Office to 1 x 1 and 6 x 2 bed C3 residential flats
	22/02787/FUL	Full	Braintree	South View Bungalow Clockhouse Way	1	0	1	0	0	1	0	0	1	Redevelopment of outbuilding adjacent bungalow
	21/01225/FUL	Full	Braintree	Adj 75 Goldingham Drive	1	0	1	0	1	0	0	0	1	Part garden
	22/01877/FUL	Full	Braintree	Adjacent 1 Park Drive Braintree	1	0	1	0	0	1	0	0	1	
	19/01871/FUL	Full	Braintree	Land adjacent 24 Brandon Road	1	0	1	0	1	0	0	0	1	Erection of bungalow. now under construction
	21/00180/FUL	Full	Braintree	Land Rear Of 25 George Road	1	0	1	0	1	0	0	0	1	Erection of 1-bed bungalow. Now under construction
	21/02399/COUPA 23/00090/FUL	Prior Approval	Braintree	39 & 41A London Road	1	0	1	1	0	0	0	0	1	Change of use from offices to a 2 bed bungalow
	18/01103/OUT 21/00600/REM 21/02106/VAR 21/03395/DAC	Reserved Matters approved	Helions Bumpstead	Land north west of Haverhill Road	5	0	5	0	5	0	0	0	5	Building Regs Initial Notice submitted, ref 21/01095/IN, and site now under construction
	21/02541/FUL 22/00641/DAC	Full	Steeple Bumpstead	Site of Old Builders Yard 16 Church Street	1	0	1	0	0	0	1	0	1	Demolition of outbuilding and erection of 3 bed house. Building Regs Initial Notice submttd June 2022, ref 22/00598/IN; new permission now granted 23/01058/FUL, 1 dwelling
	22/00485/COUPA	Prior Approval	Steeple Bumpstead	Wildings Farm Barn Wildings Lane	1	0	1	0	0	1	0	0	1	Barn conversion via Prior Approval
	22/01520/COUPA	Prior Approval	Steeple Bumpstead	Upper House Farmhouse Sturmer Road	1	0	1	0	0	1	0	0	1	Barn conversion via Prior Approval
	19/02316/PIP 21/02009/OUT 22/02309/REM 22/03400/DAC	Reserved Matters approved	Steeple Bumpstead	Land At Side Of 50 Water Lane	9	0	9	0	0	9	0	0	9	Building Regs Initial Notice submitted 22/02309/REM. Developer Aviary Developments. Construction started 3 April 2023
	19/01472/FUL	Full	Bradwell	Rainbows End Sheepcotes Lane	1	0	1	0	0	1	0	0	1	Post Plan submission windfall. Conversion of former stable block to dwelling, allowed on appeal
	19/01590/FUL	Full	Coggeshall	9-13 Church Street	0	0	0	0	0	0	0	0	0	Mixed use conversion of commercial premises, change of use from commercial on ground floor and 2 flats on first floor, to 1 3 bed dwelling, 1 X 1 bed flat on first floor, 1 commercial unit on ground floor and 1 commercial unit at ground and first floor - nil net change in number of dwellings.
	21/00531/COUPA	Prior Approval	Coggeshall	Curds Hall Farm Dutch Barn Cut Hedge Lane Kelvedon Rd	3	0	3	3	0	0	0	0	3	
	21/01152/FUL	Full	Coggeshall	The Mill House Kings Acre	1	0	1	1	0	0	0	0	1	Change of use from office; Building Regs application submitted 22/00351/DWECON
	21/00819/FUL	Full	Coggeshall	West Street Vineyard restaurant	1	0	1	0	0	0	1	0	1	Change of use part of restaurant to dwelling
	20/01917/FUL	Full	Coggeshall	Barn adjacent Warley Farm Cottages Nuntys Lane Pattiswick	1	0	1	0	0	1	0	0	1	Barn conversion
	20/01077/OUT 23/00070/REM	Reserved Matters approved	Coggeshall	8 Feering Road	0	0	0	0	0	0	0	0	0	Redevelopment, nil net change
	17/1391/COUPA 20/01614/COUPA	Prior Approval	Stisted	Essex Barn Gowers Farm Tumblers Green	1	0	1	1	0	0	0	0	1	
	21/02840/FUL	Full	Stisted	Glebe House Barn Rectory Road	1	0	1	0	0	0	1	0	1	Barn conversion
	19/01311/FUL	Full	Gosfield	53 Halstead Road	1	0	1	0	0	1	0	0	1	
	20/1275/COUPA 22/02532/COUPA	Prior Approval	Gosfield	Barn B at Beardswood Farm Parkhall Road	1	0	1	0	1	0	0	0	1	Change of use of agricultural buildings
	20/00929/FUL	Full	Gosfield	11 The Cedars Church Road	1	0	1	0	1	0	0	0	1	Building Regs Initial Notice ref 21/00362/IN

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	19/00998/OUT 20/02244/REM 20/00376/DAC 21/00650/DAC 23/00067/DAC	Reserved Matters approved	Gosfield	Land at Gosfield Tennis Club Braintree Road	5	0	5	0	5	0	0	0	5	Allowed on appeal 22.05.2020; Inspector noted that the site could come forward quickly. Building Regs Initial Notice submitted June 2022, 22/00600/IN, site now under construction
	22/02973/FUL	Full	Gosfield	Adjacent/rear of 12 Park Cottages The Street	1	0	1	0	0	0	1	0	1	
	21/03045/FUL 22/01503/DAC	Full	Great Maplestead	Lynwood Tolbish Hall Road	1	0	1	0	0	1	0	0	1	Demolition of dwelling, erection of 2 new dwellings. Building Regs Initial Notice submitted 22/00507/IN
	19/02042/PIP 21/00263/TDC 21/03295/TDC 22/00176/DAC	Technical Details Consent	Greenstead Green & Halstead Rural	Land at Forest Nursery White Ash Green	1	0	1	1	0	0	0	0	1	Building Regs Initial Notice submitted April 2022, 22/00424/IN; completed Sept 2023
	21/01253/FUL	Full	Greenstead Green & Halstead Rural	Cypress Lodge Church Road Greenstead Green	0	0	0	0	0	0	0	0	0	Redevelopment, nil net change. Demolition of bungalow and replacement with 2 storey house. Building Regs Initial Notice submitted July 2022, 22/00830/IN
	21/02218/FUL 22/01166/VAR	Full	Greenstead Green & Halstead Rural	Land South West of Westwell White Ash Green	1	0	1	0	0	0	1	0	1	Allowed on appeal. Construction commenced June 2023, 22/00666/DOBN
	21/02449/FUL	Full	Greenstead Green & Halstead Rural	Halstead Hall Braintree Road Greenstead Green	20	0	20	0	0	0	0	20	20	Includes 12 market houses (2 X 2 bed 7 X 3 bed 3 X 4 bed), and 8 bungalows of which 6 (4 X 2 bed 2 X 3 bed) are housing association and 2 are 2 bed market bungalows. Development also includes a 25 bed dementia care unit C2 use class. Site includes redevelopment of outbuildings and extension and refurbishment of existing redundant building.
	22/01230/FUL 22/02389/DAC 22/02471/DAC 22/02605/DAC 22/02733/DAC	Full	Greenstead Green & Halstead Rural	Chaseways Russells Road	0	0	0	0	0	0	0	0	0	Redevelopment of dwelling, nil net gain. Granted 29.06.2013
	20/01452/FUL 22/00325/VAR	Full	Little Maplestead	Land adj Brambles Collins Road	1	0	1	0	1	0	0	0	1	Now under construction
	18/0082/OUT 19/00729/REM	Reserved Matters approved	Black Notley	Land rear of Green Gables London Road	5	0	5	5	0	0	0	0	5	Reserved Matters approved 23.08.2021.
	22/00839/FUL	Full	Black Notley	231 Witham Road	1	0	1	0	0	1	0	0	1	
	22/03035/FUL	Full	Black Notley	Three Wheels 223 Witham Road	2	0	2	-1	0	1	2	0	2	Demolition of existing dwelling and erection of 3 new dwellings. Building regs Initial Notice ref 23/00465/IN
	21/01347/FUL 22/00402/DAC	Full	Braintree	Land rear of 163 London Road	2	0	2	0	0	2	0	0	2	Post Plan submission windfall.
	21/03003/FUL 22/00296/DAC 22/00421/VAR	Full	Braintree	153 London Road	0	0	0	0	0	0	0	0	0	Redevelopment, nil net gain. Building Regs Initial Notice submitted 22/00227/IN
	22/02413/FUL	Full	Great Notley	Springfield 192 London Road	0	0	0	0	0	0	0	0	0	Redevelopment of existing dwelling, erection of 5 bed house; nil net change
	17/0660/FUL 21/02468/FUL	Full	Halstead	Land adjacent The Chase Pretoria Road	1	0	1	0	1	0	0	0	1	
	22/00043/FUL	Full	Halstead	Land at East Mill	2	0	2	0	0	0	2	0	2	
	22/00279/FUL	Full	Halstead	Store rear of 45 High Street	1	0	1	0	0	0	1	0	1	Redevelopment of warehouse building
	19/02079/FUL 22/03312/DAC	Full	Halstead	Former ATS building 41 Chapel Hill	3	0	3	0	3	0	0	0	3	Conversion from commercial use to 3 flats. Building Regs ref 23/00520/DWEBND, now under construction
	20/01440/FUL 21/02240/DAC 21/02975/VAR	Full	Halstead	Land Adjacent Pitchards Trinity Street Halstead	1	0	1	1	0	0	0	0	1	Building Regs Initial Notice submitted 21/00992/IN, completed November 2023
	21/00320/FUL	Full	Halstead	Sundern Tidings Hill	0	0	0	0	0	0	0	0	0	Nil net change. Demolition of chalet bungalow and erection of 2 storey house. Building regs Initial Notice submitted 21/01281/IN

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	21/02874/FUL 22/02674/DAC 23/00420/DAC	Full	Halstead	Part side garden of Runnymede Tidings Hill	1	0	1	0	0	0	1	0	1	Erection of 1 X 4 bed dwelling in part of side garden to Runnymede
	22/01155/FUL	Full	Halstead	58 Churchill Avenue	1	0	1	0	0	0	1	0	1	
	20/00542/FUL 21/01692/DAC	Full	Hatfield Peverel	Barn at Smallands Hall Farm Spring Lane	1	0	1	0	0	1	0	0	1	Barn conversion, Building Regs ref 21/00663/OTHDOM
	22/02278/FUL	Full	Hatfield Peverel	Shalom, Peverel Avenue, Nounsley	1	0	1	0	0	0	1	0	1	
	22/02040/FUL	Full	Hatfield Peverel	Barn at Crabbs Hill Farm Crabb's Hill	1	0	1	0	0	0	1	0	1	Barn conversion; Building Regs Initial Notice ref 23/00470/IN
	21/03696/FUL	Full	Nounsley	Land north of Butlers Ulting Road	6	0	6	0	0	0	6	0	6	Granted on appeal 24.03.2023
	15/03/COUPA 17/0387/FUL 20/02194/OUT 21/00471/FUL 21/02768/VAR 22/00925/FUL	Full	White Notley	Land adj Stanfield Meadow Vicarage Avenue	2	0	2	0	0	0	2	0	2	
	20/01358/COUPA 21/01135/DAC	Prior Approval	White Notley	Green Farm The Green	3	0	3	3	0	0	0	0	3	Barn conversions. Building Regulations Initial Notice submitted 21/00246/IN
	22/01602/COUPA	Prior Approval	White Notley	Barn at Webbs Farmhouse Pole Lane	2	0	2	0	0	2	0	0	2	Barn conversion
	13/00687/FUL 19/01388/FUL 16/01285/DAC	Full	Castle Hedingham	Land rear of 1 and 3 Castle Lane	1	0	1	0	0	0	1	0	1	Building Regulations Initial Notice submitted 21/01244/IN
	21/02261/FUL 22/02649/DAC	Full	Castle Hedingham	Castle Hedingham United Reformed Church 32 Queen Street	1	0	1	0	0	0	1	0	1	Conversion of church.
	22/01553/FUL	Full	Castle Hedingham	Nunnery Farm Barn Nunnery Farm Nunnery Street	1	0	1	0	0	0	1	0	1	Conversion of barn
	21/00783/FUL 22/02159/FUL	Full	Sible Hedingham	Land opposite Cuckoos Farm Wethersfield Road	1	0	1	0	0	0	1	0	1	Barn conversion
	20/01619/FUL	Full	Sible Hedingham	40 Alderford Street	1	0	1	0	0	1	0	0	1	Demolition of warehouse and office, erection of dwelling
	22/01457/COUPA 22/02518/FUL	Full	Sible Hedingham	Foxborough Agricultural Barn Halstead Road	1	0	1	0	0	1	0	0	1	Barn conversion by prior approval
	22/01902/FUL	Full	Sible Hedingham	35 Station Road	1	0	1	0	0	0	1	0	1	Conversion of 1 dwelling to 2, net gain of 1
	22/03446/COUPA	Prior Approval	Sible Hedingham	Barn at Sugar Lane Farm Sugar Lane	1	0	1	0	0	1	0	0	1	Barn conversion by prior approval
	22/00942/FUL	Full	Sible Hedingham	Moss Farm Wethersfield Road	1	0	1	0	0	0	1	0	1	Conversion of stables
	18/00485/COUPA 18/01161/FUL 19/00395/LBC 22/00579/FUL	Full	Feering	Land Between The Coach House And The Anchorage Prested Hall Chase	1	0	1	0	0	1	0	0	1	Originally proposed to be conversion but later permission changed proposal to redevelopment of the barn, 22/00579/FUL permitted March 2023, associated Building Regulations Initial Notice submitted June 2022 ref 22/00642/IN
	21/02354/FUL 22/01852/DAC	Full	Kelvedon	Easterford Nursery Easterford Road	2	0	2	0	0	2	0	0	2	Demolition of former nursery and erection of 2 x 3 bedroom two-storey semi-detached dwellings.
KELV 626	17/2271/OUT 19/00819/DAC 20/02128/REM 21/02120/DAC 22/01954/NMA 23/00233/DAC	Reserved Matters approved	Kelvedon	Land adjacent Watering Farm Coggeshall Road	35	0	35	0	25	10	0	0	35	Developer Mulberry Homes, 23/00387/IN. Plot construction started June 2023
	21/01701/FUL	Full	Kelvedon	Brimpton House 59A High Street	5	0	5	0	0	3	2	0	5	
	16/2136/COUPA 17/00590/FUL 20/00757/FUL 21/03271/DAC	Full	Bardfield Saling	Gentlemans Farm Barns The Street	4	0	4	4	0	0	0	0	4	
	22/01611/FUL	Full	Bardfield Saling	Land At Taborsfield House Woolpits Road	1	0	1	0	0	1	0	0	1	Barn conversion
	20/01751/FUL 22/02285/FUL	Full	Rayne	Mill House School Road	1	0	1	0	0	1	0	0	1	Conversion of stables and barn to a 1 x 2 bedroom dwelling. Building Regulations Initial Notice submitted 21/01209/IN
	21/00981/FUL	Full	Rayne	Common Farm Long Lane Rayne	1	0	1	0	0	1	0	0	1	Demolition of workshop, stables, greenhouse, store, detached machinery and log store and reinstate land. Convert workshop into a two-bedroom detached chalet bungalow

Appendix 1: Five Year Supply Housing Trajectory: 2023-2028

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	16/1782/FUL 20/00954/DAC 21/00175/FUL	Full	Crestring	Land rear of 1-8 Leyfield Braintree Road	1	0	1	1	0	0	0	0	1	
CRESS 203 CRESS 209	18/00549/OUT 21/03214/REM 21/03656/DAC 21/70006/PPA 21/03514/S106A 23/00906/DAC	Reserved Matters approved	Crestring	Land between Long Green and Braintree Road, Long Green	250	0	250	20	60	60	60	50	250	Allowed on appeal 14.12.2020. Developer Persimmon Homes, plot construction began April 2023, 75 plots under construction by May 2023
	18/00069/FUL 20/00765/FUL	Full	Rivenhall	Barn at Ford Farm Church Road	1	0	1	0	1	0	0	0	1	Revised plans permitted Feb 2021
	21/00031/OUT 22/01921/PDEM	Full	Rivenhall	Burghey Brook Farm London Road Rivenhall End	-1	0	-1	-1	0	0	0	0	-1	Loss of dwelling in connection with development of land for employment uses
	19/01947/OUT 22/01541/REM	Reserved Matters approved	Rivenhall	Land Adjacent Glebe Farm Rectory Lane	3	0	3	0	0	3	0	0	3	
	21/03025/FUL	Full	Rivenhall	Colemans Cottage Fishery Little Braxted Lane Rivenhall End	1	0	1	0	0	0	1	0	1	
	19/01472/FUL	Full	Silver End	Rainbows End Sheepcotes Lane	1	0	1	1	0	0	0	0	1	Allowed on appeal, conversion of stable block
	22/02519/FUL	Full	Belchamp St Paul	Pannells Cole Green	1	0	1	0	0	0	1	0	1	
	20/01696/FUL	Full	Belchamp Walter	Home Farm Otten Road	0	0	0	0	0	0	0	0	0	Replacement dwelling, nil net change. Application form states it is to be self-build/custom build. Building Regulations application submitted 21/01227/DOM
	21/03419/COUPA	Prior Approval	Belchamp Walter	Hopkins Farm Barn Yeldham Road	1	0	1	0	0	1	0	0	1	Barn conversion
	22/00394/COUPA 22/03079/FUL	Prior Approval	Belchamp Walter	Waits Farm Bells Road	1	0	1	0	0	1	0	0	1	Barn conversion, Post Plan submission windfall permission
	20/01056/FUL	Full	Borley	Red House The Green	-1	0	-1	-1	0	0	0	0	-1	Conversion 2 dwellings to 1, net loss -1
	22/02331/FUL	Full	Foxearth	Foxearth Fisheries Glemsford Road	0	0	0	0	0	0	0	0	0	Redevelopment of log cabin completed in recent years 14/00940/FUL and 17/01796/FUL, nil net change
	20/00437/FUL 21/01040/DAC 21/01039/DAC 22/00245/FUL	Full	Pentlow	The Stable Barn NW of Bower Hall, Bower Hall Lane	1	0	1	0	1	0	0	0	1	Barn conversion
	22/02207/COUPA	Prior Approval given	Tilbury Juxta Clare	The Bungalow Clare Road	1	0	1	0	0	1	0	0	1	Prior approval for conversion of agricultural building.
	19/1901/OUT 21/02222/REM	Reserved Matters approved	Bulmer	Land adjacent 3 Park Lane	1	0	1	0	1	0	0	0	1	
	20/02006/COUPA	Prior Approval	Bures	Barns at Butlers Farm Colne Road	2	0	2	0	0	2	0	0	2	Conversion of agricultural buildings by Prior Approval. Allowed on appeal.
	20/02053/FUL	Full	Gestingthorpe	Parkgate Farm Delvyns Lane	5	0	5	0	0	5	0	0	5	Conversion of agricultural building
	22/01008/COUPA	Prior Approval	Great Henny	Dove House Farm Amos Hill	1	0	1	0	0	1	0	0	1	Conversion of agricultural building
	20/00180/OUT 22/00235/DAC 22/02784/REM 22/03245/DAC	Reserved Matters approved	Wickham St Paul	Land To The Rear Of Orchard House The Green	4	0	4	0	4	0	0	0	4	
	21/02247/FUL 22/01309/DAC 22/01624/DAC	Full	Colne Engaine	Countess Cross Farm Countesss Cross	1	0	1	1	0	0	0	0	1	Permission granted for redevelopment to 1 X 5 bed dwg rather than conversion by prior approval. Building Regs Initial Notice submitted May 2022, 22/00429/IN
	22/00491/FUL	Full	Colne Engaine	Black Barn and Cart Lodge at Brook Farm Station Road	1	0	1	0	0	1	0	0	1	Conversion of barn to 1 X 4 bed dwelling; superseded Plot 4 (Building B) of 20/1817 /COUPA and also superseded 21/2003 for 1 bungalow
	21/02804/FUL	Full	Colne Engaine	Brook Barns Brook Farm Station Road Colne Engaine	3	0	3	0	0	3	0	0	3	Plots 1 to 3 (Building A, conversion to 3 dwellings) prior approval ref 20/01817/COUPA was superseded by full permission 21/02804/FUL granted Oct 2022.
	20/01395/FUL	Full	Earls Colne	9 Queens Road	0	0	0	0	0	0	0	0	0	Redevelopment, nil net change

**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
20/01167/FUL 21/01563/VAR 22/01584/DAC 22/02129/NMA		Full	Earls Colne	54 Coggeshall Road	2	0	2	2	0	0	0	0	2	Erection of 2 bungalows
22/00859/FUL		Full	Earls Colne	Becklands Farm America Road	1	0	1	0	0	1	0	0	1	Change of use of former farm workshop to 1No. three-bedroom dwelling.
22/01729/FUL		Full	Earls Colne	11 Station Road	1	0	1	0	0	0	1	0	1	Windfall site, subdivision of site, demolishing part of buildings/garage and erection of dwelling
19/01956/OUT 21/00642/REM 22/02443/DAC		Reserved Matters approved	Pebmarsh	Land north of Hamsters Close Oak Road	1	0	1	0	1	0	0	0	1	Allowed on appeal.
22/03437/FUL		Prior Approval	Pebmarsh	Barn at Land Known As Millfield Acre Water Lane	1	0	1	0	0	1	0	0	1	Barn conversion
22/01038/COUPA		Prior Approval	Pebmarsh	Hunts Hall Colne Road	4	0	4	0	0	4	0	0	4	Barn conversion
23/00068/COUPA		Prior Approval	Pebmarsh	Barn at Cricks Farm Hill House Road	2	0	2	0	0	0	2	0	2	Barn conversion by prior approval
21/00992/COUPA 21/02974/FUL		Full	White Colne	Brambles Farm Brambles Lane	5	0	5	0	0	5	0	0	5	
19/01065/FUL 20/00922/FUL		Full	Finchingfield	Normans Cottage Bardfield Road	0	0	0	0	0	0	0	0	0	Redevelopment of dwelling, nil net change
20/00832/FUL 21/02674/DAC		Full	Finchingfield	Hole Farm Barn Stambourne Road	1	0	1	1	0	0	0	0	1	Redevelopment of barn
22/00714/FUL		Full	Finchingfield	Mandalay Farm Pump Lane Walthams Cross	1	0	1	0	0	1	0	0	1	Change of use and extension of existing barns to form 1No. three bedroom dwelling.
20/01415/FUL		Full	Great Bardfield	Outbuilding at 8 Alienor Avenue	1	0	1	1	0	0	0	0	1	Conversion of outbuilding to 1-bed house
20/02231/FUL		Full	Great Bardfield	Co-Op 1-2 St Johns Terrace Brook Street	-2	0	-2	-2	0	0	0	0	-2	Change of use No.2 and the first floor of no.1 St Johns Terrace from residential to retail use.
21/03331/FUL		Full	Great Bardfield	Barn To Northwest Of Bell Cottage Bell Lane	1	0	1	0	0	1	0	0	1	Redevelopment of barn and outbuilding
22/00790/FUL		Full	Great Bardfield	Millbank Dunmow Road	0	0	0	0	0	0	0	0	0	Nil net change, redevelopment of dwelling
22/00973/FUL		Full	Great Bardfield	Great Pitley Farm Beslyns Road	0	0	0	0	0	0	0	0	0	Redevelopment of chalet bungalow, nil net gain
20/01043/FUL 22/02625/FUL		Full	Shalford	Shalford Hall Farm The Street	1	0	1	0	0	1	0	0	1	
21/02953/FUL		Full	Shalford	Goldsticks Farm Barn Braintree Road	1	0	1	0	0	0	1	0	1	Barn conversion
22/01583/COUPA		Prior Approval	Shalford	Barn at Dynes Farm Shalford Green	3	0	3	0	0	3	0	0	3	Barn conversion
20/00008/OUT 22/02166/REM 22/03015/NMA		Reserved Matters approved	Shalford	Fox House Church End	1	0	1	0	0	1	0	0	1	Allowed on appeal
22/01647/FUL		Full	Shalford	Barns at Sheering Hall Braintree Road	5	0	5	0	0	0	5	0	5	Conversion of 3 barns to 5 dwellings
22/03306/COUPA		Full	Shalford	Hunts Farm Hulls Lane	1	0	1	0	0	1	0	0	1	Prior approval for barn conversion
19/01155/FUL 22/00447/DAC		Full	Wethersfield	Brook Cottage Blackmore End	1	0	1	0	1	0	0	0	1	Building Regulations Initial Notice submitted 22/00630/IN
19/1454/COUPA 21/03334/COUPA		Full	Wethersfield	Oakland Barn Land adj Bakers Farm Bakers Farm Lane Blackmore End	1	0	1	0	1	0	0	0	1	
19/01674/FUL 22/00517/DAC 22/00517/DAC 22/02368/DAC		Full	Wethersfield	Bakers Farm Barn Bakers Farm Lane Blackmore End	3	0	3	0	3	0	0	0	3	Barn conversions. Building Regs Initial Notice submitted 22/00631/IN
21/00505/FUL		Full	Wethersfield	Land Adjacent 56 Saffron Gardens	1	0	1	0	1	0	0	0	1	
19/02240/OUT 21/03145/REM 23/00087/VAR		Reserved Matters approved	Wethersfield	Georgeanne House School Green Blackmore End	0	0	0	0	0	0	0	0	0	Replacement dwelling, nil net change.
17/2256/FUL 20/00759/DAC 21/01916/FUL 22/01832/DAC		Full	Witham	Land rear of 51-57 Newland Street	7	0	7	0	0	7	0	0	7	Appeal allowed 06.09.2019 for 6 x 1 bed dwellings within courtyard development and 1 no. flat over garage. Building Regs Initial Notice submitted 22/00476/IN
20/00660/FUL		Full	Witham	Roslyn House 16 Newland Street	1	0	1	1	0	0	0	0	1	Conversion from offices. Full application now submitted for conversion to 3 dwellings; 23/02958/FUL, pending consideration

**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	20/01355/FUL	Full	Witham	Land Between Oomingmak And Newton Maldon Road	1	0	1	0	1	0	0	0	1	
	20/01366/FUL	Full	Witham	Land adjacent 4A/B/C/D Maldon Road	1	0	1	0	0	0	1	0	1	Now under construction
	22/00276/FUL 23/01153/DAC	Full	Witham	Guithavon House Guithaven Street	3	0	3	0	3	0	0	0	3	Conversion of roofpace to 3 X 1 bed flats
	21/03365/FUL	Full	Witham	Outbuilding at Warwick House 48 Collingwood Road	1	0	1	0	1	0	0	0	1	Conversion from office use to 1 X 1 bed dwelling
	21/02439/FUL	Full	Witham	Mill Lane Stores Mill Lane	1	0	1	0	0	0	1	0	1	Demolition of an existing single-storey retail unit and construction of a new two-storey building comprising retail space on the ground floor and 1 x 1 bedroom apartment on the first floor.
	20/00808/FUL	Full	Witham	Land rear of 111-115 Newland Street	7	0	7	0	0	0	7	0	7	Allowed on appeal 15 December 2022; 4 houses and 3 flats
	21/03680/FUL	Full	Witham	14 Rickstones Road	0	0	0	0	0	0	0	0	0	Redevelopment, nil net gain
WITN 429	19/00014/FUL	Full	Witham	Rickstones Neighbourhood Centre, land at Dorothy Sayers Drive/Laburnum Avenue	14	0	14	0	0	0	14	0	14	Redevelopment with net gain of 14 homes (loss of 7 existing flats, development of mixed use development including 21 flats)
	21/02858/FUL	Full	Witham	Land to the rear of 47 Hatfield Road	2	0	2	0	0	2	0	0	2	Erection of 1 X 4 bed house and 1 X 2 bed bungalow
	22/00875/FUL	Full	Witham	Land to rear of Jack and Jenny Hatfield Road	1	0	1	0	1	0	0	0	1	
	21/01350/FUL 21/02781/DAC	Full	Great Yeldham	Spaynes Hall barn and coach house, Cherry Lane	2	0	2	2	0	0	0	0	2	Conversion of outbuildings Building Regs Initial Notice submitted Sept 2021, ref 21/01055/IN
	20/00526/COUPA	Prior Approval	Toppesfield	Flowers Hall Farm Barn Gainsford End	1	0	1	1	0	0	0	0	1	Conversion of barn, Building Regulations Initial Notice 22/00119/IN
	20/00844/FUL	Full	Toppesfield	Land rear of Church Farm Farm Barn Church Lane	2	0	2	0	2	0	0	0	2	Demolition of grain store and erection of 2 dwellings
Sites with full permission and not yet under construction					725	0	725	46	143	177	127	70	563	
<b>With Outline Planning Permission, not Major Development</b>														
	20/01897/OUT 22/02664/REM	Outline	Bradwell	Land at Rectory Meadow	3	0	3	0	3	0	0	0	3	Redevelopment of commercial buildings. Site area 0.36 ha. Reserved Matters now approved
	21/01772/OUT	Outline	Bradwell	Land South of Coggeshall Road	6	0	6	0	0	0	6	0	6	Site area 0.49 ha.; outline permission for 5 houses and 1 bungalow. Reserved Matters now submitted and approved, 23/01751/REM
	21/01050/OUT 23/01026/FUL	Outline	Bradwell	Land at Bridge Hall Barn Hollies Road	1	0	1	0	0	1	0	0	1	Site area 0.4 ha. New build. Full application now submitted and approved
	20/00148/OUT 22/02913/DAC	Outline	Coggeshall	16 Old Road Coggeshall	1	0	1	0	1	0	0	0	1	Allowed on appeal 23.06.2021; redevelopment of agricultural buildings. Reserved Matters now submitted and pending consideration, 23/02896/REM
	22/00518/OUT	Outline	Black Notley	Land south of Longmead Court Nursing Home London Road	5	0	5	0	0	0	0	0	0	Formerly part of the amenity land to the adjacent care home. Applicant is owner of Lynderswood Court. Site area stated as 0.4983 ha
	20/01668/OUT	Outline	Kelvedon	Land at Church Road, r/o 113-127 High Street	2	0	2	0	0	0	2	0	2	Site area 0.1 ha. Full permission granted 11.02.2021 for demolition of existing buildings Full application for erection of 2 dwellings now submitted and pending consideration, 23/02308/FUL
	20/00324/OUT 20/01933/FUL 22/03160/VAR	Outline	Bures Hamlet	C Ambrose Motors 7 - 9 Colchester Road	3	0	3	0	0	3	0	0	3	Now with detailed permission and under construction
	21/00273/OUT	Outline	Colne Engaine	Barn at Home Farm Lawshall's Hill	1	0	1	0	0	1	0	0	1	Agricultural workers dwelling
	21/01309/OUT 23/00333/REM	Outline	Colne Engaine	Land South of Brook Street	3	0	3	0	0	0	3	0	3	Reserved Matters submitted and now approved
	22/00909/OUT 22/03137/PDEM	Outline	White Colne	Bungalow at Brooms Farm Colne Park Road	1	0	1	0	0	1	0	0	1	Bungalow demolished December 2022
	22/02902/OUT	Outline	White Colne	Land To The Rear Of 5 Colne Park Road	1	0	1	0	0	0	0	1	1	
	20/00603/OUT	Outline	Great Yeldham	Chapel House Leather Lane	2	0	2	0	0	0	2	0	2	

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Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	21/00574/OUT	Outline	Toppesfield	Mission Hall Gainsford End Road	1	0	1	0	0	1	0	0	1	Allowed on appeal; redevelopment of redundant place of worship. Reserved Matters submitted April 2023, 23/01053/REM, now approved
Total non major development sites with outline permission					30	0	30	0	4	7	13	1	25	
<b>With Outline Planning Permission for Major Development</b>														
BOCN 132	18/01318/OUT 21/02766/DAC 22/03102/S106A 22/03054/DAC	Outline	Braintree	Land east of Broad Road, Straits Mill Strategic Growth Location	1000	0	1000	0	0	0	70	70	140	Outline permission granted 31.03.2021. Phasing Strategy DAC approved February 2023. First Reserved Matters submitted
BOCN 135	17/01304/OUT 21/00213/DAC 21/01722/DAC 21/02334/DAC 22/00804/DAC 22/70002/PPA 22/01808/REM 22/01923/DAC 22/01924/DAC 22/02113/DAC 22/02128/DAC 22/02220/S106A 23/00970/DAC	Reserved Matters has Res to Grant	Braintree	Millview Park Land off Church Street, North of Grove Field High Garrett	253	0	253	0	60	60	60	60	240	Reserved Matters approved 03.04.2023. Site is now under construction, started Summer 2023. Developer Redrow Homes.
BOCN 137	19/00786/OUT 21/01900/DAC 21/02625/DAC 21/03199/DAC 21/03210/ADV 21/03439/DAC 21/03500/DAC 21/70007/PPA 22/00907/DAC 22/00914/DAC 22/00915/DAC 22/00895/DAC 22/70006/PPA 23/70005/PPA	Outline	Braintree	Phase 3 Towerlands Park Towerlands Park	175	0	175	0	0	0	0	0	0	Developer Dandara Eastern Ltd. Phase 3 PPA being negotiated for REM
BOCN 137	19/00786/OUT 21/01900/DAC 21/02625/DAC 21/03199/DAC 21/03210/ADV 21/03439/DAC 21/03500/DAC 21/70007/PPA 22/00907/DAC 22/00914/DAC 22/00915/DAC 22/00895/DAC 22/70006/PPA	Outline	Braintree	Phase 4 Towerlands Park Towerlands Park	70	0	70	0	0	0	0	0	0	Developer Dandara Eastern Ltd.

**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	18/01065/OUT 22/70010/PPA 22/03402/REM 23/01599/DAC	Outline	Braintree	Land South Of Gilda Terrace and North Of Flitch Way	119	0	119	0	0	19	50	50	119	Allowed on appeal 27 July 2021. 30% affordable housing. Building Regulations Initial Notice submitted by Crest Nicholson Eastern, 22/00491/IN. Reserved Matters submitted
	19/00493/OUT 23/00923/NMA 23/00929/FUL	Outline	Greenstead Green & Halstead Rural	Land off Bournebridge Hill Greenstead Green	200	0	200	0	0	50	50	50	150	Allowed on appeal 16 November 2022, Gladman Developments Ltd. 30% affordable housing. Inspector added conditions to speed up housing delivery; REM to be submitted within 2 years, development to be commenced within 1 year of Reserved Matters approval.
	20/01264/OUT 23/02759/REM	Outline	Hatfield Peverel	Land North of Maldon Road	110	0	110	0	0	30	40	40	110	Outline permission granted 12.11.2021 to Gladman Developments Ltd land promoter for up to 110 dwellings, including 40% affordable housing. Planning condition requires submission of Reserved Matters within 2 years of outline permission, and development to commence not later than 18 months from approval of Reserved Matters. Reserved Matters now submitted by Gladman Developments
	21/02857/OUT	Outline	Hatfield Peverel	Small Acres Maldon Road	16	0	16	0	0	0	8	8	16	Outline application for demolition of existing dwelling and erection of 17 dwellings, net gain 16. Includes 6 affordable dwellings.
	17/00679/OUT	Outline	Kelvedon	Land North of London Road	300	0	300	0	0	20	60	60	140	Allowed on appeal January 2023; site acquired by Barrat/David Wilson Homes; Reserved Matters now in preparation
	21/03053/OUT	Outline	Cressing	Land East of Braintree Road Tye Green	35	0	35	0	0	0	10	25	35	Allowed on appeal 14 March 2023
	20/02060/OUT 23/01288/DAC 23/01555/FUL 23/01901/VAR 23/03049/DAC	Outline	Rivenhall	Phase 4 Land NE of Rectory Lane	230	0	230	0	0	70	70	70	210	Allowed on appeal 5 Jan 2023; includes 30% affordable housing. Planning Inspector estimated 180 dwellings could be completed in the 5YS period. Design code approved (23/01288/DAC). Developer plans to be submit Reserved Matters by Spring 2024 and for site construction to start Autumn 2024
	21/00850/OUT	Outline	Silver End	Land West of Boars Tye Road	94	0	94	0	0	10	40	44	94	Allowed on appeal 19 Jan 2023; includes 40% affordable housing
WIS 06	15/0430/OUT 20/01571/VAR	Outline	Witham	Phase 5 South West Witham Growth Location, off Hatfield Road, and Land to the north of the school site	110	0	110	0	0	10	45	55	110	Developer Redrow Homes. Phases 3b and 4 now under construction and part completed. Reserved Matters for Phase 5 in preparation see Variation application approved 30.09.2021 with new S106 Agreement.shows work in preparation Phase 5 . Reserved Matters Phase 5 expected to be submitted by end of 2023/24 monitoring year, as advised by agent
HATF315 HATF316	19/01896/OUT 22/01993/DAC 23/00350/DAC 23/00559/DAC 23/00637/DAC 23/00638/DAC 23/00639/DAC 23/00640/DAC 23/00641/DAC 23/00753/DAC 23/00737/REM 23/00781/REM	Outline	Witham Central	Land at Woodend Farm	400	0	400	0	0	60	65	65	190	The site is controlled by developer Countryside Properties. Discharge of condition 19 (archaeology trial trenching) approved. Series of DAC submitted March 2023 including Phasing strategy, also first Reserved Matters (road layout, infrastructure, central open space)
Sites with outline planning permission, major development sites					3112	0	3112	0	60	329	568	597	1,554	

Sites With a Resolution to Grant



**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
COGG 174	21/00671/FUL 23/03012/DAC 23/03013/DAC 23/03014/DAC 23/03015/DAC	Resolution to Grant	Coggeshall	Cooksfield, East Street	20	0	20	0	0	4	16	0	20	Full application for 20 dwellings had Resolution to Grant from Planning Committee 15.11.2022; permission granted with S106 signed 04.10.2023. Building Regs Initial Notice submitted June 2022 22/00658/IN.
	20/01493/OUT	Resolution to Grant	Greenstead Green & Halstead Rural	Land at Mount Hill	54	0	54	0	0	0	19	35	54	Outline application has Resolution to Grant from Planning Committee 07.03.2023 (decision issued 14.04.2023)
KELV 332	21/02241/FUL 23/01369/DAC 23/01375/DAC 23/01378/DAC 23/01381/DAC 23/01383/DAC 23/01397/DAC	Resolution to Grant	Kelvedon	Land adj St Dominics Residential Home The Cloisters London Road	7	0	7	0	0	0	7	0	7	Seven X 2 bed close care bungalows, developed in association with erection of 21 bed care home. Resolution to Grant from Planning Committee 29 November 2022, decision issued 4 April 2023, Building Regs Initial Notice ref 22/00654/IN; development is now under construction
<b>Sites with a Resolution to Grant</b>					<b>81</b>	<b>0</b>	<b>81</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>42</b>	<b>35</b>	<b>81</b>	
<b>Other sites Without Planning Permission</b>														
BRC6H	22/02409/FUL	Without	Braintree	Cox's Yard, Land north of Rayne Road, south of Bunyan Road	14	0	14	0	0	0	0	14	14	15 homes. Full planning application submitted 09.09.2022 by Wyndcrest Ltd. Granted 10.08.2023; site work now started and discharge of conditions application submitted 24/00063/DAC
Other identified sites without planning permission					14	0	14	0	0	0	0	14	14	
Plus windfall allowance, without permission								0	0	75	75	75	225	
<b>Total forecast supply, C3 use class</b>					<b>8,003</b>	<b>1,349</b>	<b>6,654</b>	<b>1,132</b>	<b>952</b>	<b>1,001</b>	<b>978</b>	<b>856</b>	<b>4,919</b>	
<b>C2 Communal Accommodation rooms</b>														
	14/01013 17/01929/DAC 17/02011/DAC 17/02023/VAR 17/02024/DAC	Under construction	Braintree	Barley House, Former Dairy Crest Depot Site 195 Coggeshall Road				0	0	0	0	45	45	Permission was for demolition of buildings and erection of care home. Demolition now taken place, site cleared pre-development and conditions discharged 2018. Building Control Initial Notice submitted for the new care home development August 2019, BC/19/00743/IN
BOCS 700	19/01743/FUL 20/01983/DAC 21/00680/VAR	Under construction	Braintree	Land at Braintree College Church Lane (Braintree Mews)				75	0	0	0	0	75	Demolition of existing college buildings, structures and facilities and the erection of a 75 bedroom care home and 19 sheltered housing units for people aged 55+ or living with a disability. Developer Avery Health Care Ltd. Now completed.
	18/01367/FUL	Under construction	Greenstead Green & Halstead Rural	Halstead Hall Braintree Road Greenstead Green				0	0	2	0	0	2	Single storey rear extension to provide additional spaces to service nursing home, 22/01179/IN, Single storey extension to create kitchen, laundry and staff room, internal alterations to form 2 no additional bedrooms, 2 no ground floor WC's and 1 no en-suite
	15/1186/FUL	Under construction	Hatfield Peverel	Willowmead Nursing Home Wickham Bishops Road				25	0	0	0	0	25	Demolition of existing care home building with 35 beds care and erection of new 60 bed care home, net increase of 25 rooms. Total on site with other building will be 60 + 27 = 87. Completed Nov 2023
	21/02449/FUL 22/02211/FUL	Full	Greenstead Green & Halstead Rural	Halstead Hall Braintree Road Greenstead Green				0	0	0	0	25	25	Demolish outbuildings, extend and refurbish existing redundant building to form 25 bed dementia unit.
	19/00111/FUL 20/01786/DAC	Full	Rayne	Meadows Residential Care Home Fairy Hall Lane				0	0	4	0	0	4	Building Regs Initial Notice submitted 21/01210/IN

**Appendix 1: Five Year Supply Housing Trajectory: 2023-2028**

Local Plan Site Allocation reference	Planning Application reference	Planning Status	Parish	Name and address of site	Total site capacity	Built to 31.3.2023	Outstanding capacity	2023/24	2024/25	2025/26	2026/27	2027/28	Total Identified Supply 2023-2028	Notes
<b>Sites under construction</b>														
	17/00679/OUT	Outline	Kelvedon	Land North of London Road				0	0	0	64	0	64	Allowed on appeal January 2023, 300 dwellings and care home, estimated 64 bedrooms
	21/00461/FUL	Full	Kelvedon	Abbeyfield House The Chase				0	0	0	12	0	12	Remodelling of existing 10 bedroom care home (was Abbeyfield, closed Jan 2017) to provide a 22-bedroom nursing home (Use Class C2)
KELV 332	21/02241/FUL 23/01369/DAC 23/01375/DAC 23/01378/DAC 23/01381/DAC 23/01383/DAC 23/01397/DAC	Resolution to Grant	Kelvedon	Land adj St Dominics Residential Home The Cloisters London Road				0	0	0	21	0	21	Local Plan allocation, planning application also includes 7 supported living bungalows - Resolution to Grant from Planning Committee 29 Nov 2022; decision issued 4 April 2023, conditions being discharged and Building Regs Initial Notice submitted 22/00654/IN - now under construction
				Total rooms				100	0	6	97	70	273	
				Converted to contribution to supply (/ 1.8)				56	0	3	54	39	152	

## Appendix 2: The sites in Category B of the supply

Appendix 2 sets out information on the assessment of supply from large sites with outline planning permission; sites with a Resolution to Grant permission, and the site which was a local plan allocation without permission or a Resolution to Grant permission. At the 31 March 2023 base date, these sites were within Category B of the supply as set out in the NPPF.

### 1 Millview Park Braintree, 253 dwellings capacity



- 1.1 Outline planning permission was granted on appeal to Gladman Developments Ltd in August 2020 for up to 265 homes on this site (17/01304/OUT). Reserved Matters for 253 homes were submitted by the national homebuilder Redrow Homes and were approved on 3 April 2023. The Council has included all 253 homes within the 5-year supply.
- 1.2 Following discharge of conditions attached to the outline permission, a series of discharge of conditions applications relating to the Reserved Matters approval were submitted in May and June 2023. This site is now under construction, with the first plot commencements reported by NHBC in August 2023. The development is being marketed online to potential purchasers and the sales launch was 24 June 2023.
- 1.3 The developer, Redrow Homes, is a national volume builder. There is a realistic prospect that the development will be completed within the 2023-28 five-year supply period.

## 2 Land East of Broad Road Braintree



- 2.1 This site is an adopted allocation with outline permission for up to 1,000 homes granted 31 March 2021 (ref 18/01318/OUT, see decision [Appendices 2A and 2B](#)). Site assessment work was carried out as part of the preparation and submission of the Outline planning application and the submitted phasing plan, and a design code was agreed as part of the outline consent. The outline consent was granted to L & Q Estates, a lead developer.
- 2.2 The phasing scheme and landscape ecology management plan was approved in February 2023. (reference 22/03054/DAC, [Appendix 2C](#))
- 2.3 Reserved Matters have been submitted for the approval of layout, scale, landscape and appearance for a section of spine road from the approved Broad Road and A131 accesses (23/00703/REM, [Appendix 2D](#)).
- 2.4 Infrastructure requirements include improvements to the Marks Farm roundabout on the A120 by first occupation, and provision of access from Broad Road and from the A131. Construction of the full access road is expected by the developer to take 12-18 months to complete.
- 2.5 The key stages of infrastructure and residential development are set out in the phasing plan:
  - Phase 1A – delivery of a stretch of the main infrastructure/local distributor road connecting to Broad Rd

- Phase 1B - works required for construction of Broad Rd access and eastern part of loop road, and associated drainage
- Phase 1c – the north half of the loop road to connect Broad Rd access to the A131 (required by the 100th occupation) is intended to be started as early as possible to help with construction traffic access
- Phase 1e – the first residential phase, 304 units
- Phase 2B – includes 18 affordable housing units
- Phase 3, residential development north-east part of the site, 196 units
- Phase 4, residential development south-west area of the site, 472 units

2.6 At the planning appeal inquiry in November 2021 for Land to the west of the A131 High Garrett (appeal ref APP/Z1510/W/21/3278620, Appendix 2E), the Inspector concluded that there was clear evidence of a realistic prospect of completions from the site within the five-year period 2021-26 with completions starting from 2024-25 (DL 74-76). He found (DL 75) that the appellant's position that no completions were justified over the five-year period to 2026 was not persuasive; and that "The site is moving forward with the application for the discharge of the phasing plan and strategy for the site, and agreement is in place for the infrastructure works by way of the Section 106 Agreement". Since that decision, the phasing plan discharge of conditions (submitted by L and Q) has been approved and first Reserved Matters have been submitted.

2.7 The approved phasing plan and submission of first Reserved Matters demonstrates progress on submission of applications, and firm progress on site assessment work. The submission of a phasing strategy and of a Reserved Matters application for a section of the spine road demonstrates that serious and meaningful work is ongoing on this project and provides evidence of a realistic prospect that completions can be delivered on the site within the five-year period.

2.8 A land promoter/lead developer (L and Q Estates) is engaged in progressing the site. The site is currently being actively marketed and L & Q has advised the Council that multiple developers are interested. The Council understands that as of March 2024 a major national homebuilder is currently in final negotiations on purchasing the land at Straits Mill and is carrying out due diligence work, including requesting discussion of highway matters with the Highway authority. If a site is currently under the control of a land promoter but not yet owned by a housebuilder there is no implication that such sites are less likely to come forward during the five-year period. Notwithstanding that principle, the Council has been contacted by a Registered Social Landlord who is in discussions with a developer about development of affordable housing on the site.

2.9 The trajectory includes 140 completions from this site within the five-year supply period. Projected completions start in 2026/2027 with 70 projected

completions per year. This allows a longer lead time to completions than that considered realistic by the High Garrett appeal inspector, and allows a lead time of 5+ years from the date of the outline permission in March 2021.

- 2.10 The trajectory allows more lead time to completions than the average indicated in the Lichfields report Second Edition (Figure 3 and Figure 4). The Lichfields report advises that the median average lead time from outline permission to first completion for sites of 500-999 dwellings was 2.8 years, and for sites of 1,000-1,499 dwellings the median average lead time was 2.5 years. Figure 4 in the Start to Finish Report shows the lead time from validation of the first (mainly outline) applications to delivery of the first completion, and within that from planning permission to delivery of the first completion (the planning to delivery figures in Figure 4 do not quite correspond with the figures in Figure 3 of the report, being shorter lead times). For sites of 500-999 dwellings the total lead time from validation of the outline application to first completion is shown as 5.0 years; for sites of 1,000-1,499 dwellings the total lead time is shown as 6.9 years. The outline application for Land East of Broad Road was validated in June 2018. The trajectory allows 8 years to first completion from validation of the outline application.
- 2.11 The delivery rate in the trajectory is realistic taking into account that it is expected that there will be two or more developers, and that the median average delivery rate over the build out period suggested in the Lichfields' Start to Finish report (2020) is 9% of capacity for sites of 500-999 dwellings and 8% of capacity for sites of 1,000-1,499 dwellings (so 80-90 dpa for the Straits Mill site).
- 2.12 There is clear evidence of a realistic prospect of completions within the five-year period:
- There has been firm progress with site assessment work, carried out as part of the work on the outline planning application and subsequently
  - The site is moving forward, as shown by the approval of the phasing plan and submission of first Reserved Matters
  - There is evidence that the site is not subject to an ownership constraint; it has been marketed for sale to prospective home-builders, and a national homebuilder is now in final negotiations towards purchase of the site
  - The site is in a relatively housing market area, as is evidenced by the 132 completions by a single developer in Year 1 of delivery on the nearby Towerlands Park site at Braintree (shown in the Council trajectory in Appendix 1 with a conservative projected supply of only 73 dwellings)

### 3 Land South of Gilda Terrace Braintree



- 3.1 This site is allocated in the Local Plan; at 31 March 2023 it had outline planning permission for up to 120 dwellings granted on appeal July 2021, and a Building Regulations Initial Notice had been submitted by developer Crest Nicholson. Reserved Matters were submitted by the developer in January 2023 (ref 23/00191/REM). Revised plans have been submitted to address concerns about levels, and these were presented to a Members Forum meeting of Braintree District in March 2024. The Reserved Matters are expected to be considered by Planning Committee in May 2024. A discharge of conditions application has been submitted for approval of landscaping details (23/01599/DAC).
- 3.2 A full application (ref 23/02916/FUL) was submitted 1 December 2023 for Creation of a footpath and cyclepath link between the consented residential development (18/01065/OUT) and Fritch Way.
- 3.3 A completed pro-forma has been provided recently by the developer (Appendix 2Q) confirming that
- the site is in the control of the developer
  - The developer expects to start work on site September 2024
  - First housing completions are expected early 2025
  - Development is expected to take 3-4 years following start on site.
  - The developer regards publication of their trajectory forecast as commercially sensitive information and so the Council has not published that part of the completed proforma.

- 3.4 The Council's trajectory includes the development of 119 completions on this site starting with 19 in 2025/26, then 50 dpa in the following two years.
- 3.5 The submission of Reserved Matters and a discharge of conditions application demonstrate progress on submission of applications, and firm progress on site assessment work. They demonstrate that serious and meaningful work is ongoing on this project and provide evidence of a realistic prospect that completions can be delivered on the site within the five-year period. This was subsequently confirmed by the information in the completed site proforma

#### 4 Land off Bournebridge Hill Greenstead Green



- 4.1 Outline permission was granted on appeal November 2022 to land promoter Gladman Developments Ltd for development of up to 200 homes. The permission provides for 30% affordable housing. The Inspector added conditions to speed up housing delivery from the site; Reserved Matters should be submitted within 2 years of the outline approval and development should commence within 1 year of Reserved Matters approval. A Full application has been submitted and is pending consideration for the construction of cycle and pedestrian links (23/00929/FUL).
- 4.2 The Council has received a request for pre-application discussions on Reserved Matters from a regional developer who is engaged in developments across the region (completing c. 700 homes a year in 2020 and 2021). A



Planning Performance Agreement is being negotiated for the Reserved Matters submission.

- 4.3 The trajectory includes 150 dwellings from this site within the five-year supply period, with completions at 50 dpa starting at 2025/26.
- 4.4 The full application for the pedestrian and cycle links and the application for pre-application discussions on Reserved Matters demonstrate progress on submission of applications, and firm progress on site assessment work. They demonstrate that serious and meaningful work is ongoing on this project and provide evidence of a realistic prospect that completions can be delivered on the site within the five-year period.
- 4.5 There is clear evidence of a realistic prospect of completions within the five-year period:
  - There has been firm progress with site assessment work, carried out as part of the work on the outline planning application which was allowed on appeal in order to increase housing supply in the District
  - There has been firm progress towards submission of an application, with a full application submitted for the pedestrian and cycle links; the application for pre-application discussions on Reserved Matters, and negotiation on a Planning Performance Agreement for Reserved Matters
  - This is a greenfield site in a good housing market area, as evidenced by recent and current successful developments by national housebuilders at the town

## 5 Land North of Maldon Road Hatfield Peverel

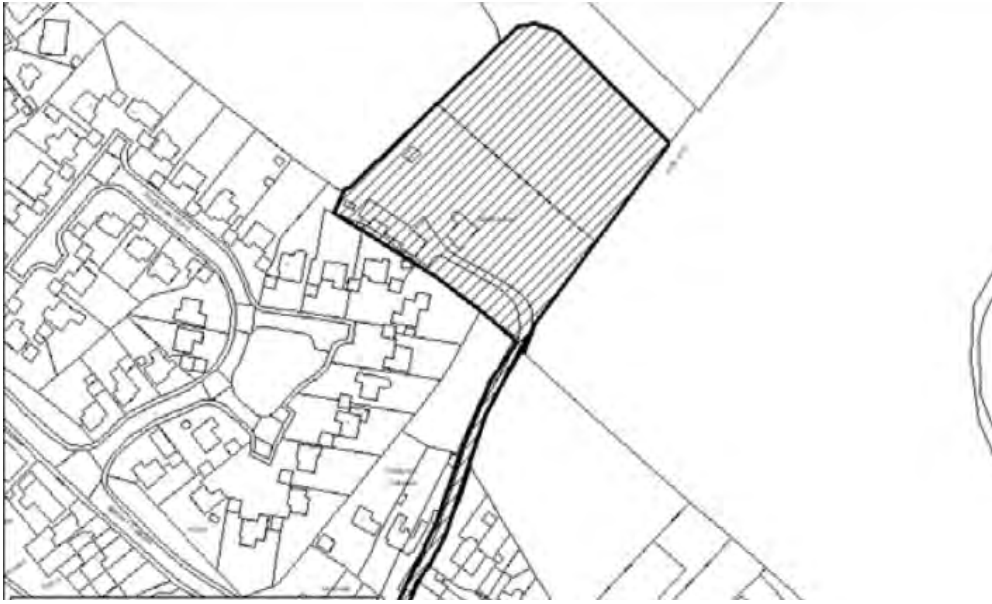


- 5.1 Outline planning permission was granted 12.11.2021 to Gladman Developments Ltd, a national land promoter for up to 110 dwellings, including 40% affordable housing. Planning conditions required submission of Reserved Matters within 2 years of the outline permission, and require development to commence not later than 18 months from approval of Reserved Matters.
- 5.2 Following withdrawal of an earlier Reserved Matters submission from a housebuilder, around the time of the steep increase in interest rates and market turmoil following Government policy initiatives in the Liz Truss premiership; Reserved Matters have now been submitted by Gladman Developments. This submission also includes details relating to the discharge of certain conditions from the outline permission ([Appendix 2F](#)).
- 5.3 The landowner has been marketing the site; a land promoter (Gladman Developments Ltd) is engaged in progressing the site. The role of a land promoter is recognised in guidance; it is inherent in the business model of land promoters that the site would be marketed for sale without undue delay

and if a site is under the control of a land promoter, there is no implication that such sites are less likely to come forward during the five-year period.

- 5.4 The submission of Reserved Matters demonstrates progress in the submission of applications and firm progress in site assessment work, evidence of a realistic prospect of completions within the five-year period. The trajectory projects the development of the site within the five-year period starting with 30 completions in Year 3 (2025/26) and 40 dpa in Years 4 and 5.
- 5.5 There is clear evidence of a realistic prospect of completions within the five-year period:
- There has been firm progress with site assessment work, carried out as part of the work on the outline planning application
  - There has been firm progress made towards the submission of an application, with Reserved Matters submitted by the land promoter and expected to be determined in Spring 2024
  - This is a greenfield site in a relatively strong housing market area with good access to the A12 and to the mainline rail station, as evidenced by several recent housing developments by national housebuilders, including in close proximity to this site

## 6 Small Acres Maldon Road Hatfield Peverel



- 6.1 This is a small site in the village of Hatfield Peverel. Outline planning permission was granted 14 March 2023 for demolition of existing dwelling and erection of 17 dwellings of which 6 should be affordable (reference 21/02857/OUT). The site abuts a development site to the north which is nearing completion (Land northeast of Gleneagles Way), and to the south outline permission has been granted for 110 dwellings (Land North of Maldon Road), for which Reserved Matters have been submitted.
- 6.2 Given the location and the small-scale nature of the site, there is unlikely to be an extended lead time to development and there is a realistic prospect of completions within the five-year period. Paragraph 7 of the PPG indicates that the evidence required to demonstrate deliverability may be greater for larger sites than for smaller sites (Paragraph 7, second sub paragraph, first bullet point).
- 6.3 The grant of outline planning permission; the location of the site in a relatively strong housing market area with good access to the A12 and to the mainline rail station; the absence of constraints and the small scale of the proposed development all combine to amount to the requisite clear evidence of a realistic prospect of delivery.

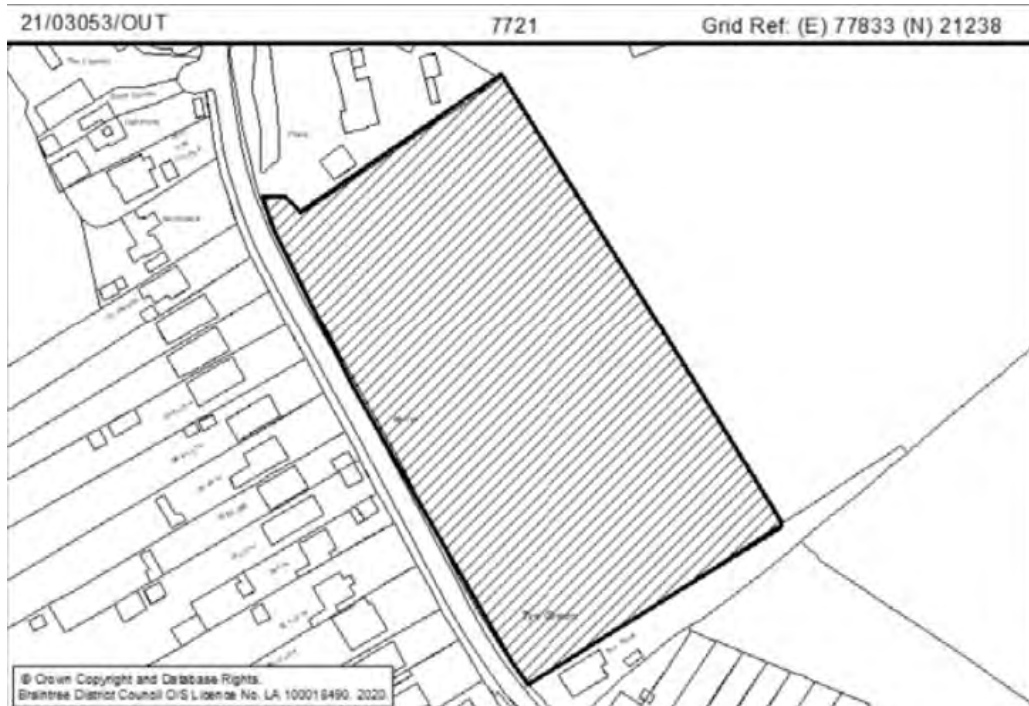
## 7 Land north of London Road Kelvedon



- 7.1 Outline permission was granted on appeal January 2023 for a mixed-use neighbourhood development comprising up to 300 dwellings, health centre, local retail area, care home, an early years and childcare facility, with two accesses from London Road.
- 7.2 A completed pro-forma was supplied to the Council by the agent for the site promoter as at July 2023, noting that the site was being sold to a developer (Appendix 2G). The proforma anticipated that the land sale would be completed by the end of 2023; Reserved Matters would be submitted by the end of 2023 with first completions in late 2024 and completion of the development in late 2027, although this was subject to expecting it was possible to provide a more detailed delivery plan this year (2024) following the sale of the site.
- 7.3 The Council's trajectory took a more cautious approach and projects completions starting with 20 in Year 3 (2025/26) increasing to 60 dpa in subsequent years, with 140 completions included in the five-year supply period. This is later and slower than was estimated in the completed proforma, allowing for a more cautious approach and taking on board updated information, as Reserved Matters are currently in preparation.

- 7.4 Since then, the Council has received a request for pre-application discussions on Reserved Matters from a national developer who the Council understands has acquired the site; Reserved Matters are in preparation and will be accompanied by a Planning Performance Agreement.
- 7.5 There is evidence of progress towards submission of applications and on-site assessment work, demonstrating a realistic prospect of completions within the five-year period. The developer is in discussion with the Highway authorities and the surface water drainage authority as part of preparation of Reserved Matters.
- 7.6 The care home was estimated by the appellant as being a 64-bed home, and is included in completions in Year 4 (2026/27; 64-beds being equivalent to 35.6 dwellings).
- 7.7 There is clear evidence of a realistic prospect of completions within the five-year period:
- There has been firm progress with site assessment work, carried out as part of the work on the outline planning application which was allowed on appeal to increase housing supply in the District, and for discussions in preparation for submission of Reserved Matters
  - A completed site proforma has been provided to the Council confirming the progress on sale of the site to a developer; that the site is not constrained; and providing an estimate of likely completions
  - There has been firm progress made towards the submission of an application, with pre application discussions requested by a national homebuilder on Reserved Matters, to be accompanied by a Planning Performance Agreement
  - This is a greenfield site in a relatively strong housing market area, as evidenced by several recent housing developments by national housebuilders. The site has good access to the A12 and to the mainline rail station.

## 8 Land East of Braintree Road Tye Green Crossing



- 8.1 Outline planning permission was granted on appeal 14 March 2023 for development of 35 dwellings, to increase housing supply in the District.
- 8.2 This is a small-scale greenfield development with a realistic prospect of completions within the five-year supply period.
- 8.3 The grant of outline planning permission (established on appeal); the location of the site in a relatively strong housing market area with good access to the A120 and to the branch rail station; the absence of constraints and the small scale of the proposed development all combine to amount to the requisite clear evidence of a realistic prospect of delivery..

## 9 Phase 4 Land Northeast of Rectory Lane Rivenhall



- 9.1 This site forms Phase 4 of a development by Bellway Homes on the north-east edge of the town of Witham. Outline planning permission for up to 230 homes was granted to the developer by appeal 5 January 2023 (ref APP/Z1510/W/22/3305099, [Appendix 2H](#)). The Inspector concluded that approximately 180 of the dwellings would be likely to come forward within the five-year period directly meeting the current (i.e. 2022-2027 five-year supply) shortfall.
- 9.2 Discharge of Conditions applications have been submitted and approved for the Design Code for the main site and for the 5 self-build plots ([Appendix 2J](#)).
- 9.3 Having developed the detailed design code and engaged in an extensive programme of design meeting through a Planning Performance Agreement ([Appendix 2K](#)) and having presented their proposals to the Council's Members Forum, the developer Bellway Homes subsequently submitted the application for approval of Reserved Matters for all the housing, with the exception of the 5 Self Build houses, on 28 March 2024 (reference



24/00696/REM, see [Appendix 2L](#)). The self-build plots will be subject to later applications for approval of reserved matters by those buying the plots. Two Reserved Matters applications have been submitted; one which includes a bus gate off Rickstones Road and a second submission which omits the bus gate, so as to avoid delay if Members do not agree the bus gate proposal if residents object to it. An updated PPA project plan has been drawn up by the developer alongside the Reserved Matters submission ([Appendix 2M](#))

- 9.4 The 443 homes from Phases 1 to 3 of the larger site were delivered by Bellway Homes over a six-year period, 2017/18 to 2022/23 (the final 31 homes were completed April-September 2022); the overall average annual delivery rate was 73.8 dpa. The 2023-2028 trajectory includes 210 completions from the site within the five-year period with completions starting in Year 3 (2025/26) at 70 dpa.
- 9.5 The submission and approval of the Design Code and the negotiation of a Planning Performance Agreement for Reserved Matters demonstrate progress on submission of applications, and firm progress on site assessment work. They demonstrate that serious and meaningful work is ongoing on this project and provide evidence of a realistic prospect that completions can be delivered on the site within the five-year period.
- 9.6 There is clear evidence of a realistic prospect of completions within the five-year period:
- The outline planning permission granted in January 2023 following a public inquiry, allowed on appeal to increase housing supply in the District
  - The planning judgement of that Inspector based on evidence submitted by the developer that there was a realistic prospect that the site could deliver 180 completions in the 2022-2027 supply period
  - The firm progress with site assessment work, carried out as part of the work on the outline application and beyond
  - The site represents a continuation of recent development by the same developer (Phases 1, 2 and 3); the site is not subject to constraints and there is a realistic prospect of development starting soon after approval of Reserved Matters
  - The developer has published a Community Publicity leaflet advising residents of the forthcoming development, reflected also in the publicity on the Bellway Homes website
  - There had been firm progress made towards the submission of an application, with discharge of conditions including the approval of a Design Code; and pre application discussions with the developer - a national homebuilder - on Reserved Matters

- A Planning Performance Agreement has been negotiated for consideration of Reserved Matters.
- Reserved Matters have now been submitted, as anticipated by the Council.
- This is a greenfield site in a relatively strong housing market area, as evidenced by several recent housing developments by national housebuilders. The site has good access to the A12 and to the mainline rail station.

## 10 Land West of Boars Tye Road Silver End



- 10.1 Outline planning permission was allowed on appeal January 2023 for up to 94 homes (21/00850/OUT). This is a greenfield site on the edge of the village of Silver End; the permission includes 40% affordable housing.
- 10.2 The outline permission was granted to M Scott Properties. The site has since been marketed for disposal to a developer and sale negotiations are in progress. The Council has been approached by the Planning Director of a national housebuilder who is developing a proving layout in preparation for a bid to purchase the site, and a Planning Performance Agreement has been requested and is in the process of being negotiated for the Reserved Matters submission.
- 10.3 The trajectory assumes the start of completions towards the end of 2025/26 with 10 completions that year, followed by 40 and 44 in the following two years. This allows a lead time of 3 years from the date of the outline permission to first completions. The Lichfields Report (Figure 4) shows an average lead time from planning to delivery for a site in this size band as 2.0

years, which would indicate completions from January 2025. Given the evidence that the site is being marketed and is planned to be sold to an end-developer in 2024, completion of the site by March 2028 is realistic.

10.4 There is clear evidence of a realistic prospect of completions within the five-year period:

- There has been firm progress with site assessment work, carried out as part of the work on the outline planning application which was allowed on appeal to increase housing supply in the District, and for discussions in preparation for submission of Reserved Matters
- There has been firm progress made towards the submission of an application, with pre application discussions requested by a national homebuilder on Reserved Matters.
- The site has recently been marketed for sale and is not subject to ownership constraint
- This is a greenfield site in a relatively strong housing market area, as evidenced by several recent housing developments by national housebuilders.

## 11 Phase 5 of Lodge Farm site Hatfield Road Witham



- 11.1 This is the last remaining residential phase (outlined in yellow, above) of a greenfield growth location site (total capacity 665 homes) being developed by Redrow Homes. Phase 5 has an estimated capacity of 110. The preceding phase of the site, Phase 3B/4 (216 homes), is currently under construction and part completed; Phase 4 plots are now being marketed as available for sale and based on current progress Phase 3B/4 is on target to have a realistic prospect of completion in the monitoring year 2025/26.
- 11.2 On the Lodge Farm site overall delivery rates achieved 95 in Year 1 and 88 completions in Year 2. Despite the impact of the pandemic in 2020 and 2021, the average delivery rate to date from the first monitoring year (2018/2019) to December 2023 was 68 dpa. The trajectory includes the completion of the remaining 286 dwellings on the overall site within the five-year period April 2023-March 2028, which represents an average delivery rate of 57 dpa. The

trajectory includes Phase 5 completions from late in Year 3, with the first 10 in 2025/26 and the remaining 100 developed over Years 4 and 5.

- 11.3 In 2020 a Variation application was submitted and approved for the remaining phases which showed an illustrative layout for Phase 5, demonstrating the progress of site assessment work and delivery plans (Appendix 2N). There have been formal pre-application discussions between the developer and the Council about the proposed Reserved Matters submission for the final phase, Phase 5. The agent for the developer has provided recent confirmation (Appendix 2P, email exchange dated 15 March 2024) that the developer plans to submit Reserved Matters late April 2024 and that it is very much the intention to build out the site through to its completion. The developer has maintained delivery on the site and there is no reason to suppose a hiatus in development; Phase 5 is expected to follow on maintaining continuity of development.
- 11.4 The evidence demonstrates that the normal lead time from Validation of Reserved Matters to first completions on this site is a little over a year. In the case of Phase 3A and in particular Phase 3B/4, the timing was affected by the pandemic; acknowledged to be a period of disruption to construction activity, lockdowns and furlough of staff, including those involved in the Lodge Farm site. Phase 3B/4 in particular shows a longer lead time. In addition, around this time the Master Layout Plan was being revised through a Variation application with S106 Agreement (20/01571/VAR, submitted following pre-application discussions; validated 23.09.20 and approved with S106 in place 30.09.2021.

Phase	PA ref	Validated	Completions started	Lead time
1A	17/0931/REM	25.05.2017	June 2018	13 months
1B	18/00884/REM	05.06.2018	May 2019	13 months
2	18/01912/REM	13.11.2018	Nov 2019	12 months
3A	19/02228/REM	10.12.2019	March 2021	15 months
3B/4	21/00249/REM	08.02.2021	Dec 2022	22 months

- 11.5 Pre application discussions have taken place on the proposed Reserved Matters for Phase 5; submission is expected Q1 2024/25; which allows on this factor for completions from Q1 2025/26, which is less than assumed in the trajectory. The planning history, development achieved so far and active construction on the site demonstrate that serious and meaningful work is ongoing on this project and provide evidence of a realistic prospect that completions can be delivered on the site within the five-year period.

11.6 There is clear evidence of a realistic prospect of completions within the five-year period:

- There has been firm progress with site assessment work, carried out as part of the work on the
- The site represents a continuation of recent development by the same developer (Phases 1, 2, 3A, 3B/4) which is now substantially completed
- the site is not subject to constraints and there is a realistic prospect of development starting soon after approval of Reserved Matters
- There has been firm progress made towards the submission of an application, with pre application discussions with the developer - a national homebuilder - on Reserved Matters
- The Council has been advised that Reserved Matters are planned to be submitted in Spring 2024.
- This is a greenfield site in a relatively strong housing market area, as evidenced by the progress on the preceding phases of this development by the same developer. The site has good access to the A12 and to the mainline rail station.

## 12 Land at Woodend Farm Witham



- 12.1 This site is located adjacent to the Lodge Farm site at southwest Witham. Outline planning permission for up to 400 homes was granted to developer Countryside (now part of the Vistry group) in July 2022.
- 12.2 The 2023-2028 trajectory includes 190 dwellings from this site with 60 completions in 2025/26 and 65 completions per year in 2026/27 and 2027/28. The Lichfields Start to Finish Report overall average delivery rate for a site in this size band is a median average of 24% of capacity which equates to 96 dpa. The site is a greenfield site, with 30% affordable housing, and in a relatively strong housing market area; according to the Lichfields report, each of these factors support higher than average delivery rates.
- 12.3 The site is in the control of the developer who is currently negotiating a S278 Agreement. The details of the roundabout access from the main road were agreed at the outline permission stage.



- 12.4 A Phasing Plan was submitted 02.03.2023 and approved 08.06.2023 (reference 23/00559/DAC, [Appendix 2R](#)). The Phasing Plan, approved in June 2023, shows that the first phase, Phase 1A, has an estimated capacity of 140 dwellings, followed by 60 in Phase 1B; 100 in Phase 2A and 100 in Phase 2B. The Council is in discussions with the developer about a proposed Reserved Matters submission for the new homes for which a PPA will be negotiated. There is clear evidence of the developer working to progress the site.
- 12.5 The Archaeological Trial Trenching condition was discharged in August 2022 (reference 22/01993/DAC) and a further condition relating to archaeology was discharged (reference 23/01108/DAC).
- 12.6 A condition requiring a feasibility study into the possibility of relocating an elm tree is now discharged (reference 23/00350/DAC; the feasibility study examined whether it was possible to relocate a large elm tree; it concluded that relocation was not feasible.).
- 12.7 A Discharge of Conditions application for the lighting scheme for the spine road infrastructure has been submitted (reference 23/00637/DAC).
- 12.8 A condition requiring approval of a refuse scheme for the spine road has been discharged (reference 23/00638/DAC).
- 12.9 Reserved Matters have been submitted for access, appearance, landscaping layout and scale for the main central park area (reference 23/00781)
- 12.10 Reserved Matters were approved on 15 November 2023 for Infrastructure; (Access, Appearance, Landscaping, layout and scale) for the installation of the Spine Road with associated footpaths, cycleways and bus turning head, linking into the approved access works at Hatfield Road to the south (reference 23/00737/REM).
- 12.11 A discharge of conditions application has been submitted and approved in relation to a biodiversity enhancement strategy for areas of open space. A condition requiring approval of the Landscape Ecological Mitigation Area for areas of open space has been approved (reference 23/00641/DAC).
- 12.12 There is already a detailed design code in place with planting specifications; and Reserved Matters and discharge of conditions applications on open space and on landscaping have been submitted.

- 12.13 A Discharge of Conditions application submitted in December 2023 indicated that the development was intended to commence by Summer 2024 (ref 23/02962/DAC).
- 12.14 The approved phasing plan and submission of first Reserved Matters demonstrates progress on submission of applications, and firm progress on site assessment work; it demonstrates that serious and meaningful work is ongoing on this project and provides evidence of a realistic prospect that completions can be delivered on the site within the five-year period.

### 13 Cooksfield, Land at East Street Coggeshall



- 13.1 This is a small greenfield site which is allocated in the Local Plan and was the subject of a Full planning application for 20 dwellings (reference 21/00671/FUL). That application had a Resolution to Grant at 31 March 2023. Permission has now been granted (on 4 October 2023).
- 13.2 Discharge of Conditions applications have been submitted.
- 13.3 A Building Regulations Initial Notice has been submitted, and site construction work has now started.
- 13.4 The trajectory projects the completion of the site within the five-year period.
- 13.5 The progress made since the base date provides evidence of a realistic prospect that completions will be delivered on the site within the five-year period.

## 14 Land at St Dominics Residential Home The Cloisters Kelvedon



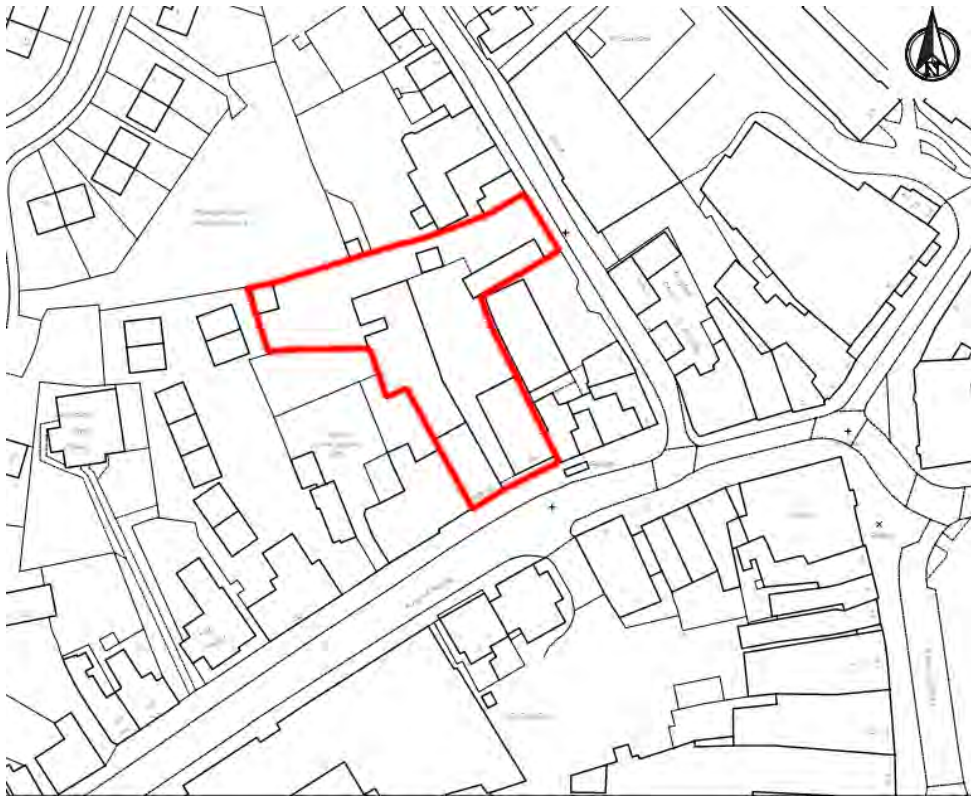
- 14.1 This site is allocated for residential development (specialist housing) in the Local Plan and at 31 March 2023 it was the subject of a Full planning application with a Resolution to Grant for a care home (extending the existing care home by an additional 21 beds plus 7 2-bedroom close care bungalows within the grounds). A Building Regulations Initial Notice had been submitted. Since the base date, Full permission was granted on 4 April 2023; conditions have been discharged and the site is currently under construction (having commenced 1 July 2023).
- 14.2 The trajectory projects the completion of the site within the five-year period.
- 14.3 The progress made since the base date provides clear evidence of a realistic prospect that completions will be delivered on the site within the five-year period.

## 15 Land at Mount Hill Halstead



- 15.1 This site was the subject of an outline planning application for up to 55 dwellings which had a Resolution to Grant at the base date (reference 20/01493/OUT); permission was granted on 14 April 2023. This is a greenfield site at the town of Halstead; much of the land in the vicinity has been the subject of planning permissions for residential development.
- 15.2 The outline consent included approval of the access which is a straightforward priority junction, with a new footway and pedestrian crossover to the junction with Oak Road shows on the approved plans.
- 15.3 A completed pro-forma was provided by the agent for the site promoter in July 2023 (**Appendix 2S**). This confirmed that the site was under the control of Orchestra Land as site promoter and was currently being sold to a developer/housebuilder. The response confirmed that there were no existing constraints on the site and the land was available for development. A Reserved Matters submission was anticipated by the end of 2024; work on site was expected to start end of 2025, with first completions in 2026 and completion of the site in 2028.
- 15.4 The trajectory projected the completion of the site within the five-year period, with completions starting in 2026/27. This allows for a lead time of 3 years from the date of the outline permission to first completions, and there is a realistic prospect that completions can be achieved within the five-year period.

16 **Cox's Yard Land off Rayne Road Braintree**



- 16.1 This small site is allocated in the Local Plan and is included in the Braintree District Brownfield Register. The site was the subject of a Full planning application for 15 homes, with a net gain of 14 homes (reference 22/02409/FUL).
- 16.2 Since the base date, Full planning permission was granted in August 2023; site clearance and preparation carried out. A Discharge of Conditions application has been submitted (reference 24/00063/DAC) and the site is now under construction.
- 16.3 The trajectory projects the completion of the site within the five-year period, with completions in 2027/28. The site now has full permission and is coming forward; there is clear evidence of a realistic prospect that completions can be achieved within the five-year period.

# **Braintree District Housing Supply Review 2023**

## **Appendix 2A**

### **Land East of Broad Road Braintree**

#### **Conditions summary schedule**

**STRAITS MILL (LAND OFF BROAD ROAD) PLANNING PERMISSION REF. 18/01318/OUT**

<b>Cond No.</b>	<b>Details of Condition</b>	<b>Application Ref</b>	<b>Condition Discharged?</b>	<b>Actions/Notes</b>
1	Time Limit	N/A		
2	Scope of development	Required with REM application		
3	Phasing Plan	21/02766/DAC		DISCHARGED 15.12.21
4	Site Levels	Required with REM application		
5	Landscaping	Required with REM application		
6	Broadband	Required with REM application		
7	Electric Vehicle Parking Points	Required with REM application		
8	CEMP	Required with REM application		
9	Biodiversity Enhancement Plan for Protected and Priority Species			
10	Refuse and Recycling Facilities	Required with REM application		
11	Landscaping	Required with REM application		
12	Ecology Surveys Updates			Required if development does not commence within 2 years of the approval
13	Construction Method Statement			No development shall commence until a CMS has been submitted and approved
14	Archaeology 1 (site evaluation)			No development or preliminary grounds works shall commence
15	Archaeology 2 (Fieldwork)			No development or preliminary ground works shall commence
16	SUDS 1 (Detailed SUDS scheme)			No development shall take place
17	SUDS 2 (Contamination)			
18	SUDS 3 (Maintenance Plan)			No development shall take place
19	SUDS 4 (Construction Phase Flood Risk)			
20	Contamination 1 (Further investigation)			Prior to commencement
21	Contamination 2 (Remediation)			Prior to commencement
22	Contamination 3 (Remediation 2)			One months advance notice of completion of works under condition 21 required to be submitted to LPA
23	Contamination 4 (Long Term Monitoring)			No development of each phase until remediation strategy approved (check wording of condition)
24	Contamination 5 (Asbestos)			Prior to demolition of any existing buildings an asbestos survey is required
25	Noise (new dwellings)			Prior to commencement in any relevation phase - noise mitigation survey required
26	Skylark Mitigation			Prior to commencement - Skylark mitigation survey required
27	Badger Method Statement			Prior to commencement of each phase of development
28	Bus Stops within site			Prior to commencement of each phase of development
29	Tree Protection	Required with REM application		
30	PROW Temporary diversion/closure			Prior to commencement of each relevant phase of development
31	Archaeology 3 (Post excavation assessment)			Post excavation assessment for each phase
32	Foul Drainage			Prior to construction above damp proof level
33	Means of Enclosure			Prior to first occupation of any phase
34	Piling			
35	Contamination 6 (unexpected contamination)			
36	Contamination 7 (unexpected remediation)			One months advance notice required (see wording of condition 35)
37	Noise (Noise reports - plant on new buildings)			Prior to installation of any plant on any commercial or educational premises
38	Landscape and Ecology Managemen Plan			Prior to first occupation of each phase of development
39	BREEAM			Post construction certification required
40	Bat License			No commencement of demolition of buiding 4
41	Water Vole and Otter Method Statement			Prior to commencement of any outfall works occuring at the River Blackwater
42	Ecological Design Strategy (Landscape Riverside Area)			Prior to completion of earth works for SuDS basins (see wording of condition)
43	Lighting Scheme			No above ground development shall commence
44	Travel Plan			Prior to the first occupation of the first phase of development
45	Material Samples			No above ground construction shall commence
46	Hours of work	N/A		
47	Vehicle Movements	N/A		
48	Noise (Upper limit for plant on new buildings)	N/A		
49	Spine Road Width	N/A		
50	Broad Road Access			No occupation of the development
51	PD Rights (Parking) Removed	N/A		No change of use to garages/covered parking to habitable accommodation
52	SuDs 5 (Baseline information)			Prior to commencement
53	Market Housing	N/A		
54	Lighting Scheme			Prior to installation



# **Braintree District Housing Supply Review 2023**

## **Appendix 2B**

### **Land East of Broad Road Braintree**

#### **Decision notice with conditions**

## **Braintree District Council**

Town and Country Planning Act 1990 (as amended)

**Application No.:** 18/01318/OUT

**Date Received:** 13th July 2018

**APPLICANT:**  
Gallagher Estates Ltd

**AGENT:**  
Mr Gareth Wilson  
St Andrews House  
St Andrews Road  
Cambridge  
CB4 1DL

### **DESCRIPTION :**

Outline application with all matters reserved except access for up to 1000 residential dwellings, including affordable and market housing; land for new primary school and early years/childcare facilities; a local centre including A1-A5 retail uses; land for the provision of employment use (B1/B2 use class); creation of two vehicular access points from the A131/Broad Road; a network of cycle and pedestrian routes, improvements to the River Walk to South of the Site; provision of sustainable drainage systems and other associated infrastructure; open space and landscaping. This application has been submitted with an Environmental Impact Assessment.

### **LOCATION :**

Land East Of Broad Road Braintree Essex

### **APPROVED PLAN(S):**

Location Plan	Plan Ref: (Barton Willmore Drawing) 9000 REV B Version: 03.10.2017
Other	Plan Ref: Straits Mill Outline Design Code (Barton Willmore) Version: August 2019
Access Details	Plan Ref: (Atkins Drawing) Proposed Roundabout drg no. BROAD-SK-D-0003 REV P1.2 Version: 17.10.2019
Access Details	Plan Ref: (Atkins Drawing) Proposed Priority Junction Broad Road, Braintree rg no. BROAD-DR-D-0003 REV P5 Version: 06.09.2017
Parameter Drawing	Plan Ref: (Barton Willmore Drawing) Parameter Plan Land Use and Access 9600 REV M Version: 26.07.2017
Parameter Drawing	Plan Ref: (Barton Willmore Drawing) Parameter Plan Building Heights 9601 REV K Version: 26.09.2017
Parameter Drawing	Plan Ref: (Barton Willmore Drawing) Parameter Plan Green Infrastructure 9602 REV L Version: 26.09. 2017

### **DECISION :**

The Braintree District Council as local planning authority has considered your application and gives notice of its decision to **GRANT** planning permission in accordance with the above plan(s) and subject to the Section 106 Agreement and the following conditions and reasons:

### **Planning Decision Notice**

We hereby certify this to be a true copy of the original

18/01318/OUT

Date 31<sup>st</sup> March 2021 *Holmes & Hills LLP* Page 1 of 25

Holmes & Hills LLP  
A12 Commercial Hub, 88 London Rd, Marks Tey, Essex, CO6 1ED

## 1 Time Limit

Details of the:-

- (a) scale;
- (b) appearance;
- (c) layout of the building(s); and
- (d) landscaping of the site
- (e) (hereinafter referred to as "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Application for approval of the first reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission.

Each phase of the development shall be commenced not later than 2 years from the date of approval of the last reserved matters approval for that phase.

All Reserved Matters applications shall be made to the Local Planning Authority not later than 10 years from the date of this permission.

### Reason

The particulars submitted are insufficient for consideration of the details mentioned and also pursuant to Section 92 of the Town and Country Planning Act 1990.

## 2 Scope of Development

The submission of reserved matter applications pursuant to this outline planning permission shall together provide for no more than 1000 residential dwellings, including affordable and market housing; land for a new primary school and early years/childcare facilities; a local centre including A1-A5 retail uses; land for the provision of employment use (B1/B2 use class); creation of two vehicular access points from the A131 and Broad Road; a network of cycle and pedestrian routes, improvements to the River Walk on the site; provision of sustainable drainage systems and other associated infrastructure; open space and landscaping and shall demonstrate compliance with the approved plans and the Design Code listed above.

### Reason

For the avoidance of doubt and in the interests of proper planning.

## 3 Phasing Plan

On or before the submission of the first reserved matters application for the site the applicant shall submit a phasing plan to the Local Planning Authority for approval. The development shall be carried out in accordance with the approved phasing plan unless a subsequent phasing plan is submitted to and approved by the Local Planning Authority in which case the development shall from that point be carried out in accordance with the updated phasing plan.

### Reason

To ensure that the Local Planning Authority and statutory consultees are aware of the order in which the site is proposed to be built out and the predicted timescales for this.

## Planning Decision Notice

#### 4 Site Levels

Any Reserved Matters application relating to scale or layout shall be accompanied by full details of the finished levels, above ordnance datum, of the ground floor(s) of any proposed building(s), in relation to proposed ground levels and shall also be accompanied by drawings showing proposed and existing site ground levels.

#### Reason

To avoid the excessive raising or lowering of any building hereby permitted and the alterations of ground levels within the site which may lead to un-neighbourly development with problems of overlooking and loss of privacy.

#### 5 Landscaping

Each Reserved Matters application relating to landscaping shall be accompanied by a landscaping scheme incorporating a detailed specification of hard and soft landscaping works. This shall include plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying, refuse storage and signs.

Each landscaping scheme shall demonstrate that the expertise of a soil specialist has been sought to advise on soil handling to ensure that the soil retains as many of its ecosystem services and functions as possible through careful soil management.

All areas of hardstanding shall be constructed using porous materials laid on a permeable base where it is demonstrated that this is required under a surface water drainage scheme which has been approved by the Local Planning Authority.

All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in phases to be agreed as part of that scheme by the local planning authority.

All relevant hard surface areas (i.e. those which are reasonably required to allow pedestrian and vehicle access to the building in question) agreed as part of the scheme shall be carried out before the first occupation of the buildings to which it relates or upon the completion of the development whichever is the earlier.

Any trees or plants which die, are removed, or become seriously damaged or diseased within a period of 5 years from the completion of the development, shall be replaced in the next planting season with others of a similar size and species.

#### Reason

To enhance the appearance of the development and in the interests of amenity and privacy.

#### 6 Broadband

Any Reserved Matters application shall be accompanied by a strategy for the following for the phase(s) of development to which the Reserved Matters relate:

- details of a strategy for fibre broadband provision to the new dwellings

The Development shall be carried out in accordance with the approved strategy.

### Planning Decision Notice

**Reason**

To ensure that an acceptable level of broadband provision is made to each of the new dwellings.

**7 Electric Vehicle Charging Points**

Applications for Reserved Matters for the development of the Residential Development Area, Local Centre and Employment Area as defined on drawing 9600 Rev M shall be accompanied by a strategy demonstrating how Electric Vehicle Charging Points will be incorporated in the development. As a minimum each new dwelling shall provide one charging point wherever practical and details to be submitted in the strategy shall include:

- Location of the electric vehicle charging points; and
- Specification of the charging points.

**Reason**

To ensure that the development makes adequate provision for electric vehicle charging in the interests of creating a sustainable development.

**8 Construction Environmental Management Plan**

A construction environmental management plan (CEMP: Biodiversity) shall be submitted with each application for Reserved Matters and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the relevant construction period strictly in accordance with the approved details.

**Reason**

To protect protected and priority species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

**9 Biodiversity Enhancement Plan**

Each phase of the development shall be the subject of a Biodiversity Enhancement Strategy for Protected and Priority species. This Strategy shall be submitted with each Reserved Matters application and approved in writing by the local planning authority.

**Planning Decision Notice**

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures for the relevant phase of the development;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans for the relevant phase of the development;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures for the relevant phase of the development;
- f) details of initial aftercare and long-term maintenance (where relevant) for the relevant phase of the development.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

**Reason**

To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

**10 Refuse/Recycling Facilities**

Each Reserved Matters application that seeks approval of the appearance, layout or scale of any building(s) hereby permitted, shall be accompanied by full details, for approval by the Local Planning Authority, of the location and design of the refuse bins and recycling materials separation, storage areas and collection points for individual dwellings and commercial properties.

The relevant refuse storage and collection facilities shall be provided prior to the first occupation of each of the building(s) to which the Reserved Matters application relates and shall be retained in the approved form thereafter.

**Reason**

To ensure adequate provision is made for refuse storage, collection and recycling on the site.

**11 Tree Surveys**

Each Reserved Matters application relating to layout and/or landscaping shall be accompanied by a Tree Survey which shall be submitted to and approved by the Local Planning Authority and shall include:

- A detailed survey plan drawn to an adequate scale indicating the height, girth, spread, species and exact location of all existing trees, shrubs and hedges on the Reserved Matters site and on land adjacent to the Reserved Matters site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed in accordance with BS5837: Trees in relation to design, demolition and construction - Recommendations) (or in an equivalent British Standard if replaced);
- A schedule in relation to every tree or group of trees identified listing details of any proposed pruning, felling or other work;
- Details of any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection

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area.

The survey shall also demonstrate to the satisfaction of the Local Planning Authority that measures have been taken to keep proposed tree and hedgerow removal to an absolute minimum and that, where achievable a net gain via new tree and hedge planting will be achieved for the relevant part or phase of the site.

The development shall only be carried out in accordance with the approved details.

**Reason**

To ensure the appropriate protection and retention of existing trees, shrubs and hedges and to ensure that tree/hedge/shrub removal only takes place where it is properly justified.

**12 Ecology Survey Updates**

If specific phases of the development hereby approved do not commence within 2 years from the date of the outline planning consent then the following shall be undertaken by the applicant and submitted to the Local Planning Authority for approval:

The approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. Establish if there have been any changes in the presence and/or abundance of Protected species and;
- ii. Identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the specific relevant phase of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

**Reason**

To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

**13 Construction Method Statement**

No development (including any demolition) shall take place on the site as a whole or in each and any phase of the development until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority for the relevant phase of the development. The Statement shall be specific to each phase of the development and shall provide for:

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- Safe access to/from the site including details of any temporary haul routes and the
- means by which these will be closed off following the completion of the construction
- of the development;
- Hours of working for site clearance; demolition and construction work including for
- starting of machinery and delivery of materials;
- Noise safeguarding - the developer shall have regard to BS:5228-Part 1 Code of
- Practice for noise and vibration control on construction and open sites
- The parking of vehicles of site operatives and visitors;
- The loading and unloading of plant and materials;
- The storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative display and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to manage air quality and control the emission of dust; particle matter
- and dirt during construction (the Developer shall have regard to BS: 5228 Part 2 Code of practice for noise and vibration control on construction and open sites;
- A scheme for recycling/disposing of waste resulting from demolition and construction works;
- Details of how the approved CMS will be implemented and adhered to, including
- contact details (daytime and 24 hour) for specifically appointed individuals responsible for ensuring compliance.
- Details of the keeping of a log book on site to record all complaints received from the public and the action taken in response. The log book shall be available for inspection by the Council and shall include information on the action taken in response to the complaint.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development and for each relevant phase of the development to which it refers.

**Reason**

To protect the amenities of the occupiers of nearby residential properties and the surrounding area and in the interests of highway safety.

**14 Archaeology 1 (Site Evaluation)**

No development or preliminary groundworks in a phase shall commence until a programme of archaeological evaluation for that phase has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

**Reason**

To enable full investigation and recording of this site of archaeological importance. The implementation of the agreed programme of archaeological evaluation is required prior to the commencement of development to ensure that the evaluation is carried out before construction works start which could damage any archaeology on the site.

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#### 15 Archaeology 2 (Fieldwork)

No development or preliminary groundworks can commence within each respective phase on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in a mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

#### Reason

To enable full investigation and recording of this site of archaeological importance. The implementation of the agreed programme of archaeological evaluation is required prior to the commencement of development to ensure that the evaluation is carried out before construction works start which could damage any archaeology on the site.

#### 16 SUDS 1 (Detailed SUDS Scheme)

No development shall take place within a specific development phase until a detailed surface water drainage scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Limiting discharge rates from the site to be as close as reasonably practicable to the greenfield run-off rate from the development of the same rainfall event for the 1 in 1-year and 1 in 100-year rainfall events.
- Provide sufficient surface water storage so that the run-off volume is discharged at a rate that does not adversely affect flood risk and that, unless designated to flood, that no part of the site floods for a 1 in 30-year event, and for a 1 in 100-year event no flooding shall occur within the development affecting any part of a building or utility plant susceptible to water.
- Provide sufficient storage to ensure no off-site flooding occurs as a result of the development during all storm events up to and including the 1 in 100-year plus climate change event.
- Final modelling and calculations for the specific development phase demonstrating compliance with the approved surface water drainage strategy covering the whole development.
- The appropriate level of treatment for all run-off leaving the site, in line with the CIRIA SUDs Manual C753.
- Detailed engineering drawings of each component of the drainage system included within the specific development phase.
- A final drainage plan which details exceedance and conveyance routes, finished floor and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy for the specific development phase and highlighting any minor changes to the approved strategy.

The scheme for each development phase shall subsequently be implemented prior to occupation of that phase. Regard must also be had to the requirements of Condition 52 of this planning permission when seeking to discharge the above condition.

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**Reason**

To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site; to provide mitigation of any environmental harm which may be caused to the local water environment and to ensure that the detailed surface water drainage strategy and landscape strategy for the site take into account the full existing baseline conditions on the site. The details of the surface water drainage scheme are required prior to the commencement of development to ensure that a system is not installed that is not sufficient to deal with surface water occurring during rainfall events leading to increased flood risk and pollution hazard from the site.

**17 SUDS 2 (Contamination)**

No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the approval of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

**Reason**

To ensure that risks from the infiltration of surface water through contaminated land which has the potential to impact upon groundwater quality is mitigated.

**18 SUDS 3 (Maintenance Plan)**

No development shall take place within a specific development phase until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

The Maintenance Plan must include a requirement that annual maintenance logs must be maintained and that these should be available for inspection upon request by the Local Planning Authority. Should any part be maintained by a maintenance company, details of long-term funding arrangements should be provided.

**Reason**

To ensure appropriate maintenance arrangements are put in place for the lifetime of the development to enable the surface water drainage strategy system to function as intended to ensure mitigation against flood risk.

**19 SUDS 4 (Construction Phase Flood Risk)**

No development, including engineering works shall take place until a scheme to minimise the risk of off-site flooding and pollution caused by surface water run-off during construction works associated with a specific phase has been submitted to, and approved in writing by, the Local Planning Authority.

**Reason**

To ensure that the development does not increase flood risk or contribute to water pollution during the construction phase.

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**20 Contamination 1 (Further Investigation)**

Prior to the commencement of development except for demolition further investigation shall be undertaken to provide better characterisation of the site and to assess the nature and extent of any contamination on the site with a particular focus on the former landfill on the site and in relation to Asbestos, Ground gas and PAH. This investigation shall be carried out in accordance with the recommendations contained within the suite of documents which informed Chapter 10 'Land Contamination' of the submitted Environmental Statement and are contained at Appendix 10.1 to 10.6 inclusive of this Statement. The results shall be submitted to the Local Planning Authority for approval.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

**21 Contamination 2 (Remediation)**

Prior to the commencement of development except for demolition in each phase the applicant shall submit to the Local Planning Authority for approval a remediation scheme to bring the site to a suitable condition in that it represents an acceptable risk to the Local Planning Authority. Formulation and Implementation of the remediation scheme shall be undertaken by competent persons and in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. Further advice is available in the 'Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**22 Contamination 3 (Remediation 2)**

The developer shall give one-month's advanced notice in writing to the Local Planning Authority of the impending completion of the remediation works required under Condition 21. Within four weeks of completion of the remediation works a validation report undertaken by competent person or persons and in accordance with the 'Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers' and the agreed remediation measures shall be submitted to the Local Planning Authority for approval. There shall be no residential occupation of the site (or beneficial occupation of the school or commercial buildings hereby permitted) until the Local Planning Authority has approved the validation report in writing.

Furthermore, prior to occupation of any residential or commercial property or the school hereby permitted, the developer shall submit to the Local Planning Authority a signed and dated certificate to confirm that the remediation works have been completed in strict accordance with the documents and plans comprising the remediation scheme agreed in writing with the Local Planning Authority.

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**Reason**

To protect the amenities of the occupiers of the residential properties hereby permitted.

**23. Contamination 4 (Long Term Monitoring)**

No development of each phase shall take place until a long-term monitoring and maintenance plan as set out in the remediation strategy in respect of contamination (including the monitoring of the long-term effectiveness of the proposed remediation of ground gases) including a timetable of monitoring and the submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports.

On completion of the monitoring for each phase specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**24. Contamination 5 (Asbestos)**

Prior to the demolition of any existing buildings on the site the applicant shall submit an asbestos survey to the Local Planning Authority in relation to these buildings. Should any asbestos be identified within the buildings then the Survey shall include details of how the demolition process will be managed to ensure that the asbestos is safely removed from the buildings and from the site.

**Reason**

To ensure that the risks from asbestos contamination to existing residents in the locality and to future users/occupiers of the land are safely managed. The survey is required prior to the demolition of any existing buildings to ensure that safeguarding measures are in place from the outset, where required.

**25. Noise (New Dwellings)**

Prior to commencement of development in any relevant phase, (i.e. where it has been identified at the Reserved Matters Stage that noise mitigation to protect the occupiers of new dwellings from noise from the A131 will be required) the applicant must submit to the Local Planning Authority for approval a detailed noise mitigation report. The Report shall detail measures that will be incorporated into the development to ensure that proposed residential development affected by noise from the A131 is adequately protected from such noise. The assessment must be completed in line with BS8233. The relevant phase of the development shall only be carried out in accordance with the approved details and shall be retained as such thereafter.

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**Reason**

To protect the amenities of the occupiers of the residential properties hereby permitted.

**26 Skylark Mitigation**

Prior to the commencement of development a Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority, to mitigate the loss of any Skylark territories on the site. This shall include provision of the evidenced number of Skylark nest plots in nearby agricultural land and the timing for such provision.

The content of the Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed Skylark nest plots;
- b) detailed methodology for the Skylark nest plots following Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the Skylark plots by appropriate maps and/or plans;
- d) persons responsible for implementing the mitigation measure.

The Skylark Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

**Reason**

To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

**27 Badger Method Statement**

A Badger Method Statement shall be submitted to and approved in writing by the local planning authority prior to commencement of each phase of the development including any vegetation clearance works. The method statement shall determine the need for badger sett closures or additional mitigation measures, and shall be supported by an up to date survey to identify if changes of badger activity have occurred on the site. Any measures and/works shall be carried out strictly in accordance with the approved details.

**Reason**

To conserve Protected species and allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 as amended, the Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

**28 Bus Stops (Within Site)**

Prior to commencement of each phase of the development details shall be submitted to and approved in writing by the Local Planning Authority to show the locations and specification of bus stops within the proposal site and any required on site bus turn round and/or layover facilities (temporary and/or permanent) within that phase.

No occupation of that phase of the development shall take place until the agreed details have been provided in full.

**Reason**

To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport,

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cycling and walking.

## 29 Tree Protection

Development in any phase of the development and under any Reserved Matters approval shall not be commenced until details of the means of protecting all or the existing trees, shrubs and hedges to be retained on the site, as per the approved details required under Condition 11 above, from damage during the carrying out of the development have been submitted to the local planning authority for approval. The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the relevant part of the site and shall remain in place until after the completion of the relevant part of the development to the complete satisfaction of the local planning authority.

No materials, goods or articles of any description shall be stacked, stored or placed at any time within the limits of the spread of any of the existing trees, shrubs or hedges.

No works involving alterations in ground levels, or the digging of trenches, or excavations of any kind, (including the laying or installation of drains, pipes, cables or other services) shall be carried out within the extent of the spread of any existing trees, shrubs and hedges unless the express consent in writing of the local planning authority has previously been obtained. No machinery of any kind shall be used or operated within the extent of the spread of the existing trees, shrubs, hedges.

### Reason

To ensure the protection and retention of existing/remaining trees, shrubs and hedges identified as being retained. These details are required prior to the commencement of the development as they relate to measures that need to be put in place prior to construction activities commencing which could damage roots.

## 30 Public Right of Way Temporary Diversion/Closure

Prior to the commencement of any phase of development which would affect the use of the existing Bridleway and/or public footpaths which cross the site the applicant shall submit to the Local Planning Authority for approval details of any necessary diversions to these public rights of way, including:

- The maximum time of any temporary diversion or closure;
- Justification for such temporary diversion or closure;
- Details of any temporary diversion or closure;
- Details of engagement with relevant stakeholders including Essex County Council Highways who are the Authority responsible for approving any requested public right of way diversions or closures.

Any temporary diversions or closures of these public rights of way shall only be carried out in accordance with the approved details.

### Reason

To ensure that the impact of the development upon the existing public rights of way which cross the site are kept to a minimum.

## 31 Archaeology 3 (Post Excavation Assessment)

The applicant will submit to the local planning authority a post-excavation

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(archaeology) assessment for each phase (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

**Reason**

To enable full investigation and recording of this site of archaeological importance.

**32 Foul Drainage**

Prior to any construction above damp proof course on each phase, a scheme for on-site foul water drainage works for that phase, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase shall be completed in full in complete accordance with the approved scheme.

**Reason**

To prevent environmental and amenity problems arising from flooding. The strategy is required prior to the commencement of development to ensure that the development is carried out in accordance with the approved strategy from the outset.

**33 Means of Enclosure**

Prior to first occupation of any phase of the development hereby approved details of all gates / fences / walls or other means of enclosure within the relevant phase of the development shall be submitted to and approved in writing by the local planning authority. The details shall include position, design, height and materials of the enclosures. The enclosures as approved shall be provided prior to the occupation of the development and shall be permanently retained as such and only in accordance with the approved details.

**Reason**

In order to secure the satisfactory development of the site and in the interests of visual amenity.

**34 Piling**

No piling or any other foundation designs using penetrative methods shall be undertaken on the site during the construction of any phase of the development unless and until:

- a) A system of piling and resultant noise and vibration levels has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Head of Environmental Services for the relevant development phase. The approved system shall be adhered to throughout the construction process and the development shall be carried out in accordance with the approved details; and
- b) The applicant has demonstrated to the satisfaction of and received approval in writing from the Local Planning Authority that the area of the site where piling or any other penetrative foundation designs are proposed does not present an unacceptable risk to groundwater resulting from the construction methods proposed.

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The development shall be carried out in accordance with the approved details.

**Reason**

To protect the amenity of existing residents in the locality and because piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

**35 Contamination 6 (Unexpected Contamination)**

If during development, contamination not previously identified is found to be present at the site then it must be reported in writing immediately to the Local Planning Authority. No further development shall be carried out until an investigation and a risk assessment has been undertaken and the developer has submitted a remediation strategy to the local planning authority for approval detailing how this contamination shall be dealt with. The remediation strategy shall then be implemented as approved and the development shall only continue in accordance with it. The long term monitoring and maintenance plan for the site in respect of contamination as required by Condition 23 shall be updated to reflect the unexpected contamination found and shall be re-submitted to the Local Planning Authority for approval.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**36 Contamination 7 (Unexpected Remediation)**

If applicable the developer shall give one-month's advanced notice in writing to the Local Planning Authority of the impending completion of the remediation works required under Condition 35. Within four weeks of completion of the remediation works a validation report undertaken by competent person or persons and in accordance with the 'Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers' and the agreed remediation measures shall be submitted to the Local Planning Authority for approval. There shall be no residential occupation of the site (or beneficial occupation of the school or commercial buildings hereby permitted) until the Local Planning Authority has approved the validation report in writing.

Furthermore, prior to occupation of any residential or commercial property or the school hereby permitted, the developer shall submit to the Local Planning Authority a signed and dated certificate to confirm that the remediation works have been completed in strict accordance with the documents and plans comprising the remediation scheme agreed in writing with the Local Planning Authority.

**Reason**

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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**37 Noise (Noise Reports - Plant on New Buildings)**

Prior to the installation of any plant at any educational or commercial premises on the site the applicant must submit a noise level assessment in accordance with BS4142:2014 for approval by the Local Planning Authority. The proposed plant shall only be installed in accordance with the approved details and retained as such thereafter.

**Reason**

To protect the amenities of the occupiers of the residential properties hereby permitted.

**38 Landscape and Ecological Management Plan**

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of the each phase of the development.

The LEMP documents shall be interlinked and the content of each LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

**Reason**

To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

**39 BREEAM**

Development for employment uses as defined on drawing 9600 Rev M shall meet BREEAM 'Very Good' rating. Post-construction certification demonstrating how the employment development has met BREEAM 'Very Good' as a minimum shall be submitted to and approved in writing by the Local Planning Authority within six months of completion.

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**Reason**

To ensure that the employment buildings are constructed to the highest standards in terms of sustainable development.

**40 Bat License**

The works to demolish 'building 4' as defined in Chapter 8 of the Barton Willmore Environmental Statement Volume 1 (July 2018) and associated Environmental Statement Addendum (October 2019) shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

These are to be submitted to the Local Planning Authority for approval prior to the demolition of 'building 4'.

**Reason**

To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

**41 Water Vole and Otter Method Statement**

A Water Vole and Otter Method Statement shall be submitted to and approved in writing by the local planning authority prior to commencement of any outfall works occurring at the River Blackwater.

The method statement shall provide additional mitigation measures and/or works if required and shall be supported by an up to date survey to identify if changes of activity from Otter and Water Vole activity have occurred at the site.

Any measures and/works shall be carried out strictly in accordance with the approved details.

**Reason**

To conserve Protected species and allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 as amended, the Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

**42 Ecological Design Strategy (Landscape Riverside Area)**

Prior to the completion of the earthworks required to construct the SUDs basins located in the Landscape Riverside area located in the south of the application site as shown on the Key Identity Areas Plan on p55 of the Outline Design Code, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority for the entire biodiversity area located in the southern part of the application site. This area is shown on the above Key Identity Areas Plan as an area of green infrastructure identified as 'Landscape: Riverside'.

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The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

**Reason**

To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

**43 Lighting Scheme**

No above ground development shall commence in each phase of the development unless and until a lighting design scheme to protect biodiversity for that phase (and which links in to and takes account of the biodiversity lighting scheme for the whole site) has been submitted to and approved in writing by the local planning authority.

The scheme shall identify those features on, or immediately adjoining the site, that are sensitive for bats, including those areas where lighting could cause disturbance along important bat foraging routes; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, isolux drawings and technical specifications) so that it can be clearly demonstrated that any areas of the development that are to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and retained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**Reason**

To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

**44 Travel Plan**

Prior to the first occupation of the first phase of the development an overall Travel Plan (in accordance with Essex County Council guidance) for the site shall be submitted for approval by the Local Planning Authority.

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**Reason**

To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

**45 Materials Samples**

Construction of any buildings above ground level shall not be commenced until samples of the materials to be used on the external finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

**Reason**

To ensure a high quality palette of materials is used to help produce a high-quality development, consistent with the Council's Planning policies.

**46 Hours of Work**

No site clearance, demolition or construction work shall take place on the site, including starting of machinery and delivery of materials, outside the following hours:

Monday to Friday - 08:00-18:00 hours  
Saturday - 08:00-13:00 hours  
Sunday - No work  
Bank Holidays - No work

**Reason**

To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

**47 Vehicle Movements**

With the exception of those specified within any approved Construction Method Statement there shall be no vehicular movements to, from or within the site outside the following times:-

Monday to Friday 0800 hours - 1800 hours  
Saturday 0800 hours - 1300 hours  
Sundays and Bank Holidays - no vehicular movements

**Reason**

To protect the amenities of the occupiers of nearby residential properties and the surrounding area. The Statement is required prior to the commencement of development to ensure that measures are in place to safeguard the amenity of the area prior to any works starting on site.

**48 Noise (Upper Limit for Plant on New Buildings)**

The rating level of noise emitted from any plant at the educational and commercial premises on the development shall not exceed the background level (determined by measuring LA90 for any 15 minute period when the premises is not operating, but which should be similar as possible to conditions that prevail during the operation of the premises) by more than 5dB(A) measured as LAeq (15 minutes). The noise levels shall be determined at any noise sensitive dwelling, in accordance with measurement procedures laid down in BS 4142 : 2014.

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**Reason**

To protect the amenities of the occupiers of the residential properties hereby permitted.

**49 Spline Road Width**

The proposal site's spline road(s) (spline road as defined in the approved Outline Design Code) carriageway shall be a minimum 6.75 metres wide.

**Reason**

To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

**50 Broad Road Access**

No occupation of the development shall take place until the following has been provided and completed:

A priority junction with right turn lane off Broad Road to provide access to the proposal site as shown in principle on the planning application drawings.

**Reason**

To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

**51 PD Rights (Parking)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order) no alteration or enclosure of covered parking areas or conversion of any garages to habitable accommodation as permitted by Class A of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the Local Planning Authority.

**Reason**

To ensure that such parking areas and garages remain available for their intended use of car parking so that the development will continue to make an acceptable level of parking provision.

**52 SUDS 5 (Baseline Information)**

Prior to the commencement of development the applicant shall collect hydrogeological and hydrological baseline information on the site to the written satisfaction of the Local Planning Authority and relating to the ponds; springs; watercourses and gravel pits on the site and this information will inform the details of the detailed surface water drainage strategy for each phase of the site as required under Condition 16 above and the landscape strategy for the site. The baseline information shall include the following:

- volume (ponds & gravel pits)
- flow direction
- channel type (heavily vegetated, narrow, steep, flat, shallow etc)

**Planning Decision Notice**

- maximum flow
- maximum water level during extreme events
- minimum flow
- minimum water level (for water quality, habitat etc)
- water sources specific to each feature
- inputs (any other springs, off site inputs that might affect the watercourses and ponds at various times)
- abstractions
- existing management regime (including but not limited to, any pumping systems, weedcutting regimes or gauges onsite, upstream or downstream of the site)
- catchment description (including wider catchment if potential to influence onsite catchments)
- description of downstream receptors.
- any existing structures onsite or adjacent to it, e.g. bridges, culverts that could impact flow conveyance.

**Reason**

To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site; to provide mitigation of any environmental harm which may be caused to the local water environment and to ensure that the detailed surface water drainage strategy and landscape strategy for the site take into account the full existing baseline conditions on the site. The details are required prior to the commencement of development to ensure that a system is not installed that is not sufficient to deal with surface water occurring during rainfall events leading to increased flood risk and pollution hazard from the site.

- 53 Each phase of the development hereby permitted shall provide for a minimum of 20% of the Market Housing as 1 or 2-bed dwellings.

**Reason**

To ensure an appropriate mix of market housing is secured across the site to help meet housing need for market housing, as identified in the Council's Strategic Housing Market Assessment and in accordance with Policy RLP8 of the Adopted Local Plan Review.

- 54 Details of any proposed external lighting to the site shall be submitted to, and approved in writing by, the local planning authority prior to installation. The details shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and energy efficiency measures). All lighting shall be installed, maintained and operated in accordance with the approved details. There shall be no other sources of external illumination.

**Reason**

To minimise pollution of the environment and to safeguard the amenities of the locality and the appearance of the development.

**Policies:**

The Development Plan policies taken into account when deciding this application are listed below. The policies can be viewed in full at Causeway House or on the Council's website – [www.braintree.gov.uk](http://www.braintree.gov.uk)

**Planning Decision Notice**

## Braintree District Local Development Framework Core Strategy 2011

CS2	Affordable Housing
CS3	Gypsies and Travellers and Travelling Showpersons
CS5	The Countryside
CS6	Retailing and Town Centre Regeneration
CS7	Promoting Accessibility for All
CS8	Natural Environment and Biodiversity
CS10	Provision for Open Space, Sport and Recreation

## Braintree District Local Plan Review 2005

RLP2	Town Development Boundaries and Village Envelopes
RLP7	Housing and Mixed Use Sites
RLP8	House Types
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP22	Accessible Housing and Lifetime Housing
RLP27	Location of Employment Land
RLP30	Diversity of Industrial and Commercial Premises
RLP31	Design and Layout of Business Parks
RLP32	Workplace Nurseries
RLP34	Buffer Areas between Industry and Housing
RLP35	Non-Conforming and Un-Neighbourly Industry
RLP36	Industrial and Environmental Standards
RLP49	Pedestrian Networks
RLP50	Cycleways
RLP51	Cycle Parking
RLP52	Public Transport
RLP53	Generators of Travel Demand
RLP54	Transport Assessments
RLP55	Travel Plans
RLP56	Vehicle Parking
RLP62	Development Likely to Give Rise to Pollution or the Risk of Pollution
RLP63	Air Quality
RLP64	Contaminated Land
RLP65	External Lighting
RLP67	Flood Risk in Undeveloped Areas
RLP69	Sustainable Urban Drainage
RLP70	Water Efficiency
RLP71	Water Supply, Sewerage & Drainage
RLP72	Water Quality
RLP74	Provision of Space for Recycling
RLP77	Energy Efficiency
RLP80	Landscape Features and Habitats
RLP81	Trees, Woodland Grasslands and Hedgerows
RLP83	Local Nature Reserves, Wildlife Sites, Sites of Local Nature Conservation Importance and Regionally Important Geological / Geomorphological Sites.
RLP84	Protected Species
RLP86	River Corridors
RLP90	Layout and Design of Development
RLP91	Site Appraisal
RLP92	Accessibility
RLP93	Public Realm
RLP94	Public Art

### **Planning Decision Notice**

RLP95	Preservation and Enhancement of Conservation Areas
RLP105	Archaeological Evaluation
RLP106	Archaeological Excavation and Monitoring
RLP138	Provision of Open Space in New Housing Developments
RLP140	River Walks/Linear Parks and Disused Railway Lines
RLP184	Environmental Impact Assessment

**Braintree District Shared Strategic Section 1 Local Plan (2021) & Draft Section 2 Local Plan (2017)**

SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Strategy for North Essex
SP3	Meeting Housing Needs
SP4	Providing for Employment and Retail
SP5	Infrastructure & Connectivity
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP2	Location of Employment Land
LPP7	Design and Layout of Employment Policy Areas and Business Uses
LPP17	Housing Provision and Delivery
LPP19	Strategic Growth Location - Land East of Broad Road, Braintree
LPP33	Affordable Housing
LPP36	Gypsy and Traveller and Travelling Showpersons' Accommodation
LPP37	Housing Type and Density
LPP44	Sustainable Transport
LPP45	Parking Provision
LPP49	Broadband
LPP50	Built and Historic Environment
LPP51	An Inclusive Environment
LPP52	Health and Wellbeing Impact Assessment
LPP53	Provision of Open Space, Sport and Recreation
LPP55	Layout and Design of Development
LPP56	Conservation Areas
LPP63	Archaeological Evaluation, Excavation and Recording
LPP64	Educational Establishments
LPP67	Natural Environment and Green Infrastructure
LPP68	Protected Species, Priority Spaces and Priority Habitat
LPP69	Tree Protection
LPP70	Protection, Enhancement, Management and Monitoring of Biodiversity
LPP71	Landscape Character and Features
LPP72	Green Buffers
LPP73	Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
LPP74	Climate Change
LPP75	Energy Efficiency
LPP77	Renewable Energy within New Developments
LPP78	Flooding Risk and Surface Water Drainage
LPP79	Surface Water Management Plan
LPP80	Sustainable Urban Drainage Systems
LPP81	External Lighting
LPP82	Infrastructure Delivery and Impact Mitigation

**Planning Decision Notice**



**In forwarding the decision for this application, I have to draw your attention to the following:-**

- 1 Your attention is drawn to the Essex County Council SUDs consultation response dated 15 August 2018 which includes a number of informatives to which you should have regard.
- 2 Your attention is drawn to the Environment Agency consultation response dated 30 August 2018 which includes a number of informatives to which you should have regard.
- 3 Your attention is drawn to the Anglian Water consultation response dated 15 November 2019 which includes a number of informatives to which you should have regard.
- 4 Your attention is drawn to the Essex County Council Highways consultation response dated 22 November 2019 which includes a number of informatives to which you should have regard.
- 5 In relation to Condition 9 of this Planning Permission your attention is drawn to the NPPF's requirements for providing Net Gains for Biodiversity.

Dated:

31<sup>st</sup> March 2021

Signed: \_\_\_\_\_



---

**Christopher Paggi**  
Planning Development Manager  
Causeway House, Bocking End, Braintree, Essex CM7 9HB

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**Planning Decision Notice**

## Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within 12 weeks of the Council's decision. For other application types you must appeal within 6 months of the Council's decision.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial appeals] of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone no. 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

## Land Purchase

If proposals are refused, whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council for the area in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 as amended.

## Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation where permission is refused by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 as amended.

## Planning Decision Notice

# **Braintree District Housing Supply Review 2023**

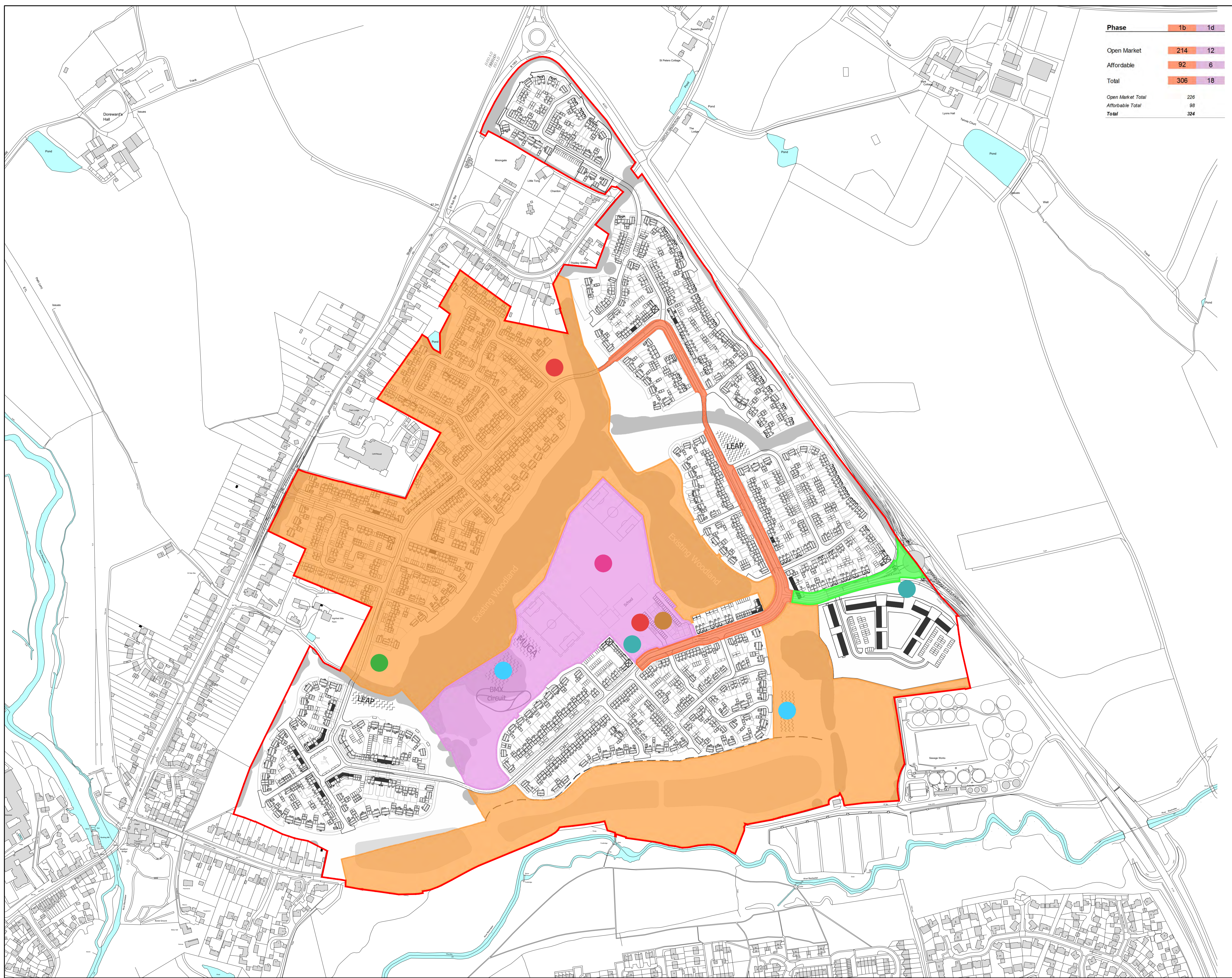
## **Appendix 2C**

### **Land East of Broad Road Braintree**

#### **Approved Phasing Plan**

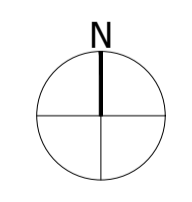
Phase	1b	1d
Open Market	214	12
Affordable	92	6
<b>Total</b>	<b>306</b>	<b>18</b>
Open Market Total	226	
Affordable Total	98	
<b>Total</b>	<b>324</b>	

- Site Boundary
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 1D
- Allotment
- Public Art
- Education Facility
- Neighbourhood Centre
- Equipped Area of Play
- Recycling Facilities



## PHASE 1

Project  
**Straits Mill,  
Braintree**  
Drawing Title  
**Phasing Plan**



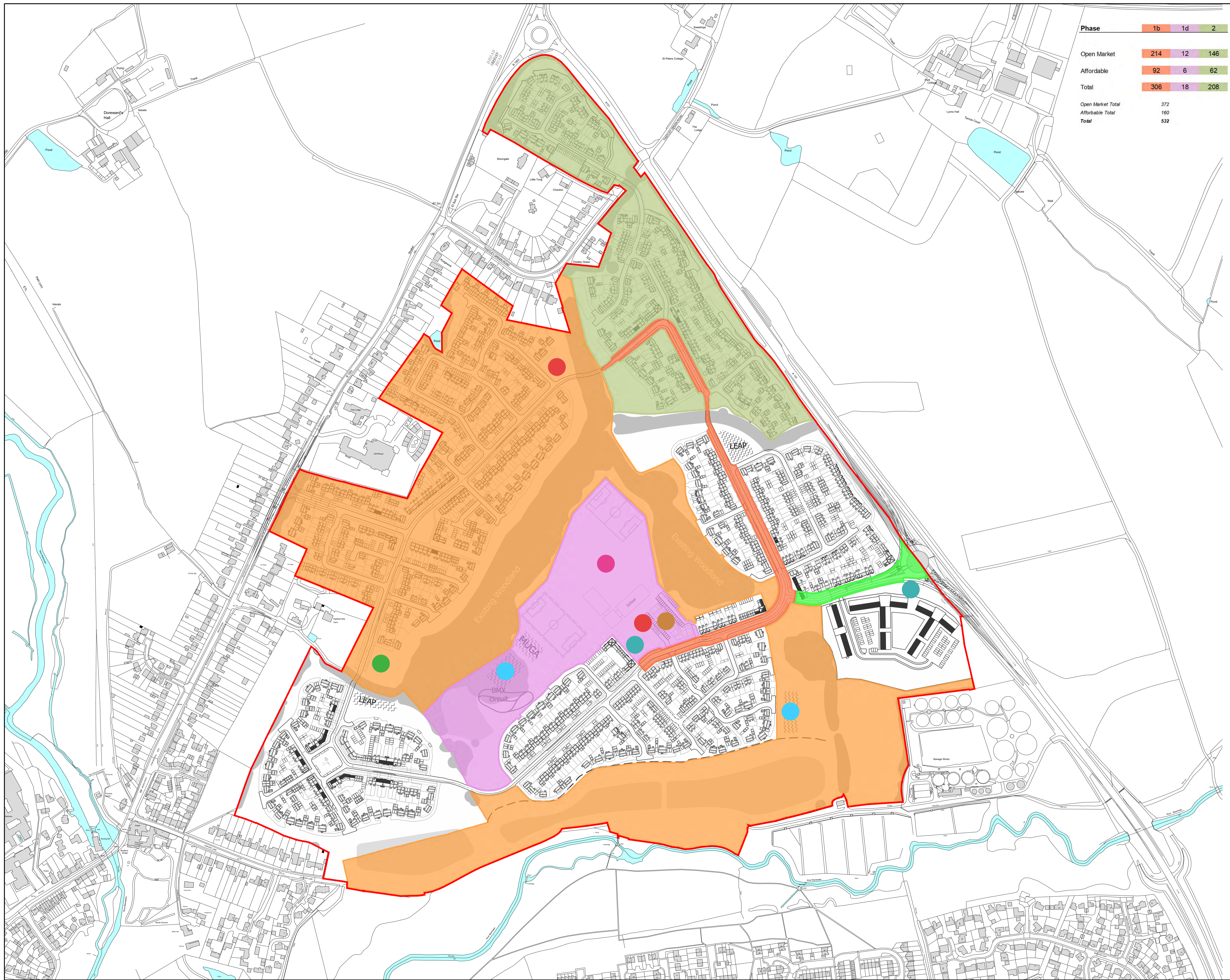
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Project No	Drawing No	Revision	
25629	BM-M-01.1	D	

**BARTON WILLMORE** now **Stantec**

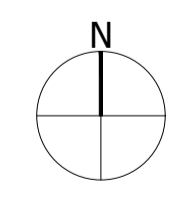
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Landscape Planning & Design • Infrastructure & Environmental Planning •  
Heritage • Graphic Communication •  
Communications & Engagement • Development Economics

Phase	1b	1d	2
Open Market	214	12	146
Affordable	92	6	62
<b>Total</b>	<b>306</b>	<b>18</b>	<b>208</b>
Open Market Total	372		
Affordable Total	160		
<b>Total</b>	<b>532</b>		

- Site Boundary
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 1D
- Phase 2
- Allotment
- Public Art
- Education Facility
- Neighbourhood Centre
- Equipped Area of Play
- Recycling Facilities



**PHASE 2**  
 Project  
**Straits Mill,  
 Braintree**  
 Drawing Title  
**Phasing Plan**



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Project No	25629	Drawing No	BM-M-01.2	Revision	D		

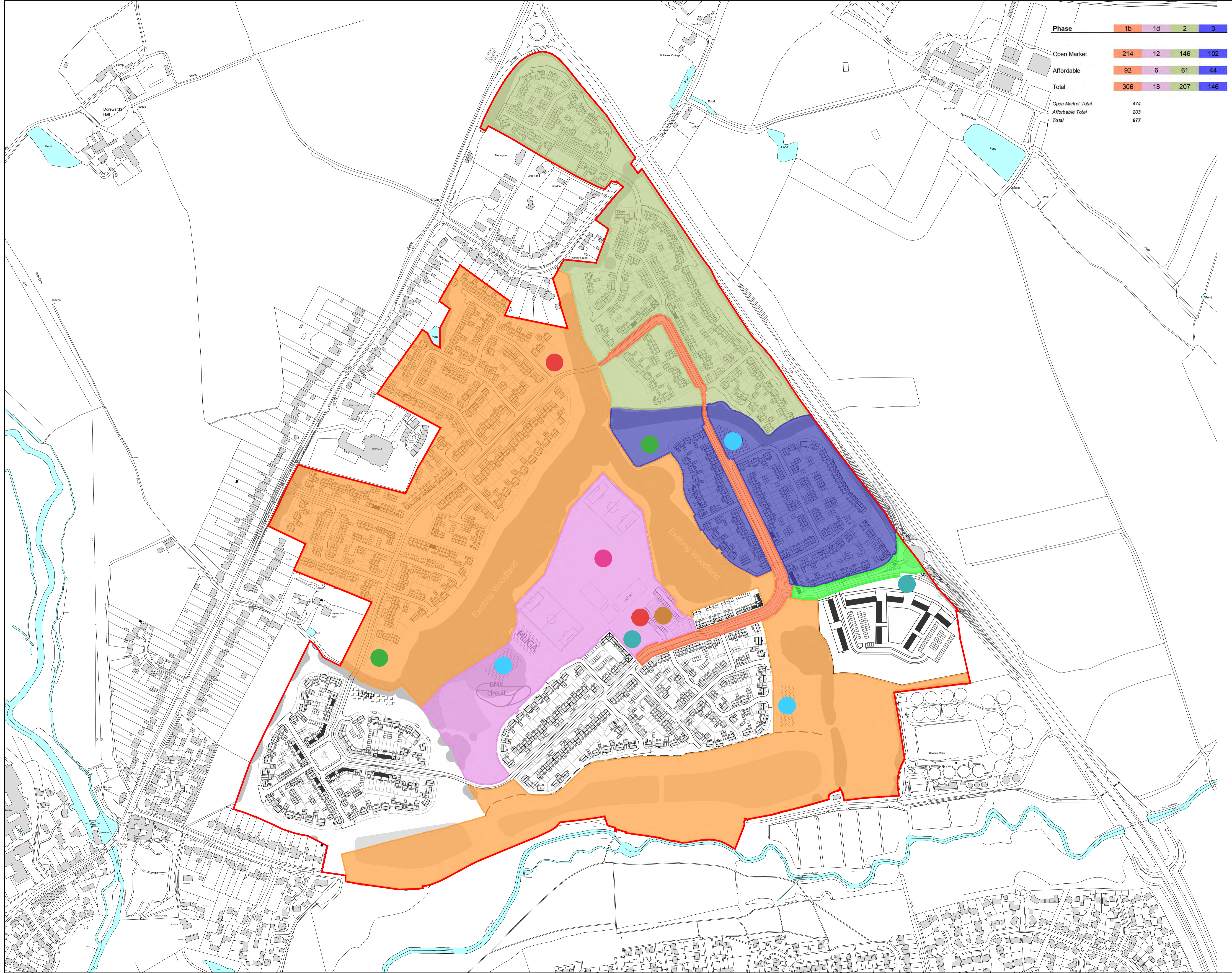
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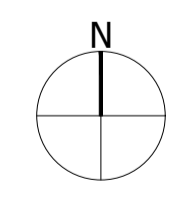
Phase	1b	1d	2	3
Open Market	214	12	146	102
Affordable	92	6	61	44
<b>Total</b>	<b>306</b>	<b>18</b>	<b>207</b>	<b>146</b>
Open Market Total	474			
Affordable Total	203			
<b>Total</b>	<b>677</b>			

- Site Boundary
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 1D
- Phase 2
- Phase 3
- Allotment
- Public Art
- Education Facility
- Neighbourhood Centre
- Equipped Area of Play
- Recycling Facilities



**PHASE 3**  
 Project  
**Straits Mill,  
 Braintree**  
 Drawing Title  
**Phasing Plan**

Date	Scale	Drawn by	Check by
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Project No	Drawing No	Revision	
25629	BM-M-01.3	D	



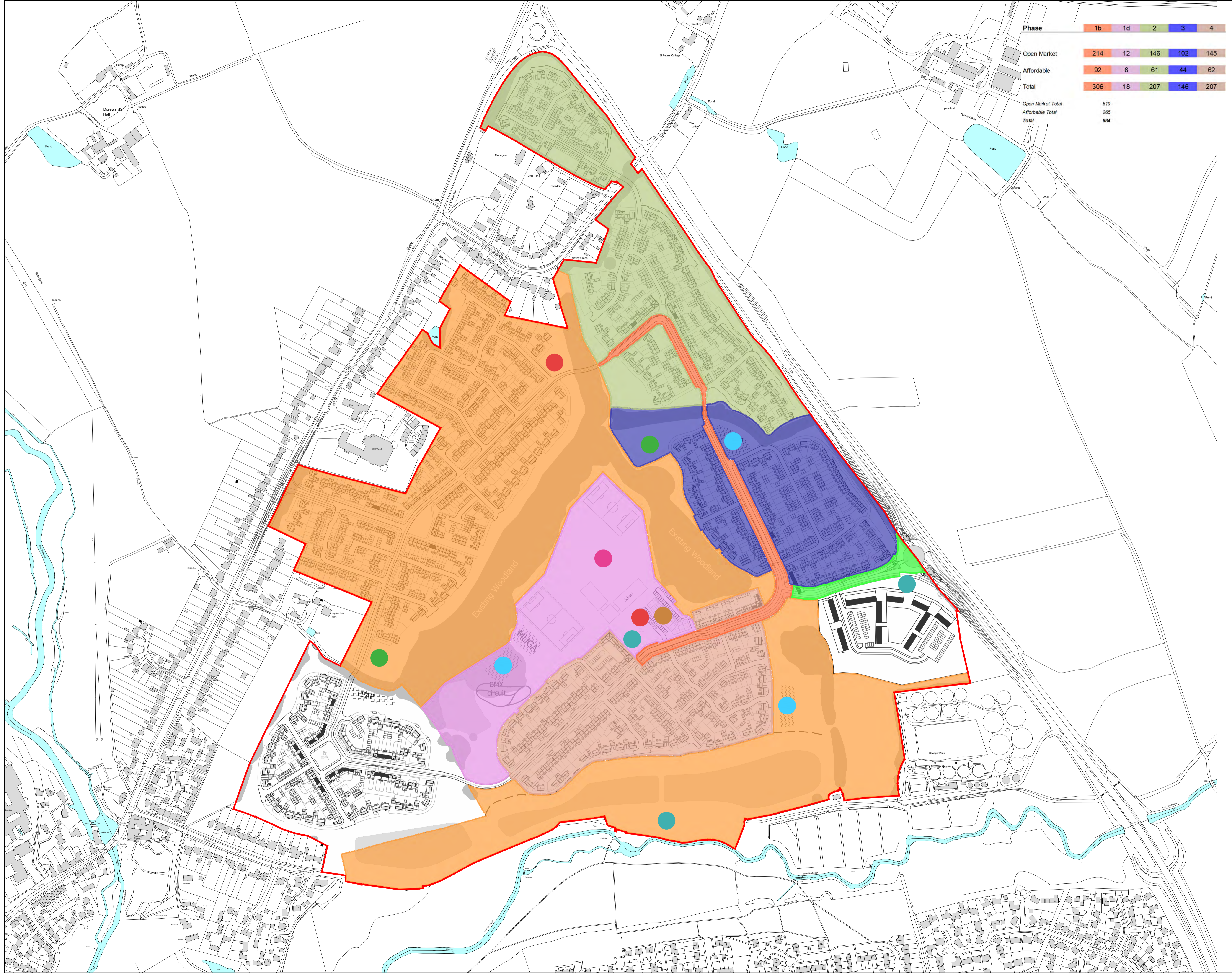
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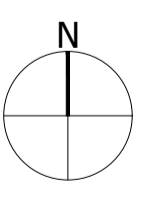
Phase	1b	1d	2	3	4
Open Market	214	12	146	102	145
Affordable	92	6	61	44	62
<b>Total</b>	<b>306</b>	<b>18</b>	<b>207</b>	<b>146</b>	<b>207</b>
Open Market Total	619				
Affordable Total	265				
<b>Total</b>	<b>884</b>				

- Site Boundary
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 1D
- Phase 2
- Phase 3
- Phase 4
- Allotment
- Public Art
- Education Facility
- Neighbourhood Centre
- Equipped Area of Play
- Recycling Facilities



**PHASE 4**  
 Project  
**Straits Mill,  
 Braintree**  
 Drawing Title  
**Phasing Plan**

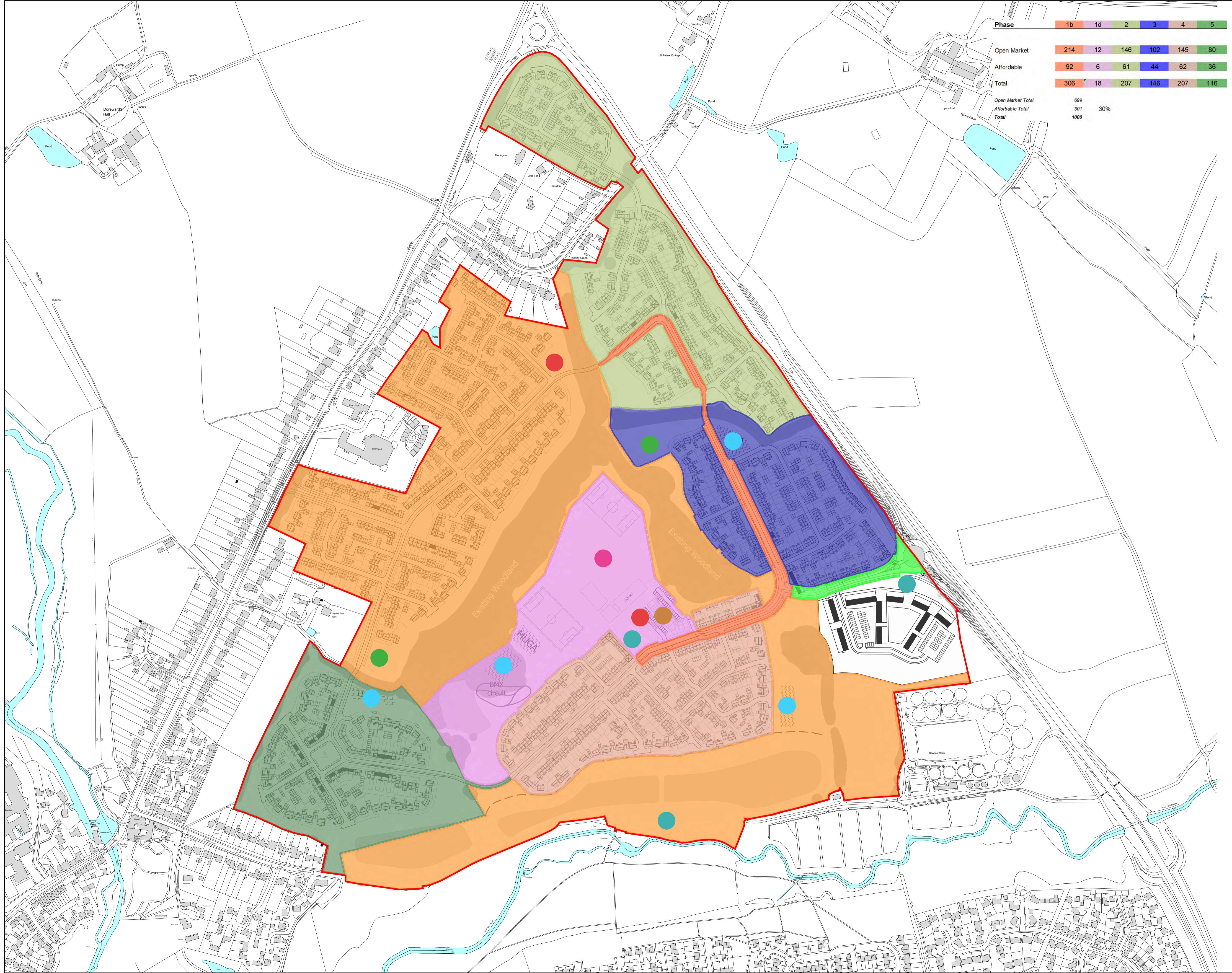
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22.07.21	1:2,500@A1	MS	BW
Project No	Drawing No	Revision	
25629	BM-M-01.4	D	



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Phase	1b	1d	2	3	4	5
Open Market	214	12	146	102	145	80
Affordable	92	6	61	44	62	36
<b>Total</b>	<b>306</b>	<b>18</b>	<b>207</b>	<b>146</b>	<b>207</b>	<b>116</b>
Open Market Total	699					
Affordable Total	301					
<b>Total</b>	<b>1000</b>					
	30%					

- Site Boundary
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 1D
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Allotment
- Public Art
- Education Facility
- Neighbourhood Centre
- Equipped Area of Play
- Recycling Facilities

## PHASE 5

Project  
**Straits Mill,  
Braintree**  
Drawing Title  
**Phasing Plan**

Date 22.07.21	Scale 1:2,500@A1	Drawn by MS	Check by BW
Project No 25629	Drawing No BM-M-01.5	Revision D	

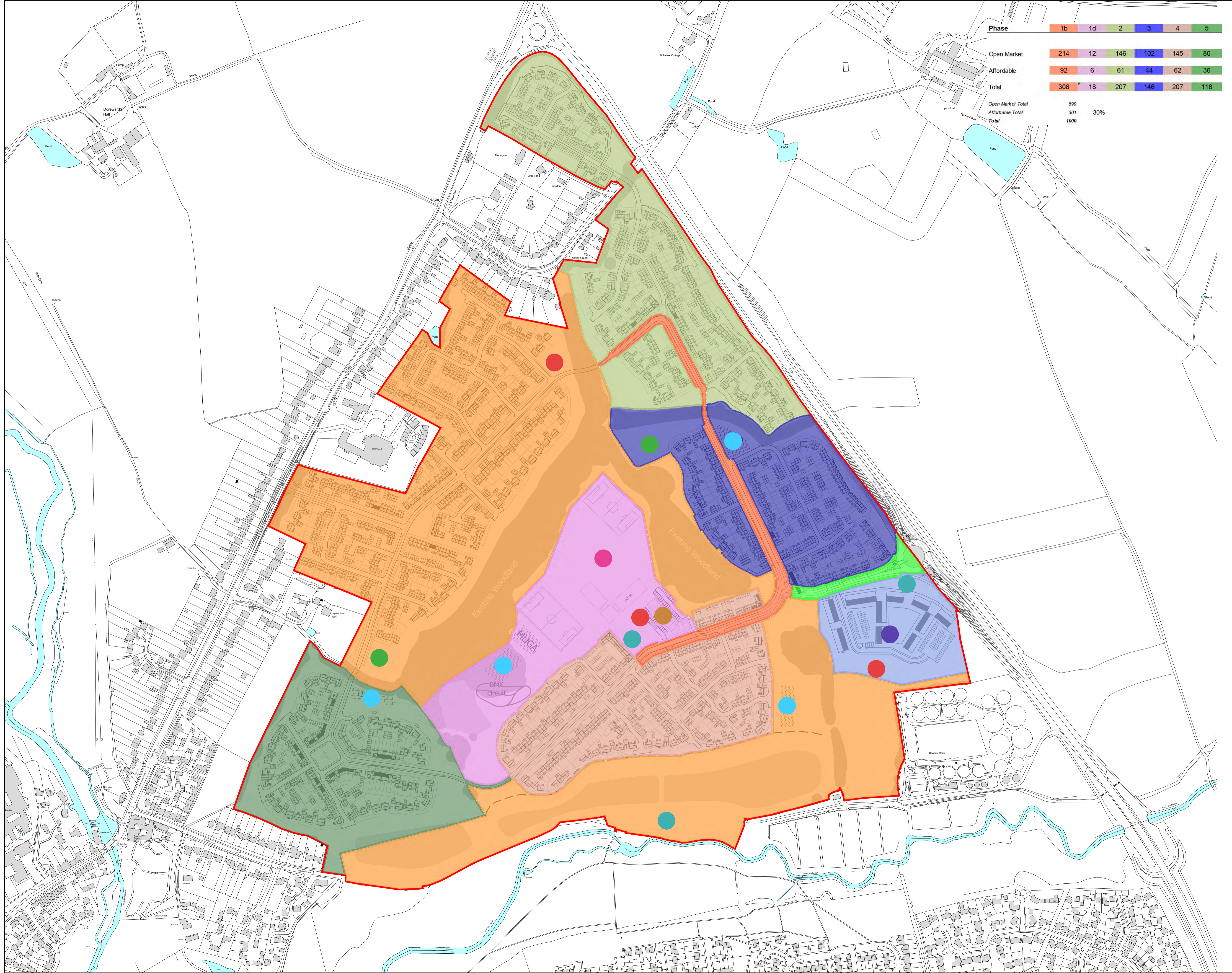
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Glasgow Leeds London Manchester Newcastle Reading Southampton





Phase	1b	1d	2	3	4	5
Open Market	214	12	146	102	145	80
Affordable	92	6	61	44	62	36
<b>Total</b>	<b>306</b>	<b>18</b>	<b>207</b>	<b>146</b>	<b>207</b>	<b>116</b>
Open Market Total	699					
Affordable Total	301					
<b>Total</b>	<b>1000</b>					
	30%					

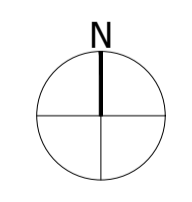
- Site Boundary
- Phase 1A
- Phase 1B
- Phase 1C
- Phase 1D
- Phase 2
- Phase 3
- Phase 4
- Phase 5
- Employment Phase \*
- Allotment
- Public Art
- Education Facility
- Neighbourhood Centre
- Equipped Area of Play
- Recycling Facilities
- Employment Floor Space

Notes:  
 \* Available upon completion of Phase 1 infrastructure works

## PHASE 6

Project:  
**Straits Mill,  
 Braintree**  
 Drawing Title:  
**Phasing Plan**

Date	Scale	Drawn by	Check by
22.07.21	1:2,500@A1	MS	BW
Project No	Drawing No	Revision	
25629	BM-M-01.6	D	



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 Glasgow Leeds London Manchester Newcastle Reading Southampton

# **Braintree District Housing Supply Review 2023**

## **Appendix 2D**

### **Land East of Broad Road Braintree**

#### **Covering letter, Reserved Matters submission**

Kathryn Oelman  
Principal Planner  
Braintree District Council  
Causeway House  
Bocking End  
Braintree  
CM7 9HB

Our Ref: 34752/A5/GP  
Date: 09 March 2023

Dear Kathryn,

**RE: Land East of Broad Road, Braintree ('Straits Mill') – Proposed Reserved Matters Application**

We are pleased to be submitting the first reserved matters application (RMA) on land east of Broad Road, Braintree. This reserved matters application follows the granting of outline planning permission (ref: 18/01318/OUT) on the 31 March 2021 for the following development:

*Outline application with all matters reserved except access for up to 1000 residential dwellings, including affordable and market housing; land for new primary school and early years/childcare facilities; a local centre including A1-A5 retail uses; land for the provision of employment use (B1/B2 use class); creation of two vehicular access points from the A131/Broad Road; a network of cycle and pedestrian routes, improvements to the River Walk to South of the Site; provision of sustainable drainage systems and other associated infrastructure; open space and landscaping. This application has been submitted with an Environmental Impact Assessment.*

Thank you for your recent correspondence regarding this application ahead of its submission and confirmation that the below information is sufficient for validation purposes.

The application submitted covers both the initial portion of spine road from the already approved A131 and Broad Road access points. Whilst those areas are in the red line they are already approved, and therefore the technical drawings and work focus solely on the spine road sections.

Reserved Matters Submission Material

The below table articulates the submission material, reference (ie: drawing number) and their relevance to the submission.

Document Submitted	Reference	Relevance
Application Form	N/A	For validation
Red Line Location Plan	Drawing: BL-M-03	For validation

Technical Road Layout Drawings	Drawing: TPHS/344/DR/001 Rev B Drawing: TPHS/344/DR/002 Rev A Drawing: TPHS/344/DR/003	For validation to address the 'reserved matters'
Road Overlay onto Approved Parameter Plans	Drawing: Parameter Plan Overlay Land Use and Access 34752 Rev A	To demonstrate compliance with the approved parameters.
Existing Levels	Drawing: TPHS/344/DR/005	To comply with condition 4 of the outline permission
Proposed Levels	Drawing: TPHS/344/DR/006 Rev A Drawing: TPHS/344/DR/007 Rev A	To comply with condition 4 of the outline permission
Design Code Compliance Statement	Barton Willmore, now Stantec Design Code Compliance Statement	To demonstrate compliance with the approved Code
Broadband Statement	Land East of Broad Road, Braintree (Straits Mill) – Broadband Strategy	To comply with condition 6 of the outline permission
Construction and Ecological Management Plan	Applied Ecology – February 2023 Version 1.0	To comply with condition 8 of the outline permission
Biodiversity Enhancements Plan	Applied Ecology – March 2023 Version 1.0	To comply with condition 9 of the outline permission
Planning and Design Covering Letter	This letter ref: 34752/A5/GP	For validation
Tree Survey	<b>Hayden's Arboricultural Consultants</b> – Braintree – Straits Mill, Spine Road – Technical Note – 8 March 2023	To comply with condition 11 of the outline permission
Landscape Architectural Drawings	Drawing: 8372-01 Spine Road Area 1 Soft Landscaping Drawing: 8372-01 Spine Road Area 2 Soft Landscaping Drawing: 8372-01 Spine Road Soft Landscaping Details	For validation to address the 'reserved matters'
Arboricultural Impact Assessment	<b>Hayden's Arboricultural Consultants</b> – Braintree – Straits Mill, Spine Road – Technical Note – 8 March 2023	In relation to condition 29 of the outline permission.

## Planning Conditions

The outline planning permission (18/01318/OUT) included a number of conditions relevant to the consideration of this RMA, and that were required to be submitted before or with it. These are set out in the following table with a summary of the conditions relevant to the consideration of this RMA or which were required to be submitted prior the RMA submission.

Condition	Condition Summary	Document Submitted
1 – Time Limit	The first RMA application must be submitted within 2 years of the date of the outline permission (31 March 2021).	This application has been submitted prior to 31 March 2023 and therefore complies with the condition.
3 – Phasing Plan	Phasing plan is required to be submitted on, or before, the first RMA.	Phasing plan has been submitted and approved under application reference: 22/03054/DAC.
4 – Site Levels	This condition requires that each reserved matters application is supported by details on the existing and proposed site levels.	Submitted with the reserved matters application on the following drawings:  Drawing: TPHS/344/DR/005 Drawing: TPHS/344/DR/006 Drawing: TPHS/344/DR/007
5 – Landscaping	The condition requires that each reserved matters application which relates to landscaping is supported by details of soft and hard landscaping.	Submitted with the reserved matters on the following drawings:  Drawing: 8372-01 Spine Road Area 1 Soft Landscaping Drawing: 8372-01 Spine Road Area 2 Soft Landscaping Drawing: 8372-01 Spine Road Soft Landscaping Details
6 – Broadband Strategy	The condition requires a strategy for fibre broadband provision to new dwellings.	A Broadband Statement has been prepared by Barton Willmore, now Stantec dated February 2023.
8 – CEMP – Ecology	The condition requires that a CEMP is prepared in support of each reserved matters application.	Applied Ecology – February 2023 Version 1.0
9 – Biodiversity Enhancement Plan	The condition requires that a biodiversity enhancement plan is submitted in support of each reserved matters application.	Applied Ecology – March 2023 Version 1.0
11 – Tree Survey	The condition requires a tree survey to be submitted with any reserved matters application relating to landscape and layout.	<b>Hayden’s Arboricultural Consultants – Braintree – Straits Mill, Spine Road – Technical Note – 8 March 2023</b>

## S106 Obligations

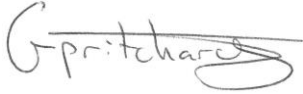
A separate application will be made to the Council to fulfil the following obligations. However, below outlines to compliance with the relevant obligations.

Obligation	Description	Document Submitted
Schedule 1, Clause 2.1 and 2.2	Requires the submission of the Housing Phasing, Infrastructure Phasing and Open Space Strategy and LEMP no later than 3 months prior to submission of the first reserved matters application.	Complies with material submitted under application reference: 22/03102/S106a.
Schedule 1, Clause 2.3	Requires the first reserved matters application to accord with the approved phasing strategy, open space strategy and LEMP, and to include details for the first stage of the loop road from the A131.	This reserved matters application complies with the approved documents. It shows a section of spine road from the A131 (phase 1A) and the first part from Broad Road (phase 1B).
Schedule 6, Clause 2	<p><b>The clause requires the 'Relevant Documents' not later than the submission of the first reserved matters application. The 'Relevant Documents' are:</b></p> <ul style="list-style-type: none"> <li>• Amenity Areas Plan,</li> <li>• Amenity Areas Specification,</li> <li>• Amenity Areas Management Plan,</li> <li>• Open Space Plan,</li> <li>• Open Space Specification,</li> <li>• Open Space Management Plan,</li> <li>• Retained Woodland Plan, and</li> <li>• Retained Woodland Management Plan.</li> </ul>	<p>The submission for the two small sections of spine road do not relate to <b>any of the 'Relevant Documents'.</b></p> <p>However, for complete clarity a document has been submitted for each of these confirming this is the case.</p>
Schedule 10, Education Site Suitability Checklist	Requires the submission of the checklist with the first reserved matters application.	The application does not include the school site and as such is not relevant to it. However, a statement has been provided in relation to the anticipated suitability.
Schedule 14, Part 2, Clause 2	The clause outlines a requirement for the Amenity Tracks Specification to be submitted to the Council not later than the submission of the first reserved matters application.	<p>TPHS has prepared the following drawings:</p> <p>Drawing: TPHS/344/DR/003            Drawing: TPHS/209/DR/011 Rev C            Drawing: TPHS/209/DR/012 Rev C            Drawing: TPHS/209/DR/014 Rev C</p>

## Summary

I hope the above is clear. However, should you have any questions please let me and my colleague, Paul Derry know ([paul.derry@bartonwillmore.co.uk](mailto:paul.derry@bartonwillmore.co.uk)).

Kind regards,

A handwritten signature in black ink, appearing to read 'Gprichard', with a stylized flourish at the end.

Gareth Prichard  
Planning Associate Director

# **Braintree District Housing Supply Review 2023**

## **Appendix 2E**

**High Garrett Appeal Inquiry Decision**

**Ref: APPZ1510W213278620**





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## Appeal Decision

Inquiry held on 23,25,26,30 November and 1 December 2021

Site visit made on 23 November 2021

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2021

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Appeal Ref: APP/Z1510/W/21/3278620

Land to the west of the A131, High Garrett

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Rainier Developments Limited, Samuel Gray and Robert Clarke against the decision of Braintree District Council.
  - The application Ref: 20/01813/OUT, dated 30 October 2020, was refused by notice dated 23 June 2021.
  - The development proposed is described as an outline planning application (some matters reserved) for the residential development of up to 37 dwellings (including 40% affordable housing), with vehicular access, areas of landscaping and public open space.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application is in outline form with all matters reserved for future consideration apart from access. I have dealt with the appeal on this basis and treated any details not to be considered at this stage as being illustrative only. The main parties have confirmed that the Parameter Plan<sup>1</sup> is for my consideration.
3. The revised National Planning Policy Framework (Framework) has been published since the Council made its decision. Parties have made reference to the Framework in their evidence. I have considered it in my decision.
4. During the course of the appeal, the appellant submitted amended plans<sup>2</sup> that show a change in the site boundary to exclude a small area of land that is under the ownership of 105 High Garrett (No 105). This sought to rectify a small anomaly on the plans to reflect the land ownership and so has a limited bearing on the consideration of the proposal itself. **The appellant's evidence** also contained an amended version of the access plan<sup>3</sup> in relation to the proposed footway. This resulted from the Thistle Field appeal decision<sup>4</sup>, the site of which lies directly to the south. Accordingly, I have considered these amended plans in my decision.

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<sup>1</sup> Ref: 3501B

<sup>2</sup> Site Boundary Plan 1001D, Concept Masterplan 3202H and Parameter Plan 3501B

<sup>3</sup> Proposed Vehicular Access 19350 SK T 001 Rev P6

<sup>4</sup> Appeal ref: APP/Z1510/W/20/3264183

5. The Council's first reason for refusal includes reference to Policy RLP90 of the Braintree District Local Plan Review (2005) (BDLPR) and Policy LPP55 of the Section 2 - Publication Draft Local Plan (2017) (S2LP). The Council no longer consider there would be a conflict with these policies because they relate to detailed matters to be addressed at a reserved matters stage. I see no reason to disagree and so I have not considered these policies further.
6. The Bocking and High Garrett Residents' Action Group submitted a written representation prior to the opening of the Inquiry. I accepted this document and the appellant was afforded the opportunity to comment on it at the Inquiry.
7. The Inquiry was adjourned on the first day due to matters related to Covid-19. The Inquiry then resumed on 25 November 2021 on a 'virtual' basis. Interested parties who attended the Inquiry venue had the opportunity to participate via a virtual link that the Council had set up. Hence, there is no prejudice.
8. The Council stated that an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) (S106 Agreement) would address the matters in its second reason for refusal relating to the provision of supporting infrastructure and services. The Inquiry proceeded on this basis and included the consideration of a final draft S106 Agreement. A completed and executed version was submitted after the close of the Inquiry.

#### Main Issues

9. The main issues are (i) whether the proposal would be in a suitable location for housing with regard to development plan policy and national planning policy; (ii) the accessibility to local services; (iii) the effect on the character and appearance of the area; (iv) housing land supply matters; and (v) if harm arises, whether this would be outweighed by the benefits of the proposal.

#### Reasons

##### *Suitable Location for Housing*

10. The appeal site comprises a field that is located on the west side of the A131. Its boundaries are formed for the most part by hedgerows and trees. The site extends around No 105, where there is also fencing on the boundaries. A Public Right of Way (PRoW) runs adjacent to the north boundary and in part extends in between this boundary and No 105. The site abuts further fields to the west and south. To the north is land associated with a domestic property. On the opposite side of the A131, there is a linear pattern of predominantly residential development. The bulk of the settlement of High Garrett lies on that side of the road.
11. The Braintree District Local Plan 2013-2033 North Essex Authorities' Shared Strategic Section 1 Plan (2021) (S1LP) concerns the effective delivery of planned strategic growth, particularly housing and employment, with the associated infrastructure across the North Essex Authorities, including Braintree District Council.
12. Policy SP3 of S1LP sets out that existing settlements will be the principal focus for additional growth. Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within

- each individual district and, where relevant, across the wider strategic area. This policy goes on to state that it will be for Section 2 of the Local Plan for each constituent local planning authority to identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs.
13. Policy SP3 does not define settlement boundaries. That function is performed by the BDLPR Proposals Map, including by way of village envelopes. Whilst the proposal would effectively lie adjacent to the village envelope for High Garrett, it would lie outside of it. Policy RLP2 of the BDLP sets out that new development will be confined to within these boundaries. Outside these areas countryside policies will apply.
  14. Policy CS5 of the **Council's Local Development** Framework Core Strategy (2011) (CS) asserts that development outside village envelopes will be strictly controlled to uses appropriate to the countryside, in order to protect and enhance the landscape character and biodiversity, geodiversity and amenity of the countryside. The supporting text gives examples of what is meant by uses appropriate to the countryside and which are those which are most typically found in such areas. This does not reasonably include the proposal as a housing site of up to 37 dwellings.
  15. The main parties disagree over the application of Policy SP3. In essence, the appellant's case lies on where this policy refers to development adjoining settlements, whereas the Council point to where it refers to the role of Section 2 of the Local Plan in establishing a hierarchy of settlements and accommodating new development. In this regard, the proposed development boundary for High Garrett under S2LP would also not include the appeal site.
  16. The Gilda Terrace appeal decision<sup>5</sup> points to a tension between Policy SP3, where it refers to development adjoining settlements, and Policies RLP2 and CS5 where they are concerned with development inside boundaries. That appeal decision concerned a site adjoining Braintree itself, which is the principal focus for growth in the Council area under S1LP. The tension in that case was therefore more apparent because of the standing of Braintree in respect of growth. This does not apply to High Garrett. As a modest sized settlement, it is not such a location.
  17. That being said, where Policy SP3 refers to development adjoining settlements cannot simply be ignored, notwithstanding that S1LP is centred on strategic cross boundary matters. The Council clearly refer to this policy in its remaining reason for refusal. Whilst I acknowledge the role of S2LP in this regard, this does not in itself exclude the consideration of Policy SP3 for more modest sized settlements. Policy SP3 is therefore of relevance to my decision. Nor however is Policy SP3 unqualified and this includes a consideration of sustainability. Accessibility to local services is an aspect of such a term which I consider later in my decision, as well as character which also features in Policy SP3.
  18. Emerging Policy LPP1 of S2LP **sets out the Council's** intended approach as regards development and development boundaries. It states that development outside such boundaries will be confined to uses appropriate to the countryside whilst also protecting and enhancing valued landscapes, sites of biodiversity or

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<sup>5</sup> Appeal ref: APP/Z1510/W/20/3265895

geological value and soils<sup>6</sup>. This is not dissimilar to Policies RLP2 and CS5. Likewise, the proposal would not constitute a use appropriate to the countryside for the purposes of Policy LPP1.

19. I have also been referred to how S2LP proposes to deal with High Garrett in relation to its treatment as a third tier village in the proposed hierarchy of settlements and what this means by way of its ability to accommodate development. As the site would in any event lie outside of the proposed development boundary, this adds little further to my deliberations.
20. I conclude that the proposal would not be in a suitable location for housing with regard to development plan policy in as far as it would not comply with Policies RLP2 and CS5. As Policy LPP1 maintains a similar stance to these existing policies, the proposal would also not comply with this emerging policy. Whether the proposal would comply with Policy SP3 and the Framework in this regard is dependent on a consideration of the issues which follow.

#### *Accessibility to Local Services*

21. High Garrett contains a modest level of local services. These include a public house, a car repairs garage, a furnishings/gift shop and a hairdressers. Such services clearly would not cater for the day to day needs of the future occupiers of the proposal and so they would have to look further afield to access such services.
22. The settlement of Bocking contains a wider variety of services which include a primary school, nurseries, a takeaway, a restaurant and a club. These lie between approximately 1700 metres (m) to 2300 m from the appeal site. Braintree Hockey Club is also found in Bocking, approximately 1100 m from the site. Braintree and Halstead town centres lie around 4 and 5 kilometres (km) from the site, respectively. They both contain a wide variety of shops and services, including national retailers.
23. Policy RLP53 of the BDLPR, Policy CS7 of the CS and emerging Policy LPP44 of the S2LP seek essentially to ensure that development is provided in accessible locations, that it is well served by public transport, reduces the need to travel and that appropriate provision is made for walking and cycling, amidst other matters.
24. Paragraphs 105, 110 and 112 of the Framework similarly concern limiting the need to travel, a choice of transport modes, opportunities to promote sustainable transport, as well as referring to priority first to pedestrian and cycle movements and appropriate facilities that encourage public transport use. Whether or not the proposal can be considered to be significant for the purposes of paragraph 105, similar regard would apply to promoting sustainable transport. Where this paragraph refers to that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, this also needs to be considered in the context of the proposal which in this case would involve the transport movements of the occupiers of up to 37 dwellings. Paragraph 112 also concerns enabling charging of plug-in and other ultra-low emission vehicles.
25. There is nothing in development plan policy or the Framework which in itself seeks to prohibit the use of the car. However, it is fair to say that planning

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<sup>6</sup> As per the Main Modifications document, ref MM10.

policy overall seeks to encourage the use of modes of transport other than the car, including by way of walking, cycling and public transport, even with the rise of plug in and low emission vehicles. If this was not the case, it would remove locational considerations from deciding on whether a proposal would promote sustainable transport, which itself would be contrary to the Framework.

### *Walking*

26. The route that the future occupiers of the proposal would take to the services in Bocking would be through the site, then utilising a proposed dropped kerb crossing across the A131, before then following the footway along the eastern side of this road. The Church Street junction would then have to be negotiated, crossing the A131 again, before the footway is then followed into the services in Bocking. The PRoW which crosses the site can also be utilised to reach Bocking, but this is more of a recreational route. It is circuitous and has varying underfoot conditions. Braintree is some distance on foot from the site, whilst walking is not obviously practical to Halstead.
27. The Institution of Highways & Transportation Guidelines for Providing for Journeys on Foot (2000) (IHT guidelines) sets out what it considers are suggested acceptable walking distances by way of desirable, acceptable and preferred maximum distances. Many of the uses in Bocking fall into the town centre category under the IHT guidelines because of the nature of the uses in providing retail related services. Apart from the primary school and the hockey club, the preferred maximum distances would be exceeded. The services in Bocking would also exceed the distance indicated in Manual for Streets (2007) (MfS) for facilities in a walkable neighbourhood.
28. The language used to describe distances in the IHT guidelines and MfS is far from precise and clearly allows some room for its application. It is not intended to be definitive. The preferred maximum distance of 2000 m for walking to school is a case in point under the IHT guidelines as it would seemingly expect that younger primary school children would be anticipated to undertake what is a not insignificant distance, twice a day. That MfS cites that walking offers the greatest potential to replace short car trips, particularly those under a 2 km distance, is perhaps obvious. Use of this guidance is not to replace a site assessment.
29. Similarly, the National Travel Survey extracts that I was referred to relate to reported trends rather than being directly applicable to a particular development proposal, notwithstanding that it was acknowledged at the Inquiry that the average distance given to school trips applies to all modes of transport, not just walking.
30. The experience of walking the route, or the qualitative aspect, is also of relevance, as well as the lengthy walking distances that the services in Bocking are from the site. Whilst the A131 may be the subject of not untypical levels of traffic for such a route and the speed limit is limited to 40 miles per hour, this does not account for having to cross the road twice, even before Church Street is reached and then following this road into Bocking. The footway route is fairly wide, but I am not persuaded that it would foster a great deal of use and even less so during inclement weather or outside of daylight hours with the distances involved, despite that it is lit. That the Council conceded a number of points on the qualitative aspects does not ultimately change my overall view.

31. In my mind, what ultimately is of importance is the convenience of the route for walking. When the distances to the services are taken with the crossings that need to be undertaken, it would not encourage walking as a mode of transport from the site. Such issues would be exacerbated for those with young children or elderly persons, where undertaking such distances and the crossings may be more problematic. Nor does the crossing point that is in operation near to the housing at Grove Field change my view because at least those occupiers have to walk a lesser distance to the services in Bocking than would the future occupiers of the proposal.

#### *Cycling*

32. Being able to cycle from the site towards Bocking or Braintree, or Halstead, would require usage of the A131. The A131 does not provide any form of delineated cycle route close to the site and so cyclists from the proposal would be forced to share road space with vehicular users. Whilst the distances to services would not itself deter cycling, it would need a proficiency due to the presence of other traffic on the road that would most likely lie with confident cyclists. This is not a particular matter of dispute. Cyclists that do not have this level of proficiency or children would be unlikely to use this mode of transport.

33. As a result, it remains simply a possibility of residents being able to cycle in order to access local services due to the location of the site. It would be unlikely to encourage broader use and so for most of the future occupiers, it would not offer a likely realistic alternative.

#### *Public Transport*

34. High Garrett benefits from a good level of bus services, relative to its size. There are bus stops in close proximity to the site along both carriageways of the A131 and these would be upgraded under the proposal. Bocking and Braintree in particular are served by regular services which take no more than a few minutes. The future occupiers of the proposal would be able to readily utilise bus transport to access local services.

35. The Council are concerned that utilising bus services southbound would necessitate crossing the A131. Due to the proximity of the southbound bus stop, this would not be a particular inconvenience. The short distance involved would not deter from the use of this method of transport.

36. The bus services also enable access to Braintree railway station. Whilst it would require a change in mode of transport, this is not unusual when utilising rail and so such services would also be accessible from the site.

#### *Other Accessibility to Services Matters*

37. The proposal would include electric vehicle charging points and this would have a bearing in as far as it would reduce the usage of cars that are wholly reliant on a traditional engine. A travel plan is intended in order to incentivise the use of public transport and encourage the use of car sharing, amongst other measures. The proposal would also include fibre broadband connection and so this would facilitate home working, and so have the potential to reduce vehicular movements.

38. The Highway Authority has not objected on these grounds, but this rests on a matter of planning judgment for the decision-maker in considering the relevant factors. This requires more than ensuring that as far as possible the proposal site is accessible by more sustainable modes of transport because the location of the site itself is of paramount importance in respect of the accessibility to services.
39. Both main parties have referred to the Thistle Field appeal decision on this issue. The appellant considers that I have more comprehensive evidence on the proposal before me, and I concur especially as it has been the subject of cross examination. The appellant has also referred to other planning decisions that the Council has made in High Garrett. Similarly though, I find it unlikely there would have been the same scrutiny of evidence. As such, these decisions attract limited weight on this issue.

#### *Conclusion on Accessibility to Local Services*

40. It is necessary to consider the measures that have been outlined as a whole in order to come to a view on the accessibility of services. I am mindful that in order to carry out their day to day needs, the future occupiers would be by and large limited to public transport in relation to the use of sustainable transport modes. Walking and cycling for this purpose would be restricted. Whilst this would be tempered somewhat by the inclusion of electric vehicle charging points, a travel plan and opportunities to work from home, these measures would not address the lack of accessibility of services for day to day needs. The locational shortcomings of the site are decisive on this issue.
41. I conclude that the proposal would be unacceptable as regards the accessibility to local services. Thus, it would not comply with Policies RLP53, CS7 and emerging Policy LPP44, and with paragraphs 105, 110 and 112 of the Framework where they are concerned with the location of development and sustainable transport modes. In addition, it would not comply with Policy SP3 where it is concerned with how development will be accommodated within or adjoining settlements in relation to sustainability.

#### *Character and Appearance*

42. High Garrett has a distinctively different townscape character on either side of the A131. On the eastern side, there is clearly more of an urban character defined by a continual row of dwellings that are positioned towards their site frontages. They are noticeable in view and effectively enclose this side of the road.
43. In contrast, the side of the A131 where the site is found has a considerably more open character. Open land is interspersed with more occasional built development. Such development is often set-back, even in the case of where there is the greatest concentration of such development at Grove Field. Whilst the site and the adjoining field to the south is bounded to the A131 by hedgerows and trees, this has a considerably less of an enclosing effect than the built development opposite because such vegetation contributes to an open undeveloped character. There are also gaps in the hedgerows and trees.
44. Policy RLP80 of the BDLPR sets out the development should not be detrimental to distinctive landscape features, and that development that would not successfully integrate into the local landscape will not normally be permitted,

whilst also referring to the use of additional landscaping to maintain and enhance these features. Policy CS8 of the CS states that development must have regard to the character of the landscape and its sensitivity to change and where development is permitted it will need to enhance the locally distinctive character of the landscape in accordance with the Landscape Character Assessment, amongst other matters.

45. Policy SP3 refers to the need to maintain the distinctive character, avoid coalescence and conserve setting, as well as the conservation and enhancement of the natural environment. Emerging Policy LPP71 of the S2LP also concerns landscape character and features, for development to be informed by Landscape Character Assessment and for it to have regard to additional landscaping, amidst other considerations.
46. Paragraph 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment. Under b), this includes by way of recognising the intrinsic character and beauty of the countryside.

#### *Landscape Character*

47. For the purposes of the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment (2006) (LCA), the site lies within the LCT F: Wooded Farmland Landscapes and LCA F2: High Garrett/Markshall Wooded Farmland<sup>7</sup>. The site and its immediate surroundings demonstrate some of the key characteristics including a flat to gently undulating landform, an open to enclosed character and mature field boundaries.
48. The LCA is of some age and the Council has more recently published the Evaluation of Landscape Analysis Study of Braintree and environs (2015) (Evaluation Study). The purpose of this document is to analyse the capacity of the landscape around Braintree to accommodate new development. The Council has also acknowledged that it provides an evidence base and assists in the landscape evaluation of applications. It categorises parcels of land in terms of their capacity to absorb new development. The site forms one such fairly small parcel with the field to the south. It is deemed to have a medium landscape capacity and forming a natural extension to High Garrett. A clear distinction is drawn with the large field to the west by way of the hedgerow on the shared boundary and as the land slopes away on that adjoining field.
49. The Evaluation Study does not mean that the site does not perform some role in respect of the rural setting of the village. Regardless of the delineation of this parcel of land, there is much open land to the west of the site, and this does allow land which is of a countryside character, including the site, to pervade up to the A131. These open landscape character aspects of the site would be diminished by the proposed up to 37 dwellings and the associated infrastructure, and in having regard to the extent of the area of development that is shown on the Parameter Plan.
50. However, the existing built form of High Garrett would lessen the sensitivity of the site to the proposal. Landscape features would be detrimentally affected only in as far as the reduction in open land within the site that would result. The most notable features are the mature hedgerows and trees. These would

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<sup>7</sup> As per the Landscape and Visual Appraisal (2020) that was submitted with the planning application.



be retained. It has also been indicated that tree planting and maintenance and management would occur. In drawing these factors together, there would be a limited adverse effect on landscape character.

51. The site is not the subject of a protective landscape designation and it does not form a valued landscape for the purposes of paragraph 174 a) of the Framework. The Framework is still though concerned with conserving and enhancing the natural environment on a broader basis. Considering landscape character is also a separate matter from Central Government policy to significantly boost the supply of housing. If there is a conflict between such objectives, it is to be dealt with in the planning balance.

### *Visual Impacts*

52. I have had regard to the photoviewpoints submitted in the Landscape and Visual Appraisal that was submitted with the planning application, together with the viewpoints that have been produced in evidence as photomontages. I have also considered photographs that the Council has submitted in evidence, appreciating that they are not produced to an equivalent standard as the photoviewpoints and montages, as well as what I observed on my site visit.
53. From the A131 there are filtered views through the trees and hedgerows, as is demonstrated by Photoviewpoint 1. Such views are more fleeting for motorists with the speed of traffic along the road, but are more apparent for pedestrians. The site is more open to the south, as is shown **by the Council's photographic** evidence and there is a greater propensity of views into the site here. Whilst the trees and hedgerows would likely soften views, there would be some presence of the proposal, in particular where the access would be formed. The splay and roadway would very likely permit views into the proposal.
54. As is shown on Photoviewpoint 2, there are clear views into the remainder of the site from the PRow as there is no demarcation. Users of the PRow would clearly experience a change from the current open character of the land to one of the proposed dwellings and the associated infrastructure, across the adjoining open area as is shown on the Parameter Plan.
55. In terms of the further viewpoints along this PRow, there is limited visibility of the site because of the hedgerow and trees along the west boundary. This would also apply when the proposal is considered, as is also shown by the photomontages. Other viewpoints are too distant, or would be screened by the built form of High Garrett itself, for the proposal to have a discernible effect.
56. In respect of residential receptors, the effect on the occupiers of No 105 would be likely similar to the users of the PRow. As an occupied dwelling, the change would be admittedly more marked but contained because of the hedgerows and trees along the west boundary of the site. Views from the residential properties on the opposite side of the A131 would be filtered by the roadside trees and vegetation on this boundary. Other properties are too far away for the proposal to have an appreciable effect, or else they would be separated from the proposal by No 105 and the PRow.
57. In taking the above matters together, it is evident that the visual impacts of the proposal would be localised. They would occur for pedestrians on the footway passing the site on the A131; users of the PRow through the site, but not beyond; the nearest residential receptors, especially No 105; and, to a

lesser degree, motorists using the A131. Overall, such an adverse effect would be of a limited nature.

#### *Other Character and Appearance Matters*

58. The role that the site plays as part of the undeveloped land maintaining the separation between High Garrett, with Bocking and Braintree is of a limited nature. Further down the A131 towards Bocking and Braintree there is already Grove Field, as well as a sporadic pattern of other dwellings. The site does not obviously perform a function of open land between the settlements. Coalescence would thus not occur to any appreciable degree. The Council is proposing green buffers to prevent such an effect through emerging Policy LPP72 of the S2LP. These are in locations as identified on the draft Policies Map and does not involve the site.
59. Any gap function that the site performs, as I have already set out, concerns how it allows the countryside to extend up to this part of the A131 and its contribution to the open character along this side of the road. Beyond this, whether or not the site has a purpose as a gap has a limited bearing.

#### *Conclusion on Character and Appearance*

60. The proposal would result in a limited adverse effect on landscape character. There would be a notable reduction in the undeveloped character of the site, but in a location that is in proximity to the existing built form in High Garrett. Such an effect would also result in a reduction **of the site's** contribution of open character on this side of the A131. There would also be a limited adverse effect on visual impact and that effect would be localised. Coalescence effects would not palpably occur.
61. As I have found a level of adverse effect, it cannot be said that harm would not arise from the proposal by way of the effect on the character and appearance of the area. It would not comply with Policy RLP80, Policy CS8 and emerging Policy LPP71 where they concern the effects on the local landscape and landscape character matters. It would also not comply with Policy SP3 on character and appearance grounds, although it would not be in conflict where this policy refers to avoiding coalescence. It would also not accord with paragraph 174 b) of the Framework where it concerns recognising the intrinsic character and beauty of the countryside.

#### *Housing Land Supply*

62. Policy SP4 of S1LP establishes **the Council's** total minimum housing requirement over the plan period (2013 to 2033), which is 14,320. This equates to 716 dwellings per year. It is agreed that for the purposes of paragraph 74 of the Framework this is the correct figure against which to assess 5 year supply and that the base 5 year requirement is 3,580 dwellings. When the shortfall against the requirement in the plan period and the correct buffer is applied, it is further agreed that the 5 year requirement rises to 5,352 dwellings.
63. The dispute between the main parties **concerns the Council's ability to** demonstrate an up to date 5 year housing land supply (HLS) due to the **amount of deliverable supply from sites in the Council's trajectory**. In some cases the deliverability of the site has been questioned by the appellant, in others it is on the basis of the delivery rates being too optimistic.

64. The **Council's latest** Housing Land Supply Statement for the period of 2021 to 2026 was published in May this year (HLS Statement). The Council produced more up to date evidence on the disputed sites prior to and during the Inquiry which I have had regard to in my decision, **along with the appellant's evidence**. My attention was also drawn to the Station Road appeal decision<sup>8</sup> that was made prior to the Inquiry opening.
65. For sites to be deliverable under the Framework, they should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. The term "**realistic prospect**" does not infer there is certainty or that it is more than probable that a site will be delivered.
66. Thereafter, there are two limbs to the definition, although these do not necessarily exclude other types of site. Under a), sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites are therefore **assumed to be deliverable unless there is "clear evidence" to the contrary**.
67. Under b), where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. The position with b) is therefore somewhat different from a). "Clear evidence" of their deliverability is required.
68. The Planning Practice Guidance: *Housing Supply and Delivery* provides some examples of what clear evidence means. These include current planning status, firm progress being made towards the submission of an application and clear relevant information about site viability, ownership constraints or infrastructure provision. Clear evidence can reasonably include the proformas submitted by developers or their agents for sites, but such evidence needs to be considered in the round. Whether a site meets the definition is a matter of planning judgment based on the evidence available. The same applies to the application of lead in times because whilst Council averages can provide a useful benchmark, clearly site specific information also needs to be considered.
69. During the course of the Inquiry, there was agreement that one of the sites that was formerly in dispute, Land West of Bardfield Drive, was deliverable within the 5 year period. The **Council's most up to date position is that it** considers that it can demonstrate 5.27 year of deliverable supply, whilst the **appellant's most up to date position** is that the Council can deliver 4.58 years.
70. I now turn to the disputed sites and my conclusions regarding their delivery. All of the sites fall into limb b) for the purposes of the Framework, apart from one site in a), which I indicate below.

*Land East of Broad Road, Strategic Growth Location*

71. This large site benefits from an outline planning permission for 1000 dwellings. The Council is in receipt of a phasing plan and strategy for the site by way of

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<sup>8</sup> Appeal ref: APP/Z1510/W/21/3267825

- seeking to discharge the related condition. This shows Phase 1A which I am informed constitutes 306 dwellings. Associated highway infrastructure works comprise improvements to the Monks Farm roundabout linking the A120 to A131 and a new roundabout off the A131 to access the site. There are also highway works to the Broad Road/A131 roundabout to the north of the site.
72. No occupations are permitted under the associated Section 106 Agreement until the Monks Farm roundabout and the works to the Broad Road/A131 roundabout have been completed. No more than 100 dwellings can be occupied before the roundabout providing access is complete.
73. The main parties are some distance apart on the forecast supply on this site, with the appellant considering there will be no delivery, **whilst the Council's** position as was amended prior to the Inquiry opening is that 270 units would be delivered.
74. **The Council's position reflects that of the developer's** most up to date proforma, with delivery starting in 2023/24. Yet reserved matters have not been submitted and there is the necessary provision of the highway infrastructure works at the requisite time. Nor am I convinced that where the Section 106 Agreement refers to the occupation level restrictions and where the definition of deliverable under the Framework refers to completions, this is a particularly helpful distinction if a site is to be brought forward to contribute to housing land supply. There are also a number of planning conditions that would need attention prior to completions taking place.
75. On the other hand, the appellant's **position that no completions** at all are justified over the forecast period is not persuasive. Whilst it has been questioned whether the developer themselves will deliver some of the units, or would be reliant on other housebuilder(s), it would not be unusual for several different housebuilders to be involved due to the overall size of the site. The most recent proforma has also scaled back on its more ambitious previous trajectory. The site is moving forward with the application for the discharge of the phasing plan and strategy for the site, and agreement is in place for the infrastructure works by way of the Section 106 Agreement
76. There is clear evidence there will be some housing completions on site within 5 years. **If the Council's delivery timetable** was rolled back one year, that would be a realistic prospect, in considering all of the evidence before me.

*Land Adjacent to Blamsters Farm, Mount Hill, Halstead*

77. This site has outline permission and pre-application discussions have taken place over the future development. There is not though a clear indication of whether this would constitute the reserved matters relating to the outline or would require a new permission.
78. The Council considers that it has allowed a generous lead in time as regards the forecast supply. I find this reflects some degree of uncertainty, in particular as it is a small site and as I am told that it is greenfield and unconstrained. Ordinarily, delivery on a site with such characteristics would be likely to be more straightforward. This is telling and the evidence is lacking over whether firm progress would be made within the forecast period.
79. As such, it does not constitute a realistic prospect as there is not clear evidence that housing completions will begin on site within 5 years.

*Land between Long Green and Braintree Road, Long Green*

80. This site benefits from an outline planning permission and is the subject of reserved matters. There is also an identified housebuilder and it is not in dispute between the main parties that at least some units will be delivered within the forecast period. The Council has also pointed to the site being greenfield and unconstrained.
81. The Council has taken a more conservative approach than **the developer's** proforma. Reserved matters has not though been granted and I also understand that whilst a planning performance agreement is being finalised, it is not yet complete.
82. The appellant revised its position during the Inquiry on the deliverability of this site. **The appellant's** trajectory presents a more realistic prospect, given the outstanding matters there are on the site, including the need for the approval of the reserved matters.

*Land South of Maltings Lane, Gershwin Park, Land North East of Reid Road*

83. The site has been granted outline permission, and constitutes the last residential area that will come forward on a larger site. The permission concerned both a Use Class C2 care home and Use Class C3 dwellings. **The developer's proforma, whilst proposing the same uses**, sets out a considerably higher site capacity.
84. It is questionable whether the future proposal would constitute reserved matters, or require a new permission. This places some uncertainty over whether the site can be considered deliverable.
85. The developer has carried out a public consultation and it is reported that the associated material has stated that an application will be submitted by the end of the year. Whilst the Council has considered that it has taken a conservative approach compared to the developer, and does not forecast supply until 2024/25, there appears limited evidence to base this upon at present, in particular in relation to whether a further planning permission would be required. I **favour the appellant's position** that no housing completions will begin on site within 5 years.

*Land off Church Street, North of Grove Field, High Garrett*

86. This site has been granted outline planning permission. A housebuilder has come forward and submitted an application to discharge details required by condition in relation to a site design guide. This application was refused and whilst discussions are said to be taking place in relation to the reserved matters, an application has not yet come forward. It is not in dispute that at least some units will be delivered within the forecast period.
87. The Council has pointed to that the site is greenfield and that there are no major constraints. I also understand that archaeological investigation conditions have been discharged, pre-application discussions have taken place, a planning performance agreement has been entered into and an initial service notice has been submitted. However, the refusal of the site design guide creates some uncertainty as regards the trajectory. Whilst the Council has **used a more conservative timetable compared to the developer's proforma**, it is still showing completions in 2023/24.

88. With the refusal of the site design guide and the need for a resubmission, and the reserved matters, there is not clear evidence to support the Council's trajectory. **I also find though the appellant's** revised position as was presented at the Inquiry to be on the pessimistic side, because the developer does seem to be in a fairly advanced stage of preparation and engaged with the Council, even with the refusal of the site design guide.
89. It is the trajectory that was set out by the appellant in evidence prior to the Inquiry that I find most convincing, but for the reasons that I have set out above.

*Land West of Panfield Lane (Phase 1)*

90. This site benefits from a hybrid planning permission. Under Phase 1, 189 homes have full permission and so is to be considered under limb a). Infrastructure requirements relate to provision of a link road and a roundabout.
91. The link road itself has permission under Phase 1. Construction of this phase is not in itself dependent on the road, albeit the number of occupations are limited to 50 under the associated Section 106 agreement. The developers' agent has informed the Council that they will start work on the link road in early 2022. I see no substantive reason why the link road should be an impediment to the **delivery of the Council's trajectory**.
92. As regards the roundabout, the developers have either the option of making improvements to the roundabout, or making a financial contribution to a larger scheme that the County Council wish to progress. Occupation of the dwellings is limited to 50 if improvements are to be made. If the financial contribution route is chosen, then the 50 limit is dependent only on making the contribution, rather than the completion of the roundabout.
93. The appellant has raised matters in relation to viability, although the Council has informed that a lower affordable housing requirement was accepted. With the explanation given concerning the provision of the link road and the roundabout, I also do not see why viability should act as a burden that would delay delivery.
94. The Council has also taken a slightly more cautious approach than the proforma that was received from the developers' agent and does not include all of the 189 units. There is not clear evidence to the contrary that the 175 units **in the Council's trajectory would not be deliverable**.

*Towerlands Park*

95. The Towerlands Park site adjoins the Panfield Lane site and has gained outline planning permission. The relevant infrastructure requirements relate in a similar fashion to the link road and the roundabout. A reserved matters planning application for a housebuilder has now been submitted for phase 1 (167 dwellings) and whilst the Council has stated that it is the intention that it will be determined in January 2022, this is of yet to be realised.
96. The Council has also referred to where the reserved matters application is intending to access from a different section of Panfield Lane and so is not reliant on the link road. It is not however clear how this relates to the associated Section 106 Agreement concerning the provision of the road. The appellant has pointed to where **the developer's proforma** raises varying the

obligation. This would add further uncertainty. Marketing by way of the advertisement consent sought and the site launch details on the **developer's** website are not robust evidence of delivery.

97. I acknowledge that pre-application discussions have taken place, a planning performance agreement has been entered into, a number of conditions have been discharged and that the Council is taking a more conservative approach to the trajectory than the developer. However, this site is to be treated differently from its neighbour at Panfield Lane because it is to be dealt with under limb b). With the uncertainties that I have set out, clear evidence of the **deliverability as regards the Council's trajectory has not been** adequately demonstrated. The **appellant's position** is more compelling in relation to that a small number of completions will come forward towards the end of the forecast period.

#### *Windfall Allowance*

98. The dispute over the **windfall allowance concerns whether the Council's** methodology results in double counting with small sites in 2023/24 (the third year) because of the standard 3 year implementation period that would apply to developments that have gained permission. The appellant considers that a windfall allowance **as is set out in the Council's** HLS Statement should not be applied to 2023/24, or else the small sites figure for that year should not be applied.
99. The Council has adequately explained the distinction. The windfall allowance reflects sites that have not been identified but instead will arise through the course of the submission of planning applications. None are prior to the base date. This sets the windfall allowance apart from the small sites that are found **in the Council's HLS** Statement. Therefore, it is appropriate to apply the windfall allowance in 2023/24, as well as the small sites figure.

#### *Other Housing Land Supply Matters*

100. The sites at Land off East of Broad Road; Land between Long Green and Braintree Road, Long Green; and Towerlands Park all feature in the Station Road appeal decision. That Inspector did not include any completions from the Land East of Broad Road site but did not consider information on the associated infrastructure, and the forecast of completions differed from what is before me. I am satisfied this represents a clear reason for me to take a different view.
101. With regard to the Land between Long Green and Braintree Road, Long Green site, that application is now the subject of reserved matters and which the appellant has acknowledged. This was not the case at the time of the Station Road decision and so I am justified in taking a different view. I take the same view as the appellant concerning Towerlands Park, based on the evidence before me.
102. With regard to the Thistle Field appeal decision, it is evident that HLS was not the subject of the same level of interrogation because it was dealt with simply by an exchange of correspondence. Decisions at Bures Hamlet<sup>9</sup> in the Council area and elsewhere that I have been referred to concern the use of proformas, what constitutes clear evidence and the application of limbs a) and b). The approach that I have taken is not inconsistent with those decisions in

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<sup>9</sup> APP/Z1510/W/18/3207509

respect of where the main parties have pointed me to extracts, notwithstanding that clearly evidence and site circumstances will differ in each case. With the Gilda Terrace appeal, HLS was not in dispute.

103. The appellant has also referred to **the Council's HLS** position relying on schemes that were allowed at appeal. The Framework does not though make a distinction between sites approved at the planning application stage and those allowed on appeal. This has a limited bearing.

#### *Conclusion on Housing Land Supply*

104. In taking account of the above, I find that housing completions will not be made within 5 years at Land Adjacent to Blamsters Farm, Mount Hill, Halstead; and Land South of Maltings Lane, Gershwin Park, Land North East of Reid Road. The sites where I consider that housing completions will be made within 5 years but alterations need to be made to the **Council's trajectory** are Land East of Broad Road, Strategic Growth Location; Land between Long Green and Braintree Road, Long Green; Land off Church Street, North of Grove Field, High Garrett; and Towerlands Park. No alteration is to be made to Land West of Panfield Lane (Phase 1) and the windfall allowance.
105. This results in a reduction of 374 **units from the Council's trajectory**. This means that the Council supply of deliverable sites is 4.9 years.

#### *Other Matters*

##### *Housing Provision*

106. The proposal would make a contribution of up to 37 units towards the **Council's minimum** housing requirement figure and it would support the **Government's objective** under the Framework of significantly boosting the supply of homes. It would assist in reducing the shortfall against the deficit in **the Council's 5 year HLS position, whilst also accepting** that the extent of the shortfall is marginal. The size of the site may ably support the role of small and medium sized housebuilders in bringing forward new housing. It would provide for a housing mix with the provision of both general market and affordable housing. Housing provision attracts significant weight as a benefit.

##### *Affordable Housing*

107. While the provision of 40% of the units as affordable housing would be required to ensure that the proposal would accord with Policy CS2 of the CS, it would also have the greater benefit of enabling provision for those who would not be able to obtain general market housing. There is a clear shortfall of **provision against the Council's affordable housing need, notwithstanding the** recent annual surplus and the intention to deal with the deficit through the approach to the overall requirement. A lack of recent provision specifically in High Garrett is unsurprising given the modest size of the settlement and the proposal would still make a valuable contribution to addressing the deficit across the Council area as a whole. This also attracts significant weight as a benefit.

##### *Economic Benefits*

108. The proposal would benefit the economy through construction, including employment. The future occupiers would also support the economy through



their expenditure and no doubt some of the future occupiers would be of working age which itself would bring economic benefit. The appellant also considers that the Council is not delivering the level of economic benefit that relates to the supply of housing, again pointing to the 5 year HLS position.

109. The effects of Covid-19 remain uncertain in order for any particular inference to be drawn from them in the longer term, whether in relation to housing and the economy, or indeed working from home and travel trends. Nor am I in receipt of substantive empirical evidence in this regard.

110. The weight to be attached to a specific proposal as regards supporting economic growth depends on its particular contribution within the broader ambit of where paragraph 81 of the Framework states that significant weight should be placed on the need to support economic growth and productivity. With the type and size of the proposal, economic benefits attract moderate weight in its favour.

*Other Benefits that have been put forward*

111. The proposal would bring a modest benefit for existing residents due to the upgrade of the bus stops, footways and crossing the A131, as well as public open space on site and the intended associated footpath connections. I am less persuaded that such matters can be seen as a benefit to the future occupiers of the proposal because they relate either to an attempt to mitigate against harm or to meet development plan requirements.

112. It is also intended there would be ecological enhancements, including damp grassland/occasional wet areas, meadow grassland and linear corridors that constitute biodiversity net gain. Even though the undeveloped open field nature of the site would be much diminished, these matters would be of benefit, albeit modest. The same holds true in relation to the provision of electric vehicle charging points because they would be of some wider benefit by way of combating climate change.

113. A number of landscape and visual locational benefits have been purported which relate to the site lying away from protected designations, but this is neutral matter. I also clearly do not agree that there is a particular benefit arising from whether or not the proposal would form a natural extension to High Garrett, due to the broader character and appearance harm that would arise. In relation to the design quality of the proposal, the Framework has in any event placed a greater emphasis on well-designed development as an integral part of national planning policy and so it does not add further to the benefits, setting aside that it would be largely dependent on reserved matters.

*Obligations contained in the S106 Agreement*

114. The obligations in the S106 Agreement bind the owner to covenants with the Council. They concern contributions for allotments, outdoor sport, library and education, as well as the Recreation Avoidance and Mitigation Strategy (RAMS) in relation to relevant protected designations. The obligations also concern affordable housing provision and on-site open space and amenity areas.

115. Having regard to the evidence before me, it has been demonstrated that they are all necessary to make the development acceptable in planning terms, directly related to the development, and reasonable in scale and kind. They accord with the tests that are set out in paragraph 57 of the Framework and

the Community Infrastructure Levy Regulations (as amended, 2019), where they apply to each of the obligations. As a result, I have taken them into account in my decision. They address the matters that are set out in the Council's **second reason for refusal**.

#### *Listed Buildings*

116. No 105 is also known as Mill Lodge and is a grade II listed building. It comprises an 18<sup>th</sup> century timber framed and plastered house. It has an unusual history in that it was taken **down from a site at Courtauld's Mill** and re-erected on the present site. Whilst it is a fine building in its own right, its special interest as a mill house has been somewhat diminished by the relocation. The significance now lies in its architectural interest.
117. Within this context, the role that the site plays in the significance of its setting is of a limited nature. In as far as the nearest part of the site lies within its setting, the Parameter Plan shows that this area would remain open. In having regard to the statutory duty that is set out in Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
118. For the purposes of the Framework, the Council consider that no harm would occur to the significance of the asset, whereas the appellant considers that under paragraph 202 less than substantial harm would arise. Due to the limited role of the site in the significance of the setting, I agree with the Council. I am not therefore required to carry out a heritage asset balancing exercise with the public benefits.
119. Whilst there are a number of other listed buildings in the vicinity, with the separation and screening, the proposal would not impact on their significance.

#### *Other Issues*

120. The Highway Authority considered at the planning application stage that any additional trips associated with the proposal would not be detrimental to highway safety and capacity. The A131 is a busy road but as traffic does tend to travel in platoons along it, this would likely enable gaps for traffic to enter and leave the site safely at the proposed access point. In relation to pedestrian safety, there would be the crossing point and a new footway along part of the same side of the A131 as the site. I would agree that using the A131 is unlikely to be an attractive proposition to most cyclists, but this would more likely deter use rather than result in accidents. In highway safety terms, the proposal would not be unacceptable.
121. Noise from the A131 and other uses would be unlikely to cause an untoward effect on the living conditions of the future occupiers. In relation to the use of an acoustic fence, such a feature would be subject to control by the Council in the event that permission was granted. This would reasonably include a consideration of the visual impact.
122. In terms of air quality, the proposed electric vehicle charging points would assist. With regard to the effect on local services, the S106 Agreement provides for financial contributions, which include education, amongst other such services.

123. In relation to Habitat Regulations Assessment, it is not necessary for me to undertake an Appropriate Assessment as the Competent Authority because the circumstances that would lead to a grant of permission are not present. The RAMS contribution is not in itself a benefit because it is required with regard to the potential impact from the proposal on the related designated sites as the site itself lies within the zone of influence.

#### Planning Balance and Conclusion

124. With the conflict that I have identified with the development plan policies, the proposal conflicts with the development plan as a whole. Policies RLP2, CS5 and SP3 are central in such a judgment because they are the policies of most relevance that form the spatial strategy of the development plan. The proposal would be in conflict with these policies.

125. It is also apparent that Policies RLP2 and CS5 are based on former housing need. Whilst the use of development boundaries is not in itself inconsistent with the Framework, the rationale for such an approach must reflect the national policy. The current policies are restrictive as they apply a level of protection for the countryside that goes beyond what the Framework sets out by way of managing development. This does not alter the conflict with these policies. However, it does limit the weight to be given to the conflict. Such considerations do not though apply to Policy SP3 as it is consistent with the Framework.

126. The proposal would also not comply with Policies RLP53 and CS7 as regards accessibility to services. It would also not comply with Policy RLP80 and Policy CS8, although the conflict would be limited given the level of harm that would arise as regards character and appearance. These policies are consistent with the Framework.

127. The emerging planning policies under S2LP have been subject to hearings and are now the subject of a modification consultation. The proposal conflicts with Policy LPP1 in terms of the location, as well as with Policies LPP44 and LPP71. S2LP is at an advanced stage and the related consultation documents do not indicate that what is intended is a wholesale re-examination on the content and approach of S2LP. It is not though yet the subject of a published Inspectors Report. The policies within it attract moderate weight in my decision.

128. The Council cannot demonstrate a 5 year supply of deliverable housing sites and so the policies which are most important for determining the application, namely Policies RLP2, CS5 and SP3, are out-of-date. Even though the shortfall is marginal, it does mean that paragraph 11 d) ii. of the Framework applies. This means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

129. In relation to the adverse impacts, these concern that the proposal would not be in a suitable location for housing, would be unacceptable as regards the accessibility to local services and would have a limited adverse effect on the character and appearance of the area. It would not comply with the spatial strategy of the development plan. I have found conflict with the policies in the Framework. I find the harm, when taken together, to be very significant. Set against this would be the addition of up to 37 dwellings to housing provision,

the contribution to addressing the slight shortfall against the 5 year HLS, the provision of affordable housing and the economic benefits. When these are considered with the other more modest benefits, overall, they attract significant weight in my decision.

130. I have taken into account the relevant matters in relation to the economic, social and environmental objectives of the Framework, as set out above, notwithstanding these are not criteria against which every decision can or should be judged.

131. Taking these matters together, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the application of paragraph 11 does not indicate that permission should be granted. The proposal does not benefit from the presumption in favour of sustainable development. In an even balance, clearly the harm would not be outweighed by the benefits.

132. In coming to my conclusion, I have considered all relevant matters that have been raised. The proposal conflicts with the development plan as a whole and there are no material considerations to outweigh this conflict. Accordingly, the appeal should be dismissed.

*Darren Hendley*

INSPECTOR

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Mr Robert Williams Of Counsel, instructed by Braintree District Council

*He called*

Mr Alexander Evans, BSc (Hons), MSc Planning Officer at Braintree District Council

Mrs Natalie Banks BA (Hons), MSc, Senior Planner at Braintree District Council

### FOR THE APPELLANT:

Mr Jonathan Easton Of Counsel, instructed by Turley

*He called*

Mr Jonathan Dodd, BA (Hons), MPlan Associate Director, Turley MRTPI

Mr Matthew Grist BSc (Hons), Pg Dip, Director and Head of Transport Planning, Jubb MCILT, MCIHT

Mrs Clare Brockhurst BSc (Hons), Director, Leyton Place Limited Dip LA, FLI

Mr David Murray-Cox, BA (Hons), Director, Turley MPlan, MRTPI

Paul Wakefield Solicitor, Shakespeare Martineau LLP (In attendance during the Planning Obligations session)

## INQUIRY DOCUMENTS

- 1 Braintree District Council, **Council's Response and Update to Appeal**  
Decision: Land North of Station Road, Earls Colne  
(APP/Z1510/W/21/3267825) dated 12 November 2021 in relation to Housing  
Land Supply
- 2 Opening Points on behalf of the Appellant
- 3 Opening Statement on behalf of Braintree District Council
- 4 Outline planning permission, Council ref: 18/01318/OUT Land East of Broad  
Road, Braintree, Essex, dated 31 March 2021
- 5 Counterpart Agreement under Section 106 of the Town and Country Planning  
Act 1990 relating to Land East of Broad Road, Braintree, Essex, dated  
31 March 2021
- 6 Agreement under Section 106 of the Town and Country Planning Act 1990  
relating to land between Springwood Drive and Panfield Lane, Braintree,  
Essex, dated 2 March 2020
- 7 Agreement under Section 106 of the Town and Country Planning Act 1990  
relating to land at Towerlands Park, Panfield Road, Braintree CM7 5BJ Essex  
dated 9 April 2021
- 8 Braintree District Council - Affordable Housing Note: Current Supply  
Projections (monitoring year 2021/22 only), dated 26 November 2021
- 9 Canterbury City Council v Secretary of State for Communities and Local  
Government and another [2019] EWCA Civ 669
- 10 Bassetlaw District Council v Secretary of State for Housing [2019] EWHC 556  
(Admin)
- 11 Braintree District Council, **Council's** Submission in relation to Inquiry  
Documents 4 – 7, dated November 2021
- 12 Appellant Supplemental 5YHLS Position, dated November 2021
- 13 High Garrett Conditions (dated 18.11)
- 14 Mordue v Secretary of State for Communities and Local Government and  
others [2015] EWCA Civ 1243
- 15 Closing Statement on behalf of Braintree District Council
- 16 Closing Submissions on behalf of the Appellant

## DOCUMENTS RECEIVED FOLLOWING THE CLOSE OF THE INQUIRY

- 17 Agreement under Section 106 of the Town and Country Planning Act 1990  
relating to land west of High Garrett (A131), Braintree, Essex (completed  
and executed version)

# **Braintree District Housing Supply Review 2023**

## **Appendix 2F**

### **2023 Reserved Matters submission**

#### **Land at Maldon Road Hatfield Peverel**

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# PLANNING STATEMENT

Land north of Maldon Road, Hatfield Peverel

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Appendix 1: Submitted Document Schedule



# 1 INTRODUCTION

## 1.1 Scope of the Statement

1.1.1 This Planning Statement has been prepared in support of an application for reserved matters approval made by Gladman Developments Ltd (Gladman) for development of land north of Maldon Road, Hatfield Peverel pursuant to outline planning permission reference 20/01264/OUT.

1.1.2 A full list of documents and plans which have been submitted as part of this application can be found in Appendix 1.

1.1.3 This Planning Statement provides an assessment of the scheme against relevant policies within the Local Plan and the outline planning permission requirements.

## 1.2 Reserved Matters Proposal

1.2.1 To comply with the requirements of the Outline Planning Permission (Ref: 20/01264/OUT) this Reserved Matters application seeks approval of the details of Scale; Appearance; Layout; and Landscaping for the construction of 110 dwellings (including 40% affordable), together with public open space, landscaping, and associated infrastructure on the land to the north of Maldon Road, Hatfield Peverel.

1.2.2 The proposal also includes details pursuant to the discharge of certain conditions from the outline permission as well as the application for the approval of Reserved Matters and the submission of information required by the S106 Agreement attached to the outline permission. A full list of conditions proposed for discharge is provided in paragraph 1.4.4.

1.2.3 The description of development is as follows:

***“Residential development for 110 new dwellings, including 66no. open market dwellings, comprising a mix of 2, 3, 4, and 5-bedroom market dwelling houses; and 44no. affordable dwelling houses (40%), comprising a mix of 1, 2 and 3-bedroom cottage flats, semi-detached bungalows and mews dwellings.”***

## 1.3 Relevant Planning History

### Outline Planning Permission

- 1.3.1 In November 2021, Braintree District Council (BDC) granted Outline Planning Permission (Ref: 20/01264/OUT) for the construction of up to 110 dwellings (including 40% affordable) and provision of access, drainage infrastructure, open space and strategic landscaping.
- 1.3.2 The principle of development and access to the Site is therefore established, with details of layout, scale, landscaping and appearance reserved for future consideration within this Reserved Matters application.
- 1.3.3 The outline consent was subject to a S106 Agreement requiring contributions towards: affordable housing; open space and amenity areas; RAMS contribution, outdoor sports; healthcare; allotments; sustainable transport; community facilities; car club; library education and travel plan monitoring.

## 1.4 Outline Planning Permission Conditions

- 1.4.1 Condition 1 of the Outline permission referenced the following as the Approved Plans:
- Location Plan Ref. CSA/4411/113 Rev. C
  - Parameter Drawing Plan Ref. CSA/4411/122 Rev. D
- 1.4.2 Condition 2 states: "*Details of the:*
- a) Scale;*
  - b) Appearance;*
  - c) Layout; and*
  - d) Landscaping*

*Of the buildings/site (hereinafter referred to as "the reserved matters" ) shall be submitted to, and approved in writing by, the local planning authority before any*

*development takes place and the development shall be carried out in accordance with these matters approved.*

*Application for approval of the reserved matters shall be made to the local planning authority not later than two years from the date of this permission.*

*The development hereby permitted shall take place not later than 18 months from the date of the approval of the last of the reserved matters to be approved."*

**1.4.3** Condition 3 also states:

*"The submission of reserved matters applications pursuant to this Outline Planning Permission shall together provide for no more than 100 dwellings including 40% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation, and vehicular access point from Maldon Road. The details submitted with these reserved matters applications shall be in broad conformity with the Parameter Plan 4411-122 Rev D as approved."*

**1.4.4** The rest of the planning conditions attached to the outline permission (Ref: 20/01264/OUT) relate to specific requirements of the Reserved Matters application. The table below outlines each condition and the information submitted with this application to support the discharge of these conditions.

<b>Planning Condition</b>	<b>Requirement Met?</b>	<b>Commentary</b>
4 – Finished Floor Levels	✓	Documents 33-35 Engineering Layout Sheet 1 ref.7074-MJA-SW-XX-DR-C-001 Rev P1 Engineering Layout Sheet 2 ref. 7074-MJA-SW-XX-DR-C-002 Rev P1 Engineering Layout Sheet 3 ref. 7074-MJA-SW-XX-DR-C-003 Rev P1

Planning Condition	Requirement Met?	Commentary
5 – Detailed Landscaping Scheme	✓	Documents 53-59 POS General Arrangement P02 Sheet 1 of 4 ref. 12065-FPCR-XX-XX-L-DR-0001 POS Detailed Proposals P02 Sheet 2 of 4 ref. 12065-FPCR-XX-XX-L-DR-0002 POS Detailed Proposals P02 Sheet 3 of 4 ref. 12065-FPCR-XX-XX-L-DR-0003 POS Detailed Proposals P01 Sheet 4 of 4 ref. 12065-FPCR-XX-XX-L-DR-0004 On Plot Planting Plan P01 Sheet 1 of 3 ref.12065-FPCR-XX-XX-L-DR-0005 On Plot Planting Plan P01 Sheet 2 of 3 ref. 12065-FPCR-XX-XX-L-DR-0006 On Plot Planting Plan P01 Sheet 3 of 3 ref. 12065-FPCR-XX-XX-L-DR-0007
6 – Affordable Housing Design M(4)3, M(4)3A and NDSS compliance	✓	Document 63. M4(2) and M4(3) Compliance Report Document 26. Maisonette Plans and Elevations ref. G.HP.HT.09 Rev A Document 27. Bungalow Plans and Elevations ref. G.HP.HT.10 Rev A Document 24. House Type 7 Plans and Elevations ref. G.HP.HT.07 Rev A Document 25. House Type 8 Plans and Elevations ref. G.HP.HT.08 Rev A
7 – Housing Layout and sustainable design details	✓	Document 07. Garden Area Layout ref. G.HP.GAL.01 Document 32. Wheelchair Unit Layout ref. G.HP.PMUL.01 For home working provision and sustainable design detail see Design and Access Addendum (Document 28) and Planning Statement (Document 64) Briary Energy Statement (Document 60)

Planning Condition	Requirement Met?	Commentary
8 – Lighting Scheme	✓	Document 40. Street Lighting Sheet 1 ref. 7074-MJA-SW-XX-DR-C-020 Rev P1 Document 41. Street Lighting Sheet 2 ref. 7074-MJA-SW-XX-DR-C-021 Rev P1 Document 61. Outdoor Lighting Report
9 – Refuse/Recycling storage collection details	✓	Document 10. Waste Management Plan ref. G.HP.WMP.01
10 – Boundary Treatments	✓	Document 03. Boundary Treatment Layout ref. G.HP.BTL.01 Document 12. Boundary Treatment Details ref. G.HP.BTD.01
11 – Details of Garages/ Car Parking and Cycle Storage	✓	Document 08. Parking Strategy Layout ref. G.HP.PSL.01 Document 13. Garages ref. G.HP.G.01
12 – Landscape and Ecological Management Plan	✓	FPCR
13 – Biodiversity Enhancement Strategy	✓	CSA

1.4.5 The conditions which have more relevance to the requirements of the Site’s Scale, Appearance, Layout, and Landscaping will be discussed in further detail in section 4.

1.4.6 Pre-commencement and prior to occupation conditions as stated in the decision notice of the outline permission will be subject to separate discharge of conditions applications.

## 1.5 Withdrawn Reserved Matters Application

1.5.1 An application for the approval of Reserved Matters pursuant to Outline Planning Permission (Ref: 20/01264/OUT) was submitted to Braintree District Council on 11th July 2022, the application was validated on 29th July 2022. However, in March 2023 the application was withdrawn by the applicant.

## **2 THE PROPOSALS**

### **2.1 Development Proposals**

2.1.1 To comply with the Outline Planning Permission (Ref: 20/01264/OUT), this Reserved Matters application seeks approval of the details of Scale; Appearance; Layout; and Landscaping for the construction of 110 dwellings (including 40% affordable) together with public open space, landscaping, and associated infrastructure, on land north of Maldon Road, Hatfield Peverel.

2.1.2 The application proposal includes the following:

- Residential development for 110 new dwellings, including 66no. open market dwellings, comprising a mix of 2, 3, 4, and 5-bedroom market dwelling houses; and 44no. affordable dwelling houses (40%), comprising a mix of 1, 2 and 3-bedroom cottage flats, semi-detached bungalows and mews dwellings.
- Soft landscaping throughout the site, including the strengthening of existing vegetation along the site's boundary.
- New publicly accessible, attractively landscaped open natural greenspace in the north western part of the Site, which will include a children's play area, off lead dog exercising area and a community orchard.
- New and improved public footpath connections throughout the site which link to the existing footpath network and create new recreational routes;
- Sustainable Drainage Systems (SUDs) features located to the north east at the lowest point of the site, in the form of an attenuation basin and storage area designed to manage the flow of surface water. Attenuation tanks are located to the north of the site along with permeable paving throughout the site's developable area.

## **3 SITE DESCRIPTION**

### **3.1 Site Context**

- 3.1.1** The Site is located on the eastern side of the village and comprises two parcels of land totalling 5.96ha. The first parcel is directly to the north of Maldon Road and is currently occupied by a derelict farm building and an area used for farm storage, while the second parcel lies to the north of the first parcel and extends further to the west and meets boundaries with existing properties on Maldon Road.
- 3.1.2** To the north of the Site lies farmland and fishing lakes remediating from an historic quarry site. To the east, lies further agricultural fields while to the south beyond Maldon Road lies existing residential development.
- 3.1.3** At the Site's most western point it meets a Public Right of Way which travels in a north-south direction before turning west beyond the Site linking with the wider footpath network.
- 3.1.4** There is also a gas pipeline orientated north-south within the Site's western corner.
- 3.1.5** The application site falls within the EA Flood Risk Zone 1 (i.e. land assessed as having a less than 1 in 1,000 annual probability, or <0.1% chance of flooding).
- 3.1.6** As outlined in the Outline Planning Application's Heritage Report, there are no designated heritage assets within the Site, within the wider area the Grade II Listed Brewery House is located approx. 50m south of the application site.
- 3.1.7** The Site is located within walking and cycling distance of the existing shops and services within Hatfield Peverel, which include convenience stores, a post office, takeaways, restaurants, public houses; and a wide range of local services.



## **4 PLANNING POLICY**

### **4.1 The Development Plan**

4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

4.1.2 The Framework is a material planning consideration but does not change the statutory status of the Development Plan as the starting point for decision making. The planning application should be considered in this context.

#### **Local Planning Policy**

4.1.3 Braintree District Council's Development Plan consists of the following documents of relevance to the proposals:

- Braintree Local Plan Review Saved Policies (2005);
- Braintree Core Strategy (2011);
- Braintree Local Plan to 2033 Section 1 (2021);
- Braintree Local Plan Section 2 (2022)
- Supplementary Planning Documents; and
- Hatfield Peverel Neighbourhood Plan (2019).

#### Supplementary Planning Documents

4.1.4 A number of adopted Supplementary Planning Documents within the Development Plan have also been taken into account as part of the development proposals, including:

- Affordable Housing SPD, May 2006
- Essex Coast RAMS SPD, May 2020
- Essex Design Guide – Guidance, 2005
- External Artificial Lighting SPD, September 2009
- Open Space SPD, November 2009
- Parking Standards Design and Good Practice – Guidance, September 2009
- Urban Place Supplement - Guidance, June 2007

### **Other Material Considerations**

4.1.5 Additionally, other documents of material consideration include the following:

- The National Planning Policy Framework (NPPF)
- Planning Policy Guidance (PPG)

## **4.2 Policy Compliance**

4.2.1 The previous Outline Planning Application (Ref: 20/01264/OUT) was submitted to understand the Council's perception of the principle of development and whether the proposal was compliant with the relevant planning policies.

4.2.2 Within this application the planning statement explored the compliance with the most importance determining policies within the Development Plan and National Planning Policy.

4.2.3 As outlined in the Decision Notice, which formally approved the scheme in outline, the proposal was in compliance with the most relevant planning policies. Therefore, the principle of development is already established. The purpose of this

planning application is to provide detail on the Scale, Appearance, Layout and Landscaping of the proposed scheme.

4.2.4 The following sections, and the suite of documents included with this application provide sufficient detail on these subjects and should allow for the discharge of the relevant conditions listed in section 1.4.4.

### **4.3 Compliance with Outline Planning Permission**

4.3.1 The Outline Planning Permission (Ref. 20/01264/OUT) established that the Site could be developed to accommodate the level of development proposed and set parameters for how the development should be achieved. The approved parameters for the development include:

- Up to 110 dwellings;
- Up to 40% affordable housing;
- Provision of access and internal roads;
- Provision of drainage infrastructure measures;
- Provision of open space and strategic landscaping.

4.3.2 The approved Parameters Plan illustrates the fixed land use locations including developable areas and landscape buffers, the approved means of access into the Site, the areas of retained and new landscaping, and the location and extent of the proposed land uses. It also demonstrates the potential internal access routes and the maximum storey heights of dwellings in different areas.

4.3.3 The reserved matters application has built on the approved principles to establish the detail and form of the proposed development.

### **The Reserved Matters: Scale**

- 4.3.4 The Outline Planning Permission prescribes the building heights for the new development under the approved Parameter Plan, having had regard to the impact of development on the existing development nearby, the surrounding environs and long distance views.
- 4.3.5 The building heights proposed conform with the approved Parameter Plan which limits the heights in some areas to 2 storey (maximum height of 9.6m) and 2.5 storeys in other areas (maximum height of 11.5m). This is also detailed in the Storey Heights Plan (Ref: G.HP.SHL.01).
- 4.3.6 The residential development proposed comprises a mix of predominantly 2 storey dwellinghouses with some 2.5 storey and two single storey (bungalows) dwellings also proposed, as outlined in the Storey Heights Plan (Ref: G.HP.SHL.01). The scale of the proposed dwellings therefore accords with the approved Parameter Plan.

### **The Reserved Matters: Appearance**

- 4.3.7 As previously mentioned, the appearance of the Site draws upon the requirements of the Outline Planning Permission and the approved Parameters Plan.
- 4.3.8 A site analysis of the existing residential development within the vicinity of the Site and into Hatfield Peverel has been undertaken in order to influence the design ethos within this application. The appearance of the dwellings and design ethos have been selected in order to sensitively merge with the architectural styles of surrounding development. The DAS addendum submitted with this application discusses design analysis and choices in detail and should be referred to for design-based decision making.
- 4.3.9 Based on this, a range of external materials have been used on different house types in order to create a development which although unique, takes aspects of different architectural styles to sensitively merge with both the natural and built environment in the vicinity of the Site.

- 4.3.10 The principal route through the development will lead from the Site access off Maldon Road and will exhibit stronger building forms and a consistent building line to denote its importance.
- 4.3.11 Strategic landscaping is provided along the perimeter of the Site and also along the line of existing hedgerow. A network of open spaces link across the Site to allow free movement of nature. This is especially true of the frontage onto Maldon Road where landscaping and planting will soften the Site's impact on surrounding views.
- 4.3.12 The development will be sensitive to the topography of the Site and aims to retain and enhance the Site's natural resources. The approved parameter plan accounts for this and has guided the design choices in terms of the Site's natural resources.

**The Reserved Matters: Layout**

- 4.3.13 The proposed layout of the development is illustrated on the submitted drawing titled Site Layout (Ref: G.HP.CSL.01 Rev B).
- 4.3.14 The framework for this layout was informed by the constraints and opportunities plan in the Outline Planning Permission. The extent and general arrangement of varying uses accords with the approved Parameter Plan and Development Framework Plan, whilst achieving a development that meets policy requirements and complies with the Essex Design Guide and wider National Planning Policy.
- 4.3.15 A simple approach to street hierarchy has been adopted to minimise the dominance of roads through the development and incentivise the use of sustainable travel methods. The principal route through the development leads from the entrance to the Site off Maldon Road to the north, then smaller roads and private drives will serve individual dwellings.
- 4.3.16 Private drives have been placed in areas adjacent to the landscaped open space to provide the scheme softer edges where possible.
- 4.3.17 Vehicular and pedestrian access has been informed the approved Parameters Plan and Development Framework Plan as part of the Outline Application. The

proposed tree lined streets and landscaped areas of pocket green spaces seek to reflect the existing characteristics found in Hatfield Peverel. These spaces will provide interest and relief to the development while encouraging social interaction and creating a sense of place.

- 4.3.18 The proposed layout allows for ease of connectivity for vehicles, pedestrians and cyclists, with a clear street hierarchy in accordance with the Essex County Council Standards.
- 4.3.19 Secondary streets will provide connections from the spine road to the wider areas of the development and will comprise of lanes, shared surface streets and private drives. These secondary streets are defined by a more informal arrangement of dwellings, with subtle variations in setback distances.
- 4.3.20 The layout of residential dwellings has been considerate of key points through the development, and to ensuring natural surveillance of areas of public open space and parking.
- 4.3.21 Careful consideration has been given to ensuring that the layout accords with the Design Standards by providing appropriate distances between properties, this can be seen in the Site Layout Plan (Ref: G.HP.CSL.01 Rev B)
- 4.3.22 Garden sizes for each dwelling can be found in the Garden Area Layout Plan (Ref: G.HP.GAL.01) which adheres to both the Essex Design Guide and Policy H03 of the Hatfield Peverel Neighbourhood Plan.

#### Levels

- 4.3.23 To comply with Condition 4 of the Outline Planning Permission, this Reserved Matters submission is accompanied by full details of the finished levels of the ground floors of the proposed dwellings, in relation to existing ground levels. These details can be found on Engineering Layout Plans (Sheets 1-3 refs. 7074-MJA-SW-XX-DR-C-001 Rev P1, 7074-MJA-SW-XX-DR-C-002 Rev P1 and 7074-MJA-SW-XX-DR-C-003 Rev P1).

Proposed Housing Mix

- 4.3.24 The proposed scheme would provide a total of 110 dwellings, incorporating a range of house types and tenures in various locations across the site.
- 4.3.25 The proposed housing mix can be found in the Site Layout Plan (Ref: G.HP.CSL.01 Rev B). This provides details of the accommodation schedule for both market and affordable housing, and includes details of dwelling size, type, and associated parking provision. The Site Layout Plan shows that a range of house types and sizes across the Site would be provided to meet the need in the area while ensuring sufficient choice is available to potential buyers.
- 4.3.26 The proposed market housing mix complies with the most recent published Strategic Housing Market Assessment (2015), which identifies a higher requirement for 3-bedrooms, followed by 4+ bedrooms and 2-bedrooms.
- 4.3.27 Core Strategy Policy CS2 requires developers to provide 40% affordable housing. This has been adhered to in the proposed development.
- 4.3.28 The following table sets out the proposed market and affordable housing mix, including the quantum of each type, size and tenure if the dwelling proposed.

House Type	No. Units
<b>Open Market</b>	
2-bed semi/mews	20
3-bed detached	15
4-bed detached	18
5-bed	13
<i>Total Market Dwellings</i>	<i>66 (60%)</i>
<b>Affordable Rent</b>	
1 bed cottage flat	4

2-bed bungalow	2
2-bed semi/mews	28
3-bed semi/mews	10
<i>Total Affordable Dwellings</i>	<i>44 (40%)</i>

**4.3.29** To comply with Condition 6 of the Outline Planning Permission and National Guidance, all housing proposed is designed to meet Nationally Described Space Standards (NDSS) requirements. In addition, all affordable homes have been designed to be M4(2) compliant and have been considered internally and externally with regards to proposed levels and parking standards. A Report produced by approved inspectors Quadrant is included within this submission which confirms that compliance with M4(2)/M4(3) of the Building regulations has been achieved for the following house types:

- House Type 7
- House Type 8
- House Type 9 – Maisonette
- House Type 10 - Bungalow

**4.3.30** The below table notes the further housing requirements set out through the Outline Planning Permission, within the S106 or planning conditions.

<b>Requirement</b>	<b>Proposal</b>
<b>S106 requirement</b> that affordable units must be deliverable without reliance on public subsidy;	The affordable housing provision will be delivered without reliance on public subsidy.
<b>S106 requirement</b> for proportionate delivery of affordable housing (Occupation of no more than 50% of the Market dwellings until 50% of the	As outlined in the Site Layout Plan, the affordable dwellings are integrated throughout the Site to ensure a range of dwellings are delivered throughout



<p>Affordable Housing Dwellings are available for occupation. Occupation of no more than 80% of the Market Dwellings until all of the Affordable Housing Dwellings have been constructed and have been transferred an Approved Body).</p>	<p>the course of the development's delivery.</p>
<p><b>Condition 2</b> requirement for all affordable homes accessible at ground level to be compliant with Building Regulations Part M Cat 2;</p>	<p>All of the affordable dwellings are compliant with Part M Cat 2.</p>
<p><b>Condition 2</b> requirement for the provision of 2no. wheelchair accessible affordable bungalows compliant with Building Regulations Part M4 Cat 3a;</p>	<p>The affordable dwellings include 2 no. 2-bed bungalow which would be compliant with Part M4(3).</p>
<p><b>Condition 2</b> requirement for affordable dwellings to be compatible with Nationally Described Space Standards;</p>	<p>The floor space of each proposed dwelling is compliant with the NDSS.</p>
<p><b>Condition 7</b> requirement (HPNP Policy HO1) for 10% of dwellings proposed to be wheelchair units compliant with either Part M categories 2/3;</p>	<p>Part M Layout Plan ref. G.HP.PMUL.01 shows the units which are compliant with Part M4(2) and M4(3).</p>
<p><b>Condition 7</b> requirement (HPNP Policy ECN2) for provision of working from home areas in each dwelling.</p>	<p>All dwellings will be provided with suitable spaces with the necessary electrical, telephone and broadband connectivity to enable residents to work from home flexibly.</p>
<p><b>Condition 34</b> requirement for a minimum of 20% of the market dwelling mix to be provided as 1 or 2 bed dwellings;</p>	<p>Of the 66no. market dwellings proposed, 20 units (30%) will be 2-bed dwelling houses.</p>

Working from Home

- 4.3.31 As previously discussed, Neighbourhood Plan Policy ENC2 requires provision for adequate space to facilitate working from home. The policy suggests this could be achieved via conversion of roof space or other areas or by providing space within the internal layout for flexibility.
- 4.3.32 The proposed dwellings are provided with the correct facilities to enable flexible use of rooms to be suitable for working from home. This includes the provision of electric, telephone and broadband sockets, and enough electricity sockets in different locations around the room. Studies are also included in some of the larger house types.
- 4.3.33 High speed Fibre Broadband will also be provided to all dwellings prior to their occupation. The proposal is therefore in accordance with HPNP Policy ECN 3.

Parking

- 4.3.34 To comply with Condition 11 (Parking and Storage) the layout proposals submitted for approval under this Reserved Matters application include details of the location and design of all parking and garage proposals.
- 4.3.35 A Car Parking Plan (Ref: G.HP.PSL.01) has also been submitted with this application, demonstrating the proposed quantum, distribution and layout of parking proposed is submitted in support of the application.
- 4.3.36 In total, 214 off-street allocated vehicle parking spaces are proposed across the Site, in accordance with requirements of the adopted parking standards and Policy RLP 56 (Vehicle Parking). This includes 11 spaces which are M/4(3) compliant spaces.
- 4.3.37 Additionally, 28 visitor parking spaces are provided which have been distributed evenly across the Site.
- 4.3.38 The proposal also accords with HPNP Policy FI2 Parking, which discourages the use of large parking courts.

4.3.39 Wall mounted or charging pedestals will be provided to all dwellings to ensure electric vehicles are encouraged.

4.3.40 Cycle parking and storage is also provided within sheds or garages for houses.

Drainage

4.3.41 The proposed layout has also been informed by the proposed water management requirements, which has sought to incorporate SUDS in line with the requirements of Policies RLP 9, RLP 69, RLP 71 and HPE 6.

4.3.42 The proposed water drainage strategy seeks to utilise a range of SUDS features to attenuate all surface water runoff from impermeable areas and infiltrate onsite. The proposed storm water system consists of the following SUDS components:

- Attenuation Basin
- Permeable paving
- Attenuation tanks
- Foul pump station
- Natural outfall into northern watercourse

4.3.43 Surface water runoff from the Site will drain into the attenuation basin in the north-eastern corner of the Site. The basin will provide a lined wet pond that will be used for additional attenuation prior to outfall to an existing ditch.

4.3.44 Foul water from the Site will drain into the existing sewer network. The foul water strategy proposes to drain foul water to a pumping station located along the eastern boundary of the Site. This will be connected to the point of connection on Maldon Road.

The Reserved Matters: Landscaping

4.3.45 To comply with Condition 5 of the Outline Planning Permission a Landscaping Scheme is provided as part of this application (see submitted documents 53 - 59).

The landscaping strategy can also be seen in the Site Layout Plan, Soft Landscaping Proposals and Public Open Space Proposals. The way these will be managed over the coming years is detailed in the Landscape and Ecological Management Plan.

**4.3.46** The landscape management proposals include the management of following areas of the proposal:

- Woodland and Wetland Native Scrub Planting
- Individual Trees
- Hedgerows
- Ornamental Native Shrub
- Grassed Areas
- Wetlands (attenuation basin)
- Play area
- Footpaths and Paving
- Street furniture and Boundary Treatment

**4.3.47** The landscaping strategy has been developed in partnership with the project's ecologists to ensure biodiversity benefit is at the heart of the proposals.

**4.3.48** The strategy has sought to provide variation in character, materials and soft landscaping along streets and pedestrian routes throughout the site. Hard and soft landscaping along street frontages will be utilised along main streets, and where possible a range of materials and areas of soft landscaping and structural planting will be used that responds to the character of the area in a positive but sensitive way.

4.3.49 Having analysed the relevant policies, the sympathetic landscape strategy fully accords with the principles of Policy CS8 (Natural Environment and Biodiversity), Policy RLP 80 (Landscape Features and Habitats), Policy RLP81 (Trees Woodland, Grasslands and Hedgerows) and Policy HPE1 (Natural Environment and Biodiversity).

Open Space

4.3.50 The proposals include distinct areas of public open space across the Site, with an off-lead dog walking area, a children's play area, a wildlife pond, footpath links, and a circular walking route which connects to the wider footpath network. These spaces and amenities are conceived as community spaces and corridors which encourage social interaction, opportunities for safe children's play and recreational for all, and pedestrian accessibility and linkage through the site.

4.3.51 The north-western parcel of the Site will provide new publicly accessible landscaped natural greenspace, in accordance with the approved Parameters plan and Development Framework Plan.

4.3.52 The approach to the extensive provision of accessible, landscaped green open space and recreation areas is compliant with the requirements of Policy RLP 9 (Design and Layout of Housing and Mixed Use Areas) and Policy CS10 (Provision for Open Space, Sport and Recreation), Policy RLP 138 (Provision of Open Space in New Housing Developments) and Neighbourhood Plan Policy HO4 (Creating Safe Communities).

Ecological Enhancements

4.3.53 To accord with Conditions relating to ecology and biodiversity, a Landscape and Ecological Management Plan, Biodiversity Enhancement Strategy and a Construction Environmental Management Plan have been submitted with this application.

4.3.54 The proposals include the creation of wildlife ponds planted with native plants to encourage species rich margins, new hedgerow planting comprising native

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species of local provenance, woodland and thicket planting, which will increase the habitats available on Site and improve ecological connectivity in the wider area.

- 4.3.55** Initial care plans, long-term maintenance and monitoring schedules are set out within the LEMP to ensure the preservation of the proposed implementations.
- 4.3.56** The CEMP submitted with this application details the necessary mitigation measures in place for the construction of the site to ensure existing wildlife is not impacted by the construction of the proposal.

## **5 CONCLUSION**

- 5.1.1 This Reserved Matters Planning Application has been prepared by Gladman Developments in respect to the Outline Planning Permission (Ref: 20/01264/OUT) granted in relation to development of land north of Maldon Road, Hatfield Peverel.
- 5.1.2 The Outline Planning Permission included details of access, with all other matters reserved for future consideration. This Reserved Matters application therefore seeks approval of the Scale, Layout, Appearance and Landscaping details pursuant with the Outline Permission.
- 5.1.3 In addition to meeting the requirements of the Outline Planning Permission, the Applicant has considered key policy requirements and objectives of the Hatfield Peverel Neighborhood Plan, the Development Plan, as well as national policy considerations and the relevant SPD documents.
- 5.1.4 The Neighbourhood Plan (2019) along with the Braintree Local Plan and the Essex Design Guide places strong emphasis on the importance of creating high quality distinctive character and layout that is sympathetic to the local environment. This Reserved matters Application demonstrates how the proposal fully accord with the principles of these Development Plan documents. The proposal presents a sensitive yet distinctive addition to the village which conserves and enhances residential amenity, local character, the local environment and landscape setting.
- 5.1.5 Accordingly, the proposals fully comply with all the relevant policies of the Development Plan, the objectives of the NPPF and other national policy guidance as well as the overarching requirements of the Outline Planning Permission. We therefore request that this Planning Application is approved without delay. Consequently, it is clear there are significant material considerations in favour of approval, and therefore the planning application should be approved.

## APPENDIX 1

	<b>Document Name</b>	<b>Reference</b>
01.	Location Plan	CSA/4411/113
02.	Adoptable Highways Layout	G.HP.AHL.01
03.	Boundary Treatment Layout	G.HP.BTL.01
04.	Colour Layout	G.HP.CL.01 Rev A
05.	CAD Site Layout	G.HP.CSL.01 Rev B
06.	Electric Vehicle Charging Point Layout	G.HP.EVCP.01
07.	Garden Area Layout	G.HP.GAL.01
08.	Parking Strategy Layout	G.HP.PSL.01
09.	Storey Heights Layout	G.HP.SHL.01
10.	Waste Management Plan	G.HP.WMP.01
11.	Street Scenes	G.HP.SS.01
12.	Boundary Treatment Details	G.HP.BTD.01
13.	Garages	G.HP.G.01
14.	House Type 1 – Plans and Elevations	G.HP.HT.01
15.	House Type 2 – Plans and Elevations	G.HP.HT.02
16.	House Type 2CT – Plans and Elevations	G.HP.HT.02CT
17.	House Type 3 – Plans and Elevations	G.HP.HT.03
18.	House Type 4 – Plans and Elevations	G.HP.HT.04
19.	House Type 4CT – Plans and Elevations	G.HP.HT.04CT
20.	House Type 5 – Plans	G.HP.HT.05A
21.	House Type 5 – Elevations	G.HP.HT.05B
22.	House Type 6 – Plans	G.HP.HT.06A
23.	House Type 6 – Elevations	G.HP.HT.06B
24.	House Type 7 – Plans and Elevations	G.HP.HT.07 Rev A
25.	House Type 8 – Plans and Elevations	G.HP.HT.08 Rev A
26.	Maisonette – Plans and Elevations	G.HP.HT.09 Rev A
27.	Bungalows – Plans and Elevations	G.HP.HT.10 Rev A
28.	Addendum Design & Access Statement	G.HP.DAS.01 Rev B



29.	Hardstanding Layout	G.HP.HSL.01
30.	Materials Layout	G.HP.ML.01
31.	Affordable Housing Tenure Layout	G.HP.AHTL.01
32.	Part M Unit Layout	G.HP.PMUL.01
33.	Engineering Layout Sheet 1	7074-MJA-SW-XX-DR-C-001 Rev P1
34.	Engineering Layout Sheet 2	7074-MJA-SW-XX-DR-C-002 Rev P1
35.	Engineering Layout Sheet 3	7074-MJA-SW-XX-DR-C-003 Rev P1
36.	Visibility Layout Sheet 1	7074-MJA-SW-XX-DR-C-005 Rev P1
37.	Visibility Layout Sheet 2	7074-MJA-SW-XX-DR-C-006 Rev P1
38.	Drainage Strategy Layout	7074-MJA-SW-XX-DR-C-010 Rev P1
39.	Flood Exceedance Flow Plan	7074-MJA-SW-XX-DR-C-011 Rev P1
40.	Street Lighting Sheet 1	7074-MJA-SW-XX-DR-C-020 Rev P1
41.	Street Lighting Sheet 2	7074-MJA-SW-XX-DR-C-021 Rev P1
42.	Indicative Service Margin Layout	7074-MJA-SW-XX-DR-C-050 Rev P1
43.	Long Sections Sheet 1	7074-MJA-SW-XX-DR-C-100 Rev P1
44.	Long Sections Sheet 2	7074-MJA-SW-XX-DR-C-101 Rev P1
45.	Highway Construction Details	7074-MJA-SW-XX-DR-C-200 Rev P1
46.	Drainage Construction Details	7074-MJA-SW-XX-DR-C-201 Rev P1
47.	External Works Layout Sheet 1	7074-MJA-SW-XX-DR-C-400 Rev P1
48.	External Works Layout Sheet 2	7074-MJA-SW-XX-DR-C-401 Rev P1

49.	External Works Layout Sheet 3	7074-MJA-SW-XX-DR-C-402 Rev P1
50.	Refuse Vehicle Swept Path Analysis	7074-MJA-SW-XX-DR-C-500 Rev P1
51.	Fire Tender Swept Path Analysis	7074-MJA-SW-XX-DR-C-501 Rev P1
52.	Private Car Swept Path Analysis	7074-MJA-SW-XX-DR-C-502 Rev P1
53.	POS General Arrangement P02 Sheet 1 of 4	12065-FPCR-XX-XX-L-DR-0001
54.	POS Detailed Proposals P02 Sheet 2 of 4	12065-FPCR-XX-XX-L-DR-0002
55.	POS Detailed Proposals P02 Sheet 3 of 4	12065-FPCR-XX-XX-L-DR-0003
56.	POS Detailed Proposals P01 Sheet 4 of 4	12065-FPCR-XX-XX-L-DR-0004
57.	On Plot Planting Plan P01 Sheet 1 of 3	12065-FPCR-XX-XX-L-DR-0005
58.	On Plot Planting Plan P01 Sheet 2 of 3	12065-FPCR-XX-XX-L-DR-0006
59.	On Plot Planting Plan P01 Sheet 3 of 3	12065-FPCR-XX-XX-L-DR-0007
60.	Energy Statement	N/A
61.	Outdoor Lighting Report	N/A
62.	SUDS Management and Maintenance Plan	N/A
63.	Plans Approval – Compliance with M4(2) and M4(3)	N/A
64.	Planning Statement	N/A
65.	LEMP	N/A
66.	Construction Environmental Management Plan: Biodiversity	N/A
67.	Biodiversity Enhancement Strategy	N/A
68.	Ecological Impact Assessment	N/A



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# PLANNING STATEMENT

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# **Braintree District Housing Supply Review 2023**

## **Appendix 2G**

### **Completed proforma**

#### **Land North of London Road Kelvedon**

## Braintree District Council Planning Policy

### Housing Land Supply Review 2023

### Braintree District Housing Trajectory Questionnaire

*The Council is subject to the Freedom of Information Act 2000 and Environmental Information Regulations 2004, and laws concerning the protection of personal information. If you consider that any of the information that you provide as part of your response is commercially sensitive or personal information, please identify it as such in Question 6a and please explain in question 6b how disclosure would be detrimental to your organisation. The Council cannot guarantee non-disclosure of this information, but will apply any relevant exemption where one is clearly engaged.*

#### **SITE SUMMARY (completion by BDC)**

Site Reference:	TR129
Site:	Land North of London Road Kelvedon
Ownership: (eg. Housebuilder, developer, landowner)	
Contact details	Michael Smith, agent for Barkley Projects (Kelvedon) LLP JCN Design 2 Exchange Court London Road Feering
Planning status: e.g. allocation, outline permission, detailed permission, resolution to grant planning permission)	Outline permission granted on appeal 30.01.2023 for a mixed use neighbourhood development comprising up to 300 dwellings, health centre, local retail area, care home, an early years and childcare facility, open space and landscape buffers, and supporting infrastructure that includes sustainable drainage and two accesses from London Road. (application reference 17/00679/OUT)
Braintree District Council assessment of progress towards delivery of this site based on our current knowledge:	Site was marketed by Savills with offers invited by 18 July 2023
To be completed by BDC following review of information provided by development representative:	
Total site capacity	300 + care home
Total completed at March 2023	0
Total outstanding at March 2023	300 + care home
Qualify for 5YS2028: Yes/No 5YS forecast 2023-2028:	

**Continued overleaf: Pages 2-4 for completion by site development representative**

## For completion by site development representative:

### SECTION 1: CONFIRMATION OF SUMMARY SITE DETAILS

1a	Please confirm if the site details set out by the Council above, including the Council's assessment, are correct. If not, please provide update details.	Site is currently being sold to a developer, the ownership will change in the near future.
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### SECTION 2: AVAILABILITY:

2a	Is the site currently available for development? Please indicate, is the site in the control of a developer, or a site promoter	Yes, control is being passed to a developer and there are no existing land uses that would prevent development.
2b	If not, why not? <i>e.g. is there an existing use on site?</i>	Not applicable.
2c	If the site is not available yet, when will it become available	Land sale to be complete before the end of 2023.
2d	Are you still undertaking site assessment work? If so, please give further details.	Further work required as part of the preparation of the reserved matters.
2e	When do you plan to submit a Reserved Matters application?	Before the end of 2023 (subject to pre-application discussions).
2f	If your site has outline permission and you have submitted or will be submitting a Full application rather than Reserved Matters, please explain briefly why	Not applicable.

### SECTION 3: ACHIEVABILITY


*(defined as having a realistic prospect that housing will be delivered on site within 5 years)*

Are there current barriers delaying/preventing development? Please explain what they are and how/when they will be overcome.	None – approval of the reserved matters will release the development of the site.
--	---

### SECTION 4: DELIVERY TIMETABLE AND HOUSING TRAJECTORY

4a	When do you estimate you will start works on site?	Spring 2024 (after approval of reserved matters).
4b	If you have already started work on site, what stage is construction currently at?	Not applicable.
4c	When do you estimate you will deliver the first housing completions?	Late 2024.
4d	When do you estimate you will complete development of the site?	Late 2027.
4e	Please complete the Housing Trajectory Table (see final page) with details of forecast housing completions by year	<b>See final page</b>
4f	Any additional comments you wish to make	None.

### SECTION 5: DECLARATION

I confirm that the information provided is correct to the best of my knowledge:	Name: Michael Smith	Signature: 
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(Continued ...)

## 6: COMMERCIALY SENSITIVE INFORMATION

6a	Have you provided any information that you would regard as commercially sensitive? If yes, please specify which answers this applies to.	No.
6b	Please explain how disclosure of this information would be detrimental to your organisation.	Not applicable.

Please return **by no 4 August 2023** to:

e-mail to: [planningpolicy@braintree.gov.uk](mailto:planningpolicy@braintree.gov.uk)

#### 4e: HOUSING TRAJECTORY TABLE: FORECAST COMPLETIONS BY YEAR

Please complete the housing trajectory table below with details of your anticipated housing completions in future years:

**Please note: All years are based on financial years i.e. 1 April to 31 March. If you can only provide a forecast based on a different period, eg January to December by year, please make this clear in the response**

	2023-2024	2024-2025	2025-2026	2026-2027	2027/2028	
Current best estimate of <b>MARKET DWELLING COMPLETIONS</b>	0	30	50	50	50	
Current best estimate of <b>AFFORDABLE DWELLING COMPLETIONS</b>	0	0	40	40	40	
<b>= TOTAL DWELLINGS</b> (market + affordable)	0	30	90	90	90	
	2028-2029	2029-2030	2030-2031	2031-2032	2032-2033	Post 31.03.2033
Current best estimate of <b>MARKET DWELLING COMPLETIONS</b>	SITE COMPLETE					
Current best estimate of <b>AFFORDABLE DWELLING COMPLETIONS</b>	SITE COMPLETE					
<b>= TOTAL DWELLINGS</b> (market + affordable)	SITE COMPLETE					



# **Braintree District Housing Supply Review 2023**

## **Appendix 2H**

### **Rivenhall Park Phase 4**

#### **Outline planning application appeal decision**



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## Appeal Decision

Inquiry held on 6 December 2022

Site visit made on 7 December 2022

by **O S Woodward BA(Hons.) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5<sup>th</sup> January 2023

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**Appeal Ref: APP/Z1510/W/22/3305099**

**Phase 4, Land North East of Rectory Lane, Rivenhall**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Bellway Homes Ltd against the decision of Braintree District Council.
  - The application Ref 20/02060/OUT, dated 27 November 2020, was refused by notice dated 18 March 2022.
  - The development proposed is for up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones Road, sustainable drainage systems, landscaping and all associated infrastructure and development.
- 

### Decision

1. The appeal is allowed, and planning permission is granted for up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones Road, sustainable drainage systems, landscaping and all associated infrastructure and development at Phase 4, Land North East of Rectory Lane, Rivenhall, in accordance with the terms of the application Ref 20/02060/OUT, dated 27 November 2020, subject to the conditions set out in Annex C to this Decision.

### Preliminary Matters

2. The Council's decision notice refers to policies from the Braintree Local Plan 2005 and Braintree Core Strategy 2011. Both those plans have been subsequently replaced by the policies in the now adopted Braintree District Local Plan 2013-2033: North Essex Authorities' Shared Strategic Section 1 Plan 2021 (the Section 1 LP) and Braintree District Local Plan Section 2 2022 (the Section 2 LP) Local Plans. The main parties have confirmed the relevant policies from the Section 1 and 2 LPs, which I refer to as appropriate throughout my Decision.
3. The application was made in outline with all matters reserved. A series of parameters plans have been submitted detailing land use zones, areas of green infrastructure, indicative pedestrian and cycle routes, indicative 'spine road' for vehicular access, and storey height zones. An illustrative masterplan and sports

pitch layout drawing have also been submitted which I have had regard to, whilst acknowledging their illustrative nature.

4. Documents were submitted during and after the inquiry, as set out in Annex B. I am satisfied that in all cases the material was directly relevant to, and necessary for, my Decision. All parties were given opportunities to comment as required and there would be no prejudice to any party from my consideration of these documents. The appeal is therefore determined on the basis of the additional documents.
5. The application was refused on 18 March 2020. There was one reason for refusal but it was multi-faceted, relating to: the principle of the proposed development outside of a designated development boundary; harm to the character and appearance of the area including to landscape, Rectory Lane, loss of trees and hedgerows, and coalescence of Witham and Rivenhall; less than substantial harm to the historic significance of The Old Rectory grade II Listed building through harm to its setting; harm to the free-flow of traffic to the surrounding highway network; harm from the sterilisation of a minerals resource on the appeal site; and, harm through the loss of best and most versatile agricultural land.
6. The Council published a Five-Year Housing Land Supply Position Statement in April 2022. This concluded that the Council can only demonstrate a 4.86 year supply of housing land, as opposed to the 5.1 years that the Council believed it could demonstrate at the time of refusing the planning application the subject of the appeal. The appellant has not agreed with the 4.86 year figure, believing that it may be lower, however this issue was not explored at the inquiry. I have therefore adopted the 4.86 year figure for the purposes of this Decision.
7. A s106 Planning Obligation, dated 19 December 2022 (the s106) has been submitted. It secures:
  - a contribution towards a new community facility at Maltings Lane, Witham;
  - the provision of a circular walking route, a play area, public open space, other amenity areas and woodland, including the requirement to agree the specification and detail of these areas with the Council, and the future management and maintenance through a management company;
  - land for an allotment, including the requirement to agree the specification with the Council, and the future management and maintenance through a management company;
  - skylark mitigation through the provision of suitable habitat, including a management plan;
  - a reptile receptor site, including the requirement to agree the specification with the Council and a management plan;
  - the provision of playing pitches, pavilion and car parking, at a specification to be agreed with the Council, their maintenance, and the transfer of the land to the Council at nominal cost;
  - 30% of the dwellings to be affordable housing, with a split of 66.66% affordable housing for rent and 33.33% shared ownership;

- a contribution towards the extension or refurbishment or reconfiguration or relocation of the Witham Health Centre;
  - a contribution towards strategic 'off-site' measures as set out in the Recreational disturbance Avoidance and Mitigation Strategy, in mitigation of the effect of the proposal on the Blackwater Estuary Special Protection Area (SPA) and Ramsar, Dengie SPA and Ramsar, and Essex Estuaries Special Area of Conservation;
  - a contribution towards early years, childcare, primary and secondary education facilities, within three miles of the appeal site;
  - a contribution towards upgrading the facilities at Witham library;
  - highways works and agreement, including:
    - a footway/cycleway along Rickstones Road including an uncontrolled crossing;
    - the closure of the southern part of Rectory Lane to vehicles;
    - a revised junction from Rickstones Road to the appeal site, including a bus gate (or alternative scheme to be agreed with the Council), leading to a spine road through the appeal site to Evans Way;
    - two new bus stops either within the appeal site or elsewhere as to be agreed with the Council and Essex County Council (ECC);
    - a controlled crossing on Rickstones Road; and,
    - upgrading existing bus stops, or providing new bus stops, on Rickstones Road and/or Forest Road;
  - a Residential Travel Plan monitoring fee;
  - a contribution to upgrade or enhance the River Walk, potentially to include improved connectivity to the River Walk from the public highway;
  - a contribution to enhance the bus service that uses Forest Road and/or pedestrian and cycle improvements between the appeal site and Witham Town Centre, the details of which are to be agreed with the Council; and,
  - 2% of the dwellings to be provided as self-build/custom build plots.
8. The Council's CIL Compliance Statement sets out the detailed background and justification for each of the obligations. I am satisfied that the provisions of the submitted agreement would meet the tests set out in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and the tests at paragraph 57 of the National Planning Policy Framework (the Framework), and I have taken them into account. I return to matters of weight and detail of the s106 throughout my Decision as appropriate.

### **Main Issues**

9. As a result of the change to the housing land supply position and further to the provision of the s106, the Council did not defend its position at the inquiry, which was uncontested between the main parties. However, a number of issues were raised by interested parties, which were explored at the inquiry.

10. These form the basis for the main issues for the appeal, as follows:

- whether or not the appeal site is an appropriate location for development of this type, having regard to local and national planning policy and guidance;
- the effect of the proposed development on the character and appearance of the area;
- the effect of the proposed development on highway safety, in particular regarding cyclists and the proposed access to Rickstones Road; and,
- the effect of the proposed development on the efficient operation of the highway network in the vicinity of the appeal site.

## **Reasons**

### *Location of development*

#### Principle

11. Policy SP3 of the Section 1 LP sets out the spatial strategy for North Essex. The spatial strategy is for development within or adjoining existing settlements at a scale according to their hierarchy, as set out in detail through the Section 2 LP. The Section 2 LP allocates Witham as a 'town', the highest settlement definition in the hierarchy, and Rivenhall as a Third Tier village, the lowest defined settlement level in the hierarchy. The Spatial Strategy is to concentrate development on the towns, including Witham. Policy LPP1 of the Section 2 LP restricts development outside of the defined development boundaries to uses appropriate to the countryside.
12. The appeal site is entirely outside the defined development boundaries for Witham town or Rivenhall village. It is common ground, and I agree, that the proposed residential-led development would not be a use appropriate to the countryside. The proposal would therefore be contrary to the Development Plan and its overall Spatial Strategy and would fail to comply with Policy LPP1 of the Section 2 LP and therefore also Policy SP3 of the Section 1 LP, which cross-refers to the Section 2 LP.

#### Accessibility

13. The appeal site is adjacent to Witham, and within walking distance of local shops, schools, and Witham train station. A bus route also connects the site to the town centre and train station. The s106 secures improvements to the local cycle infrastructure including along Rickstones Road and between the appeal site and the town centre. The s106 secures enhancements to the River Walk. It also secures two new bus stops and the diversion of bus routes through the appeal site.
14. The proposal is therefore in an accessible location to local services and facilities and is well served by, and would improve, local non-car transport connections. It would also represent the extension of an existing large residential-led development by the appellant and would directly connect to the existing development through the proposed spine road vehicular access. It therefore complies with the relevant parts of Policy SP6 of the Section 1 LP and Policy LPP42 of the Section 2 LP, both of which encourage development in accessible locations and the promotion of non-car based modes of travel.

### *Character and appearance*

#### Coalescence

15. The appeal site is on, and would extend, the northern boundary of Witham town. It technically sits within the parish of Rivenhall but it is experienced, on the ground, as an extension to Witham, which it immediately abuts. Either side of Rickstones Road, which leads from Witham to Rivenhall village, is a collection of houses and other buildings, known as Rickstones End. These are not part of a defined 'village' in the Local Plan. Since the construction of Phase 3 of the development and the new school to the west of Rickstones Road, Rickstones End has been physically joined to Witham town. Further north, separated by fields and a golf course, lies the village of Rivenhall.
16. The proposal would create a bus access point on Rickstones Road within Rickstones End. No other built form is proposed in this area, with the proposed housing being set significantly behind this frontage on the other side of the proposed playing fields. The proposal would therefore have no material effect on the coalescence of Rickstones End and Witham, which are already coalesced.
17. With regard to the separation of Rivenhall village and Witham, the open land of the appeal site would be lost and this currently forms part of the open land separating the two settlements. However, the golf course and other open land to the north would remain. This is a significant size and width. Importantly, all the land that is part of the green buffer zone, as identified in Policy LPP68 of the Section 2 LP, would be unaffected by the proposal. The proposal would not, therefore, result in coalescence between Witham town and Rivenhall village and complies with Policy LPP68 of the Section 2 LP and also Policy SP3 of the Section 1 LP.

#### Rectory Lane

18. Rectory Lane is a Protected Lane. It runs along part of the southern boundary of the appeal site. It is a narrow, quiet, country lane with low traffic levels. However, at present it can function as a 'rat-run' for drivers if traffic builds up significantly on Rickstones Road and/or Forest Road. The s106 secures the shutting of the southern half of Rectory Lane to vehicular traffic. This would reduce the amount of traffic using the lane by removing the ability to 'rat-run'.
19. There would be no change to the lane or its hedgerows other than a proposed turning head which would be needed to enable the proposed road closure. The proposal would introduce built form in the vicinity of the lane but set back a moderate distance and with the ability to ensure an appropriate landscape buffer be provided. The detail of these elements could be controlled at reserved matters or condition discharge stages.
20. The proposal would therefore conserve the traditional landscape and character of the Protected Lane and it complies with Policy LPP69 of the Section 2 LP.

#### Landscape

21. The appeal site is not within a nationally designated or valued landscape. It is an unremarkable field with significant built form to the south, west and east, and even to the north a golf course, rather than open countryside. Some trees on the appeal site would be lost, however, they would be moderate and low

category trees. The significant band of woodland that runs north-south across the appeal site would be largely retained apart from a thin band to be felled for the proposed spine road and a crescent area to be felled to create a play area. Extensive replacement and additional landscaping including tree planting is proposed and could be controlled by future reserved matters and conditions submissions.

22. Nevertheless, there would be some harm to the landscape character of the site and surroundings due to the proposed built form on the field. This would be appreciated by some sensitive receptors, including residents of existing nearby properties and users of footways and Rectory Lane, which includes pedestrians as well as vehicles. However, those harms would be largely self-contained and any harm to the wider context would be limited.
23. The creation of the cycle and bus gate access routes would result in the loss of hedgerow and trees along Rickstones Road. This would result in harm to the character and appearance of the road. However, this harm would be limited because the amount of tree and hedgerow loss required would be small and because this part of the road has existing built form and development. In addition, the detail of the removal of existing hedgerows and trees could be controlled by future reserved matters and conditions submissions, to minimise any effects.
24. Overall, there would be some harm to the character and appearance of the area through the loss of the existing field to be replaced by a substantial residential development. The existing landscape is unremarkable and extensive open space, parkland and tree planting is proposed. Any harm would be largely visually self-contained. I therefore assess the level of harm to be limited. However, the proposal would fail to comply with Policy LPP67 of the Section 2 LP, which requires proposals to be sympathetic to the existing character of the landscape. It would also fail to comply with Policy SP7 of the Section 1 LP, which requires high quality design.

### *Highway safety*

#### Access

25. It is proposed to re-configure an existing vehicular access point from Rickstones Road. The existing access is to a collection of industrial units. The proposed access would provide a turning head to retain access to the industrial units and would, in addition, provide access for busses through the appeal site by connecting to the proposed spine road. A bus gate situated beyond the turning head for the existing industrial units would ensure this access for the appeal site would only be used by busses.
26. The details of the access have not yet been confirmed. However, a detailed drawing has been provided of the current proposed design. The existing access is nearby to a bend in the road and currently has poor visibility to the south. However, the proposed access, although broadly in the same location, would also include the creation of 2.4m x 43m visibility splays in both directions. The size of visibility splay corresponds to that set out in Manual for Streets 2 (MfS2) where 85<sup>th</sup> percentile speeds are up to 37 mph, which MfS2 states is generally achieved within 30 mph speed limits. The relevant part of Rickstones Road is subject to a 30 mph speed limit. The Rickstones Road Action Group has stated that supporting information to a planning application in relation to Chatten

School measured the actual speed of vehicles and found northbound traffic to be travelling at an 85<sup>th</sup> percentile speed of 43.7 mph. However, I have not been provided with full details regarding this measurement. In addition, the access for the school, though nearby, is to the south of two tight bends in Rickstones Road, which are likely to slow northbound traffic. No surveys of vehicle speeds outside the proposed access point have been provided to demonstrate an 85<sup>th</sup> percentile speed greater than 37 mph. I am therefore satisfied that the visibility splay used by the appellant is appropriate for the proposed access.

27. Residential properties Nos 302, 304 and 306 Rickstones Road lie to the north east of the proposed access. There is no footpath in front of these three properties and instead the driveways and front gardens for the houses directly abut the road. I have been provided with land registry documents confirming the land ownership boundaries of the three properties and the visibility splay runs through the land ownership of all three. However, the visibility splays would also be entirely within the highway boundary and would therefore be over highways land maintainable at public expense, as set out in Section 36 of the Highways Act 1980 (as amended). I am therefore confident that the visibility splays would be kept free of visual obstructions by the Highways Authority.
28. The detailed design of the proposed access could be controlled by future reserved matters and condition discharge submissions. The Highways Authority has not objected to the proposal. Personal injury accident data has been provided that confirms this part of Rickstones Road has no road safety issues at present. The additional traffic using the access compared to as existing would only be the three busses an hour. I am therefore satisfied that the proposed access would likely not materially harm highway safety and could improve safety in comparison to the existing access point, depending on the final detailed design.
29. The proposal therefore complies with paragraph 111 of the Framework, which states that development should only be refused if there would be an unacceptable impact on highway safety. It also complies with Policy LPP52 of the Section 2 LP, which states that proposals should not have a detrimental impact on highway safety.

#### Cyclists

30. A joint foot and cycle way is proposed from the appeal site to Rickstones Road. This part of Rickstones Road would then be upgraded to provide cycleways and controlled crossings. The detail of these proposals would be controlled by future reserved matters, condition discharge and s38/s278 works submissions. They would improve the connectivity and safety of Rickstones Road for cyclists.
31. The s106 secures payment towards improving cycle connections between the appeal site and the town centre. One potential scheme is along Collingwood Road. Several concerns regarding this proposal have been raised, including cyclist and wider highway safety. However, there are alternative routes and options, for example using Armond Road or Motts Lane. The detail of the Collingwood Road scheme could also evolve and change. I am therefore satisfied that a solution is likely to be found for a suitably safe and accessible cycle connectivity solution between the appeal site and the town centre.



### *Free-flow of traffic*

32. The appeal is supported by a Transport Statement. Normally, for a proposal of the scale proposed, a full Transport Assessment would be required. However, ECC as Highways Authority has confirmed that in this instance the submitted Transport Statement is sufficient. In addition, traffic surveys from September 2022 found peak hour traffic levels to be 24% lower than was predicted in the Transport Assessment's accompanying the Phase 1 and 2 planning applications in 2015, which conclude there is sufficient highways capacity for further development even at their own predicted traffic levels.
33. The proposal includes a significant package of mitigation measures that would reduce the reliance on the car for journeys by the future residents of the proposal, including the bus route diversion, new foot and cycle routes along Rickstones Road, and contributions towards a new cycle route to Witham train station and to improve River Walk between the appeal site and Witham town centre. The Highways Authority has not objected to the proposal with regard to the effect on the free-flow of traffic and I have seen no substantiated evidence that would lead me to a different conclusion.
34. The proposal therefore complies with paragraph 111 of the Framework and Policy LPP52 of the Section 2 LP, which state that development should only be refused if the residual cumulative impacts on the road network would be severe.

### **Other Matters**

#### *Heritage*

35. To the south west of the appeal site lies the Old Rectory, a grade II Listed building. The building sits in extensive grounds, all of which lie on the opposite side of Rectory Lane from the appeal site. The building was historically isolated but this has already been partially eroded through the extension of Witham to the south, east and west of the building. The appeal site is currently an open field and is the only remaining open field surrounding the building.
36. The listed building has primarily functioned as a private residence and estate. It no longer serves as a rectory and has no association with the land beyond the enclosed grounds. The field pattern of the appeal site is different to what it would have been at the time the building was associated with this land. Both sides of Rectory Lane, in this location, are bordered by thick hedgerow and some tree planting. Views between the Old Rectory and the appeal site would be extremely limited and restricted to partial or glimpsed views at most. The setting of the listed building is therefore primarily focused on its own extensive, formal, private grounds and the appeal site does not materially contribute to the significance, or special architectural and historic interest, of the listed building.
37. The proposal would result in a significant change in the character of the land nearby to the listed property and its curtilage, through the introduction of built form. However, the proposed built form of the proposal would be set back significantly from Rectory Lane and additional landscaping and planting in this area is proposed, the detail of which could be controlled by future reserved matters and condition submissions. The proposal would not alter the current private, enclosed setting of the Old Rectory, or the ability to appreciate the

building and its special architectural and historic interest from within this setting. Consequently, the proposal would not harm the setting of the listed building, which would retain its special architectural and historic significance.

#### *Appropriate Assessment*

38. The appeal site falls within the Zones of Influence (ZoI) for the Blackwater Estuary Special Protection Area (SPA) and Ramsar site, the Dengie SPA and Ramsar site, and the Essex Estuaries Special Area of Conservation (SAC), all of which fall within the scope of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (Essex Coast RAMS). Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an Appropriate Assessment (AA). As the Competent Authority, I have therefore undertaken an AA.
39. The Blackwater Estuary site provides saltmarsh, mudflats, shingle and shell bank habitats. It supports numerous important breeding and non-breeding bird species. The Dengie site has a large and remote area of tidal mudflats and saltmarshes which supports internationally important numbers of overwintering, non-breeding bird species.
40. The proposal would increase population within the ZoI, resulting in increased recreational pressure on the sites, including from dog walking, which has been shown to potentially lead to disturbance of birds using intertidal habitats with the adverse effect on these birds. The appeal site is fairly distant from the protected sites but the indirect recreational pressure increases on the sites would likely have a significant effect in-combination with other development proposals, despite likely having a negligible effect on its own.
41. Natural England (NE) has confirmed that 4.3 ha of space would be required in on-site mitigation. The proposal would include 2.33 ha of sports provision, 2.00 ha of parkland and 3.37 ha of woodland, in excess of the area required by NE. The provision and maintenance of these spaces, including a circular dog walking route, are secured through the s106 and by conditions. The spaces are throughout the development and would be easily accessible to the future residents. I am therefore satisfied that they would be used.
42. In addition, in relation to any residual effects on the protected sites, the s106 also secures a payment towards the Essex Coast RAMS, which would ensure there would be no increased recreational pressures on the coastal protected areas in combination with other plans and projects. I am therefore satisfied that the mitigation payment is required to avoid an adverse effect on the integrity of the sites. I am also satisfied that the planning obligation meets the tests set out in Regulation 122 of the CIL Regulations 2010 and paragraph 57 of the Framework.
43. Overall, I conclude that, subject to the provision of the on-site open space and facilities and the contribution to the Essex Coast RAMS, there would be no likely significant adverse effects on the integrity of the designated sites, in-isolation or in-combination with other plans or projects.

#### *Local Infrastructure*

44. The proposal would result in new people living in the area. They would increase demand on local services and facilities. The s106 secures contributions towards: a new community facility at Maltings Lane; the extension or

refurbishment or reconfiguration or relocation of the Witham Health Centre; early years, childcare, primary education, and secondary education facilities, within three miles of the appeal site; and, upgrading the facilities at Witham library. The amount of the contributions has been assessed in the CIL Compliance Statement and they are linked to the projected population of the proposal and the likely level of effect on local infrastructure. The identified facilities are nearby to the appeal site. I am therefore satisfied that the planning obligations meet the tests set out in Regulation 122 of the CIL Regulations 2010 and paragraph 57 of the Framework. Subject to the s106, the proposal would therefore have an acceptable effect on local infrastructure of this type.

#### *Biodiversity*

45. The appeal site provides habitat for bats, birds in particular skylarks, great crested newts and reptiles. The s106 secures extensive open areas and woodland, skylark mitigation through the provision of suitable habitat, and a reptile receptor site for any reptiles which need to be re-located. Conditions discharge and reserved matters submissions could control: the lighting scheme to be appropriate for bats; the detail of the provision and management of the proposed landscaping and open space; the felling and protection of trees; obtaining relevant licenses; and securing a Biodiversity Net Gain. Subject to these controls, the proposal would have an acceptable effect on biodiversity.

#### *Agricultural land*

46. The appellant has undertaken an Agricultural Land Classification (ALC) survey of the appeal site. The ALC finds that the proposal would result in the loss of around 13 ha of Grade 3a and 1 ha of Grade 2 agricultural land, both of which are classified as best and most valuable agricultural land (BMV) in the Framework. However, evidence has been provided that the majority of agricultural land in the District is BMV, including a high proportion of the higher Grade 2 land. This includes alternative land in the Witham area and all the Local Plan greenfield allocated sites for large-scale development. Paragraph 6.29 of the Section 2 LP confirms that the use of BMV for development is inevitable. Therefore, the appeal site is, at worst, sequentially neutral in the consideration of BMV. There would be conflict with paragraph 174 of the Framework, which recognises the wider benefits, including economic, of BMV, but this must be considered in this context.

#### *Minerals*

47. The appeal site falls within a Mineral Safeguarding Area (MSA). Paragraph 212 of the Framework finds that proposals should not normally be permitted in MSA if they might constrain the potential future use for mineral working. ECC has objected to the proposal because of the potential for future mineral working on the MSA, including potentially as part of a larger mineral extraction site. However, the appellant has provided a Minerals Resource Assessment (MRA) that concludes there are a number of practical constraints that would reduce the amount of minerals that could be extracted and that there is an overburden ratio of 2.3:1 which makes it commercially unviable to extract at this location. The MRA also finds that the nearby quarry is separated from the appeal site by the A12 and a railway line and has access constraints. The MRA was uncontested at the inquiry. I am therefore satisfied that there is only a remote

chance that the mineral resource would be extracted in the future. Consequently, the proposal complies with paragraph 212 of the Framework.

### *Objections*

48. A large number objections have been submitted, including a petition submitted by Witham Town Council, and objections from the Rickstones Action Group, Campaign for the Protection of Rural England, Witham and Countryside Society and Rivenhall Parish Council. The objections raise various concerns in addition to those addressed above, in particular: disruption during construction; loss of an existing playing field; loss of old trees; overshadowing of neighbouring gardens and play areas; and, overlooking and loss of privacy. I have taken all these factors into consideration. They are not in dispute between the main parties. Most were addressed in the Officer's Report, with the Council concluding that there would be no material harm in these regards. No substantiated evidence has been submitted that leads me to any different view. Others are addressed in my reasoning above, can be addressed by condition or reserved matters submissions or are dealt with by the planning obligations secured.

### *Support*

49. A letter of support has also been received, due to the importance of building new housing, the restrictions to traffic on Rectory Lane, the significant gap that would remain between Witham and Rivenhall, and Witham's road infrastructure being able to accommodate increased traffic. All these points are addressed in my Decision.

## **Planning Balance**

### *Weighting*

50. The proposal would be for inappropriate development in the countryside, conflicting with the overall Spatial Strategy of the Development Plan. However, the Council cannot demonstrate a five year supply of housing land and it is inevitable that such sites will need to be released to address this shortfall. The Spatial Strategy and the associated restrictions on development outside defined development boundaries therefore have reduced weight and I place very limited negative weight on this conflict.
51. There would be limited harm to the character and appearance of the area through the loss of the existing field to be replaced by a substantial residential development. However, the existing landscape is unremarkable and any harm would be largely visually self-contained. The effect would be no more than would be expected on any site outside of the defined development boundaries which is capable of meeting the Council's housing needs. I therefore place very limited negative weight on this harm.
52. The proposed loss of BMV agricultural land would be fairly extensive, at 13 ha, however use of BMV for development is inevitable and the appeal site is, at worst, sequentially neutral in the consideration of BMV. I therefore place limited negative weight on this harm.
53. That there is only a remote chance that the mineral resource on the appeal site would be extracted in the future, that the effects on local infrastructure would be adequately mitigated, that there would be no likely significant adverse

effects on the integrity of the designated sites, that the proposal would not harm the setting of the listed building, that there would likely be no material harm to highway safety or the free-flow of traffic, that the proposal would conserve the traditional landscape and character of the Protected Lane and that the proposal would not result in coalescence between Witham town and Rivenhall village all lie neutrally in the planning balance.

54. Up to 230 dwellings are proposed. The provision of housing is one of, if not the most, important objectives of national planning policy. The Council cannot demonstrate a five year supply of housing land, contrary to the expectation set out in the presumption in favour of sustainable development in the Framework. Approximately 180 of the proposed dwellings are likely to come forward within the next five year period, directly meeting this shortfall. I place substantial positive weight on the proposed housing.
55. Of the up to 230 dwellings, the s106 secures that 30% would be affordable housing dwellings. The Strategic Housing Market Assessment 2015 sets a target for affordable housing delivery of 218 dwellings per annum (dpa). The current delivery rate is 140 dpa and the shortfall this has created means that the current required delivery rate is likely much higher than 218 dpa. I therefore place substantial positive weight on the proposed affordable housing.
56. Of the 230 dwellings, the s106 secures that 2% (likely five plots) would be for self-build/custom build housing. There is an existing shortfall in the provision of such housing. The extent of the shortfall is contested but the main parties are in agreement that the proposed self-build/custom build plots should have significant positive weight, and I see no reason to disagree.
57. 7.6 ha of public open space is proposed, significantly in excess of the Policy LP50 of the Section 2 LP minimum requirement of 1.43 ha. In addition, play areas, woodland, allotments, playing fields and a circular walk are proposed. These facilities would not only be able to be used by the future residents of the proposal but also the general public. I therefore place significant positive weight on these elements of the proposal.
58. It is proposed to provide and/or improve existing cycle and pedestrian connections between the appeal site and the town, such as the River Walk and the yet to be finalised cycle route. In addition, new bus stops are secured by the s106. These works are beyond that required to mitigate the effect of the proposal and would be used by the general public in addition to the future residents of the scheme. I therefore place significant positive weight on these elements of the proposal.
59. There would be short term economic benefits to the area through construction of the proposal. There would also be longer term economic benefits from spending in the local economy by the future occupants of the scheme. As directed by paragraph 81 of the Framework, I place significant positive weight on this support for economic growth.
60. The appeal site is in an accessible location to local services and facilities and is well served by, and would improve, local non-car transport connections. I place moderate positive weight on these factors.

61. Subject to control by conditions and the s106, there would be a Biodiversity Net Gain as a result of the proposal. I place moderate positive weight on this benefit.

#### *The balance*

62. The conflicts I have identified include with the overall Spatial Strategy of the area. Therefore, whilst the conflicts are only limited in weight, I find that there would be conflict with the Development Plan as a whole. S38(6) of the Planning and Compulsory Purchase Act 2004 states that regard must be had to the Development Plan unless material considerations indicate otherwise. The Framework is a very important material consideration. In this case, the Council cannot demonstrate a five year supply of housing land and the application of policies that protect areas or assets of particular importance do not provide a clear reason for dismissing the appeal. Paragraph 11dii of the Framework is therefore engaged and the appeal should be allowed unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

63. However, the benefits of the proposal are many and weighty. The harms and conflicts with the Development Plan are few and of lesser overall weight. The material considerations therefore indicate that the proposal is acceptable and it is not necessary to engage the 'tilted balance', although the lack of a five year supply of housing land has influenced the weightings that has led to this conclusion.

#### **Conditions**

64. A schedule of conditions was agreed between the parties ahead of the inquiry. This was discussed through a round-table session at the inquiry. I have considered the conditions against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and in the interests of clarity, precision, and simplicity. I set out below specific reasons for each condition:

- In addition to the standard time limit conditions, a condition specifying the relevant drawings and confirming the reserved matters to be submitted provides certainty and clarity;
- The limit on dwelling numbers condition and the minimum proportion of 1 and 2-bedroom dwellings conditions are necessary to control the scale of development and to ensure a suitable mix of dwelling sizes are built;
- The design code, affordable dwelling layout, Lighting Scheme, Landscaping Scheme, Arboricultural Impact Assessment Report, Refuse Scheme, boundary treatment, solar panels and space standards conditions are necessary to ensure a satisfactory standard of development;
- The design code, Lighting Scheme, Landscaping Scheme, Arboricultural Impact Assessment Report, Refuse Scheme, boundary treatment, solar panels, Arboricultural Method Statement (AMS), Construction Method Statement (CMS), T93 and T94 Method Statement, materials and sports pitch lighting conditions are necessary to protect and enhance the character and appearance of the area;

- The Noise Assessment, Lighting Scheme, CMS, piling, construction hours and burning of materials conditions are necessary to protect the living conditions of future occupants and neighbouring occupiers to the proposal;
  - The Lighting Scheme, Biodiversity Enhancement Strategy, Landscaping Scheme, Arboricultural Impact Assessment Report, Landscape Ecological Management Plan (LEMP), CEMP: Biodiversity, AMS, T93 and T94 Method Statement, Natural England license, Bat Survey Report, ecological measures, compliance with ecological documents and sports pitch lighting conditions are necessary to protect and enhance biodiversity;
  - The Electric Vehicle Charging Points condition is necessary to secure details of the appearance and type of the points, beyond Requirement S1 of The Building Regulations 2010, Approved Document S 2021 Edition;
  - The archaeology, land contamination, ground conditions, SuDS Maintenance Plan and yearly SuDS logs conditions are necessary to ensure the proposal would have acceptable effects with regard to these technical considerations;
  - The Surface Water Drainage Scheme and off-site flooding conditions are necessary to ensure that suitable mitigation is provided regarding surface water drainage and flooding; and,
  - The CMS, Residential Travel Plan, ball stop mitigation and spine road width conditions are necessary to protect the free-flow of traffic and highway safety.
65. The LEMP, CEMP: Biodiversity, Archaeological Evaluation, Archaeological Mitigation Statement, Surface Water Drainage Scheme, off-site flooding, Phase 2 Land Contamination Survey, AMS, CMS, ground conditions and T93 and T94 Method Statement conditions are necessarily worded as pre-commencement condition, as a later trigger for their submission and/or implementation would limit their effectiveness or the scope of measure which could be used. The appellant has confirmed acceptance of the pre-commencement conditions.

### **Conclusion**

66. For the reasons above, I conclude that the appeal be allowed.

*O S Woodward*  
INSPECTOR

**ANNEX A: APPEARANCES**

**FOR THE LOCAL PLANNING AUTHORITY:**

Asitha Ranatunga, of Counsel. He called:

Neil Jones	Principal Planning Officer, Braintree District Council
Joanna Lilllott	Senior Solicitor, Holmes & Hills LLP

**FOR THE APPELLANT:**

Paul Brown KC, of Landmark Chambers. He called:

Nigel Cowlin CMLI	Nigel Cowlin Ltd
Oliver Spencer MRTPI	Director, Andrew Martin Planning Ltd
Kevin Kay FCIHT CTPP	Divisional Director, Ardent Consulting Engineers

**INTERESTED PERSONS:**

Councillor James Abbott	Chairman, Rivenhall Parish Council
Councillor Michael Lager	Ward Councillor, Witham Town Council
Councillor Bob Wright	Ward Councillor, Braintree District Council and Rivenhall Parish Council
Melanie A'Lee	Rickstones Action Group



**ANNEX B: DOCUMENTS SUBMITTED DURING AND AFTER THE INQUIRY**

- 1 Sport England Model Planning Conditions, dated March 2017
- 2 Councillor James Abbott speech transcript
- 3 Statement on behalf of Witham Town Council at the Appeal hearing
- 4 Opening statement on behalf of Bellway Homes Ltd, by Paul Brown KC, dated 6 December 2022
- 5 The Conservation of Habitats and Species Regulations 2017
- 6 Crime and Disorder Act 1998, Chapter 37
- 7 Council's Opening, by Asitha Ranatunga, dated 6 December 2022

## **ANNEX C: SCHEDULE OF PLANNING CONDITIONS**

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application(s) for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved drawings: BW219-PL01 Rev E, PP-01 Rev I, 02 Rev I, 03A Rev G, 03B Rev F, 04 Rev J.

### **Reserved matters submissions**

- 5) The submission of reserved matters application(s) pursuant to this outline planning permission shall together provide for no more than 230 dwellings.
- 6) Prior to submission of the first reserved matters, a Design Code for all areas of the site, including housing development, public realm and character areas, which demonstrates compliance with the design principles of the Rivenhall Park IV Vision Statement (submitted 22 September 2021), shall be submitted to and approved in writing by the local planning authority. All reserved matters submissions shall accord with the approved site wide Design Code.
- 7) Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, details of the following shall be submitted:
  - i. A Confirmation Report from an Approved Inspector or Local Authority Building Control Service that the drawings for all houses and ground floor flats proposed as affordable dwellings and shown on the submitted Affordable Housing Scheme as such (or any revisions of this Scheme subsequently submitted for approval as part of the application) have been designed to comply with Building Regulations 2015 (as amended) Part M(4) Category 2;
  - ii. A Confirmation Report from an Approved Inspector of Local Authority Building Control Service that the drawings for all bungalows proposed as affordable dwellings and shown on the Affordable Housing Scheme (or any revisions of this Scheme subsequently submitted for approval as part of the application) as needing to be compliant with Building Regulations 2015 (as amended) Part M(4) Category 3 have been designed as such; and,
  - iii. The affordable dwellings shall only be built in accordance with the approved details and, in the case of plots indicated in the Affordable Housing Scheme to be constructed in accordance with Building Regulations 2015 Part M(4) Category 2 or Building Regulations Part M(4) Category 3, prior to their occupation, written

confirmation from an Approved Inspector or Local Authority Building Control Service shall be submitted to and approved in writing by the local planning authority to certify that they have been built to the agreed standard.

- 8) Concurrent with the submission of reserved matters for appearance or layout under Condition 1 of this decision, an updated Noise Assessment Report shall be submitted.
- 9) Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, a Lighting Scheme designed to promote personal safety, protect living conditions and the night-time landscape and biodiversity shall be submitted. The Lighting Scheme shall detail the following:
- Details of phasing, location and design of all lighting to be installed within the site during periods of construction and occupation;
  - Details of ownership of lighting once the development is occupied and, where relevant, details of its associated maintenance to ensure the lighting is provided in perpetuity thereof in the interests of personal safety;
  - Assessment of the impacts of the lighting scheme upon biodiversity which identifies those features on or immediately adjoining the site that are particularly sensitive for bats including those areas where lighting could cause disturbance along important routes used for foraging; and,
  - Provision of appropriate lighting contour plans, isolux drawings and technical specifications to demonstrate which areas of the development are lit and to limit any relative impacts upon the territories of bats.

The approved lighting scheme shall be implemented prior to first occupation of the development and shall thereafter be retained and maintained as such in accordance with the approved details.

- 10) Concurrent with the submission of reserved matters for layout or landscaping under Condition 1 of this decision, a Biodiversity Enhancement Strategy for Protected and Priority Species shall be submitted. The content of the Strategy shall include the following:
- Purpose and conservation objectives for the proposed enhancement measures;
  - Detailed designs to achieve stated objectives;
  - Locations of proposed enhancement measures by appropriate maps and plans;
  - Persons responsible for implementing the enhancement measures; and,
  - Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the details as approved and shall be retained in that manner thereafter.

- 11) Concurrent with the submission of reserved matters for landscaping under Condition 1 of this decision, a Landscaping Scheme shall be submitted. This shall comprise a detailed specification of hard and soft landscaping works, to include details of the following:
- Types and sizes of all trees/plants to be planted on the site, demonstrating that for each tree that will be removed from the site a minimum of two new trees will be planted within the public open space on the site, and that for each 1 metre of hedgerow that is removed a minimum of 2 metres of new hedgerow will be planted within the public open space on the site;
  - Numbers and distances of all plants to be planted on the site;
  - Soil specification;
  - Seeding and turfing treatment within the site;
  - Colour and type of material for all public hard surface areas and private areas visible from the public realm;
  - Watering maintenance regime for all areas of new planting; and,
  - Programme and timetable for implementation of the above works.

The Landscaping Scheme shall subsequently only be implemented in accordance with the approved details. Any trees or plants which die, are removed, or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced in the next available planting season with others of a similar size and species.

- 12) Concurrent with the submission of reserved matters for layout, landscaping or access under Condition 1 of this decision, an Arboricultural Impact Assessment Report shall be submitted. The Report shall have regard to the Preliminary Tree Removals Plan (TR&R/Prelim NE Witham/07.10.21) and Proposed Tree Management Location Details submitted at outline stage and the requirements of Condition 11 of this permission.
- 13) Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, a Refuse Scheme shall be submitted, including the following details:
- Location of refuse bins and recycling materials - their storage areas and waste/recycling presentation points;
  - Appearance of any associated screening or/and enclosures;
  - Confirmation that distances travelled by local authority refuse vehicle operatives from the location where a refuse vehicle are intended to stop to the presentation points specified do not exceed 20m each way;
  - Confirmation of 26 tonne carrying capacity of all roads intended for use by local authority refuse vehicles; and,
  - Refuse vehicle swept path analysis for all roads intended for use by local authority waste vehicles.

The development shall be implemented in accordance with the approved details prior to the first occupation of each relevant unit of the development and thereafter retained.

- 14) Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, a Strategy detailing the location and

specification of all Electric Vehicle Charging Points to be provided shall be submitted and which, as a minimum, shall ensure each new dwelling includes provision of one charging point wherever practical.

- 15) Concurrent with the submission of reserved matters for appearance, landscaping or layout under Condition 1 of this decision, a plan indicating the location and general design of all walls, fences, other boundary treatments and means of enclosure shall be submitted.
- 16) Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, details of the location and design of all garages/car parking spaces and cycle storage facilities shall be submitted. The garages/car parking spaces and cycle storage facilities shall be provided prior to occupation of the dwelling to which they relate and shall thereafter be retained and kept available for use for their specified purpose. The garages/car parking spaces and cycle storage facilities shall be used solely for the benefit of the occupants of the dwelling of which it forms part, and their visitors, and for no other purpose and permanently retained as such thereafter.
- 17) Concurrent with the submission of reserved matters for appearance under Condition 1 of this decision, a plan indicating the location and design of solar photovoltaic generation equipment for every dwelling shall be submitted.

#### **Pre-commencement**

- 18) Prior to the commencement of development, a Landscape Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:
  - Description and evaluation of all features to be managed;
  - Ecological trends and constraints on site that might influence management;
  - Aims and objectives of management;
  - Appropriate management options for achieving aims and objectives;
  - Prescriptions for management actions;
  - Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - Details of the body or organisation responsible for implementation of the plan; and,
  - Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body or bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP shall be implemented as approved in accordance with the approved details.

- 19) No development or groundworks of any kind shall commence until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:
- Risk assessment of potentially damaging construction activities;
  - Identification of "biodiversity protection zones";
  - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - The location and timing of sensitive works to avoid harm to biodiversity features;
  - The times during construction when specialist ecologists need to be present on site to oversee works;
  - Responsible persons and lines of communication;
  - The role and responsibilities on site of an ecological clerk of works or similarly competent person;
  - Use of protective fences, exclusion barriers and warning signs; and,
  - Areas of the site identified as habitat for Great Crested Newts in which development should be restricted as it may adversely affect this species and thus may be subject to licence under Condition 29 of this consent.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 20) No development or preliminary groundworks shall commence until a Programme of Archaeological Evaluation has been secured and undertaken in accordance with a Written Scheme of Investigation which shall previously have been submitted to and approved in writing by the local planning authority.
- 21) No development or preliminary groundworks shall commence in those areas identified as containing archaeological deposits until the satisfactory completion of fieldwork undertaken in accordance with an Archaeological Mitigation Statement detailing excavation/preservation strategy, which shall previously have been submitted to and approved in writing by the local planning authority.
- 22) No development shall commence until a detailed Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include the following (but not be limited to this):
- Limitation of discharge rates to the 1 in 1 year greenfield rate for both the eastern (5.3l/s) and western (13.1l/s) parcels for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change, subject to agreement with the relevant third party,
  - All relevant permissions to discharge from the site into any outfall should be demonstrated;
  - Provision of sufficient storage to ensure no off-site flooding as a result of development during all storm events up to and including the 1 in 100 year plus 40% climate change event;

- Demonstration that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event;
- Demonstration that Phases 1 and 2 of development in the south have been designed to accommodate the flows from the development hereby approved;
- Demonstration, as far as is practicable, that use of above ground SuDS has been maximised throughout the development to enable the conveyance and treatment of water as close to source as possible;
- Demonstration that rainwater reuse has been considered and incorporated as much as possible as the primary method of managing surface water drainage;
- Provision of final modelling calculations for all areas of the drainage system;
- Provision of an appropriate level of treatment for all run-off leaving the site, in line with the Simple Index Approach as detailed in Chapter 26 of the CIRIA SuDS Manual C753;
- Provision of detailed engineering drawings of each component of the drainage scheme; and,
- Provision of final drainage plans which detail exceedance and conveyance routes, finished floor and ground levels, and location and sizing of any drainage features.

The scheme shall subsequently be implemented as approved prior to first occupation of the development.

- 23) No development shall commence until a Scheme to minimise the risk of off-site flooding caused by surface water run-off and groundwater, and to prevent pollution, during construction works has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented as approved.
- 24) No development shall commence until a comprehensive Phase 2 Land Contamination Survey has been undertaken to assess the nature and extent of any contamination on the site and a copy of this survey's findings, together with a remediation scheme to bring the site to a suitable condition in that it represents an acceptable risk (if required), has been submitted to and approved in writing by the local planning authority. The survey's findings must subsequently be implemented as approved. Formulation and implementation of the remediation scheme shall be undertaken by competent persons and in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. Further advice is available in the 'Essex Contaminated Land Consortium's Land Affected by Contamination: Technical Guidance for Applicants and Developers'. Such agreed measures shall be implemented and completed prior to the commencement of development hereby approved.

Notwithstanding the above, should contamination be found that was not previously identified or not considered in the remediation scheme agreed in writing with the local planning authority, that contamination shall be made safe and reported immediately to the local planning authority. The site shall be re-assessed in accordance with the above and a separate remediation scheme shall be submitted to and agreed in writing by the local planning authority. Such agreed measures shall be implemented and completed prior to the first occupation of any parts of the development.

Prior to occupation of any property hereby permitted on the part of the site where contamination is found the developer shall submit to the local planning authority a signed certificate to confirm that the remediation works have been completed on that part of the site in accordance with the documents and plans detailed in the approved contaminated land assessment reports and the approved remediation scheme.

- 25) No development shall commence until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the local planning authority. The AMS will include a Detailed Tree Protection Plan (DTPP) in broad accordance with the Arboricultural Impact Assessment Report approved under Condition 12 and provide details of trees to be retained, trees to be removed, the precise location and design of protective barriers and ground protection, service routing and specifications, areas designated for structural landscaping to be protected and suitable space for access, operation of site machinery, site storage and other construction related facilities, and agreement to notify the local planning authority in writing at least five working days prior to the commencement of development on site.

The AMS and DTPP shall include details of the appointment of a suitably qualified Project Arboricultural Consultant who will be responsible for monitoring the implementation of the approved DTPP, along with details of how they propose to monitor the site (frequency of visits; key works which will need to be monitored, etc.) and how they will record their monitoring and supervision of the site.

The development shall be carried out in accordance with the approved details. For the duration that construction occurs on the site, and at such intervals have been agreed within the AMS, the Project Arboricultural Consultant shall submit a report to the local planning authority summarising the findings of their site inspections carried out during that period.

The approved means of protection shall be installed prior to the commencement of any building, engineering works or other activities on the site and shall remain in place until after the completion of the relevant part of the development.

- 26) No development shall commence, including any groundworks, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall provide for:
- A Construction Traffic Management Plan to ensure safe access to/from the site including details of any temporary haul routes and the means by which these will be closed off following the completion of the construction of the development;
  - A Dust and Mud Control Management Scheme;
  - The parking of vehicles of site operatives and visitors;
  - The loading and unloading of plant and materials;
  - The storage of plant and materials used in constructing the development;
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - Wheel washing facilities;



- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works;
- A scheme to control noise and vibration during the construction phase; and,
- Provision of a dedicated telephone number(s) for members of the public to raise concerns/complaints, and a strategy for pre-warning residents of noisy activities/sensitive working hours.

The Statement shall thereafter be implemented as approved.

- 27) No development shall commence until a Method Statement has been submitted to and approved in writing by the local planning authority setting out how the two Pine trees identified as T93 & T94 identified for translocation in 'The Proposed Tree Management Location Details Based on Outline Plan' (SES, 24 Nov 2021) will be re-located and detailing all stages of work and timescales for such work in relation to the development construction timescales. The Method Statement shall also identify relevant stages of the process at which an appropriately qualified Independent Specialist shall both certify that the work has been carried out in accordance with the approved details of the Method Statement and submit a certification statement to the local planning authority for approval in writing. The re-location of the identified trees shall be carried out in accordance with the approved details and timescales.
- 28) No development shall commence until the following documents have been submitted to and approved in writing by the local planning authority:
- i. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and,
  - ii. Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soil structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

### **Specific part of the development**

- 29) No development or groundworks of any kind shall commence within the areas identified within the CEMP: Biodiversity under Condition 19 until the local planning authority has been provided with either:
- i. A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or

- II. A statement in writing from Natural England, or from a qualified ecologist if Natural England does not respond within 56 days to a written request for a statement, to the effect that it does not consider that a specified activity / development will require a licence.
- 30) No above ground development shall commence until samples of the materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the local planning authority. The development shall only be implemented in accordance with the approved details.
- 31) No piling shall be undertaken on the site in connection with the construction of the development until a system of piling and resultant noise and vibration levels has been submitted to and agreed in writing by the local planning authority. The agreed noise and vibration levels shall be adhered to throughout the construction process.
- 32) A Post Excavation Assessment shall be submitted to and approved in writing by the local planning authority within six months of the completion of the fieldwork; such assessment shall include details of the completion of post excavation analysis, preparation of a full site archive and report and an undertaking for deposition of a post excavation report at the local museum. The report shall be deposited as agreed within the stated timeframes in the Post Excavation Assessment.
- 33) Notwithstanding the submitted details, any works to provide the priority junction and site access off Rickstones Road, bus lane and gate, as shown in principle on drawings numbered 2002470-005 B and 2002470-012 B, shall not occur unless and until a Bat Survey Report has been submitted and approved in writing by the local planning authority containing the results of at least two roost surveys of tree T1 (as identified in SES Ecological Impact Assessment October 2021) between the months of May to September together with associated proposed mitigation and enhancement measures should bats be found to be roosting in this tree. Tree T1 shall be retained unless the local planning authority has expressly agreed in writing to its removal.

#### **Pre-occupation**

- 34) The dwellings shall not be first occupied until the Technical Housing Standards - Nationally Described Space Standards (2015) has been complied with and the details of compliance provided to the local planning authority.
- 35) Prior to first occupation of the development, a SuDS Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and approved in writing by the local planning authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.
- 36) Prior to first occupation of the development, a Revised Residential Travel Plan together with the contents of Residential Travel Information Packs for sustainable transport (including information as to circular walking routes accessible from the application site) shall have been submitted to

and agreed in writing with the local planning authority. The Revised Residential Travel Plan shall be implemented as agreed. The provision of Residential Travel Information Packs shall be distributed as agreed to the owners of each dwelling at the point of their first occupation.

- 37) Prior to first occupation of the development, full details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities, shall have been submitted to and approved in writing by the local planning authority. The approved details shall be installed in full before the development is first occupied and thereafter be managed and maintained in accordance with the approved details.

#### **For compliance**

- 38) No site clearance, demolition or construction work shall take place on the site, including starting of machinery and delivery of materials, outside the following times:
- Monday to Friday 0800 hours - 1800 hours;
  - Saturday 0800 hours - 1300 hours; and,
  - Bank Holidays & Sundays - no work.
- 39) No burning of refuse, waste materials or vegetation shall be undertaken in connection with the site clearance or construction of the development.
- 40) If the development hereby approved does not commence (or having commenced, is suspended for more than 12 months) within three years from the date of this outline planning consent, all ecological measures previously approved shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to: i) establish if there have been any changes in the presence and/or abundance of Protected or Priority species; and, ii) identify any likely new ecological impacts that might arise from the changes.

Where the survey results indicate changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, submitted to and approved in writing by the local planning authority prior to the commencement/re-commencement of development. Works shall then only be carried out in accordance with the new approved details.

- 41) The applicant or any successor in title must maintain yearly Logs of SuDS Maintenance which should be carried out in accordance with any approved Maintenance Plan under Condition 35 of this decision. The Logs of SuDS Maintenance must be available for inspection upon a request by the local planning authority.
- 42) Unless revised under a condition of this consent or legal obligation tied to it, all ecological mitigation measures and/or works shall be carried out in accordance with the following documents: Ecological Impact Assessment (Southern Ecological Solutions Ltd, October 2021), Skylark Mitigation Strategy (Southern Ecological Solutions Ltd, Jul 2021) and Reptile Mitigation Strategy - Rev B (Southern Ecological Solutions Ltd, July 2021).

- 43) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order (England) 2015 (as amended) the Sports Pitches shown to be provided in the north of the site on Land Use Parameters Plan (BW219-PP-01 Rev I) shall not be lit unless the local planning authority gives written consent to details of such lighting either submitted in conjunction with reserved matters application(s) to this planning application or by a separate application for planning permission made thereafter.
- 44) Notwithstanding the submitted details, the development hereby permitted shall provide for a minimum of 25% of the Market Housing as 1 or 2-bed dwellings.
- 45) Notwithstanding the submitted details, the spine road to be provided through the development (as shown in principle between Evans Way and Rickstones Road on drawing number Vehicular Access & Movement Parameter Plan BW219-PP-03B Rev F) shall have a minimum carriageway width of 6.75 metres.

=====END OF SCHEDULE=====

# **Braintree District Housing Supply Review 2023**

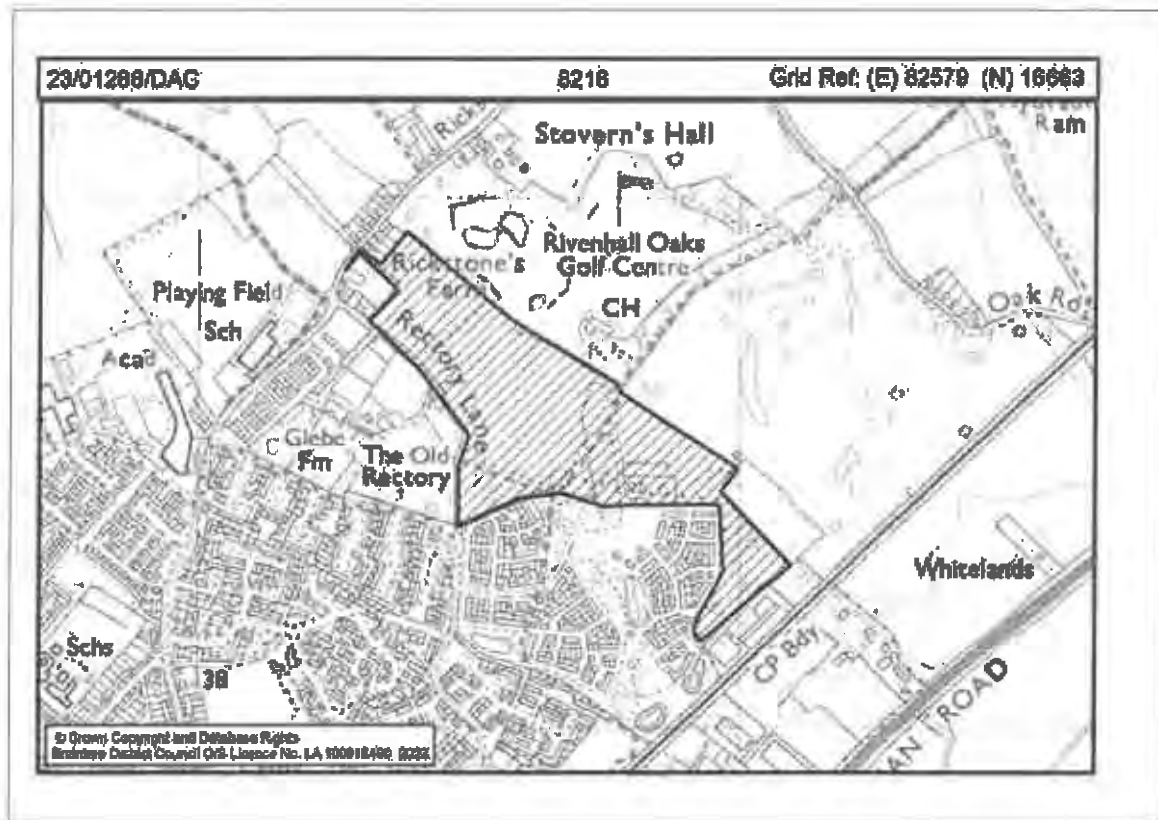
## **Appendix 2J**

### **Rivenhall Park Phase 4**

- Discharge of conditions, approval of Design Code**
- Design Code approval, Planning Committee 17 October 2023 Agenda**
- Design Code approval, Planning Committee 17 October 2023 Minutes**
- Decision letter on approval of self-build plots design code**

<b>Report to: Planning Committee</b>	
<b>Planning Committee Date: 17th October 2023</b>	
<b>For: Decision</b>	
<b>Key Decision: No</b>	<b>Decision Planner Ref No: N/A</b>
<b>Application No:</b>	23/01288/DAC
<b>Description:</b>	Application for approval of details as reserved by condition 6 of approved application 20/02060/OUT (allowed on appeal) - Submission of Design Code
<b>Location:</b>	Phase 4, Land North East of Rectory Lane, Rivenhall
<b>Applicant:</b>	Bellway Homes Limited, Bellway House, 1 Cunard Square, Townfield Street, Chelmsford, Essex, CM1 1AQ
<b>Agent:</b>	Mr Olivier Spencer, Andrew Martin - Planning Limited, Town Mill, Mill Lane, Stebbing, Dunmow, CM6 3SN
<b>Date Valid:</b>	17th May 2023
<b>Recommendation:</b>	It is RECOMMENDED that the following decision be made: <ul style="list-style-type: none"> <li>▪ Application GRANTED and partially discharge Condition 6</li> </ul>
<b>Options:</b>	The Planning Committee can: <ol style="list-style-type: none"> <li>a) <b>Agree</b> the Recommendation</li> <li>b) <b>Vary</b> the Recommendation</li> <li>c) <b>Overtturn</b> the Recommendation</li> <li>d) <b>Defer</b> consideration of the Application for a specified reason(s)</li> </ol>
<b>Appendices:</b>	<b>Appendix 1:</b> Approved Document(s)
	<b>Appendix 2:</b> Policy Considerations
	<b>Appendix 3:</b> Site History
<b>Case Officer:</b>	Neil Jones For more information about this Application please contact the above Officer on: 01376 551414 Extension: 2523, or by e-mail: <a href="mailto:neil.jones@braintree.gov.uk">neil.jones@braintree.gov.uk</a>

**Application Site Location:**



<b>Purpose of the Report:</b>	The Committee Report sets out the assessment and recommendation of the abovementioned application to the Council's Planning Committee. The report sets out all of the material planning considerations and the relevant national and local planning policies.
<b>Financial Implications:</b>	<p>The application was subject to the statutory application fee paid by the Applicant for the determination of the application.</p> <p>There are no direct financial implications arising out of the decision, notwithstanding any costs that the Council may be required to pay from any legal proceedings. Financial implications may arise should the decision be subject to a planning appeal or challenged via the High Court.</p>
<b>Legal Implications:</b>	<p>If Members are minded to overturn the recommendation, the Planning Committee must give reasons for the decision.</p> <p>Following the decision of the Planning Committee, a formal decision notice will be issued which will either approve the details submitted to discharge Condition 6, or the Reasons for Refusal if applicable.</p> <p>All relevant policies are set out within the report, within Appendix 2.</p>
<b>Other Implications:</b>	The application has been subject to public consultation and consultation with relevant statutory and non-statutory consultees. All responses received in response to this consultation are set out within the body of this Committee Report.
<b>Equality and Diversity Implications:</b>	<p>Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:</p> <ul style="list-style-type: none"> <li>a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act;</li> <li>b) Advance equality of opportunity between people who share a protected characteristic and those who do not;</li> <li>c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.</li> </ul>



	<p>The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).</p> <p>The consideration of this application has not raised any equality issues.</p>
<p><b>Background Papers:</b></p>	<p>The following background papers are relevant to this application include:</p> <ul style="list-style-type: none"> <li>▪ Planning Application submission: <ul style="list-style-type: none"> <li>▪ Application Form</li> <li>▪ All Plans and Supporting Documentation</li> <li>▪ All Consultation Responses and Representations</li> </ul> </li> </ul> <p>The application submission can be viewed online via the Council's Public Access website: <a href="http://www.braintree.gov.uk/pa">www.braintree.gov.uk/pa</a> by entering the Application Number: 23/01288/DAC.</p> <ul style="list-style-type: none"> <li>▪ Policy Documents: <ul style="list-style-type: none"> <li>▪ National Planning Policy Framework (NPPF)</li> <li>▪ Braintree District Local Plan (2013-2033)</li> <li>▪ Neighbourhood Plan (if applicable)</li> <li>▪ Affordable Housing Supplementary Planning Document (2006)</li> <li>▪ Essex Design Guide for Mixed Use and Residential Areas (2005)</li> <li>▪ Open Space Supplementary Planning Document (2009)</li> <li>▪ Parking Standards – Design and Good Practice (2009)</li> <li>▪ Urban Place Supplement Guidance (2007)</li> </ul> </li> </ul> <p>The National Planning Policy Framework can be viewed on the GOV.UK website: <a href="http://www.gov.uk/">www.gov.uk/</a>.</p> <p>The other abovementioned policy documents can be viewed on the Council's website: <a href="http://www.braintree.gov.uk">www.braintree.gov.uk</a>.</p>

1. **EXECUTIVE SUMMARY**

- 1.1 When outline planning permission was granted, Condition 6 was imposed, which required prior to the submission of the first reserved matters, that a Design Code for the development would be submitted to and approved by the Council. The aim of the Design Code was to build on the Parameter Plans and the Vision Statement that were approved as part of the outline planning permission and establish detailed design rules for the development. Condition 6 states that all reserved matters submissions will need to accord with the approved Design Code.
- 1.2 This application seeks approval of the submitted Design Code. As the approved Design Code will form the basis for the subsequent Reserved Matters applications it is considered appropriate that the Planning Committee determine the application, as the Planning Committee will ultimately be required to determine the subsequent Reserved Matters application(s) for all of the new housing, with the exception of the five self-build / custom build plots.
- 1.3 Amongst other things the Design Code establishes a street hierarchy and the design of the streets within that hierarchy, further design parameters that will determine the layout of the development parcels and arrangement of housing, the design of different character areas incorporating the use of varying architecture, design features and materials, and landscape design principles.
- 1.4 Following discussions and submission of a revised Design Code document, Officers recommend approval. The Design Code is considered to successfully identify positive attributes and characteristics from the town of Witham and has used these to help create the Code and specifically the details for the Character Areas. The Code builds on the Vision Statement and establishes clear design principles that Officers believe will ensure that the detailed layout and appearance of the development will be of a high quality.

## **2. INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE**

- 2.1 This application is being reported to Planning Committee in accordance with Part A of the Council's Scheme of Delegation, as the application is deemed to be 'significant' by the Planning Development Manager.
- 2.2 Applications to discharge planning conditions are determined by Officers under Delegated Powers. A Design Code was not submitted with the outline planning application but is now submitted for approval pursuant to Condition 6 of the outline planning permission. The Design Code will shape the detailed design of the development and will therefore have a crucial role in determining the form of the Reserved Matters. As the Planning Committee will eventually determine subsequent Reserved Matters application(s) for all of the new housing with the exception of the five self-build / custom build plots, the Planning Development Manager considers that the Planning Committee should be able to assess and approve the Design Code.

## **3. POLICY CONSIDERATIONS**

- See Appendix 2

## **4. SITE HISTORY**

- See Appendix 3

## **5. DESCRIPTION OF THE SITE AND SITE CONTEXT**

- 5.1 The site is located north east of Witham, within the Parish of Rivenhall, and comprises 17.1 hectares of agricultural land. The southern end of the application site abuts the current Town Development Boundary of Witham where the site adjoins a previous Bellway development (Phase 1 & 2) which contains 385 dwellings. Phases 1 & 2 were granted permission in 2016 and are now built out and occupied. These new dwellings are accessed from an internal spine road, Evans Way, via Forest Road. Land within the application site, immediately to the north of the Phase 2 development has previously been used as a temporary construction compound. To the north-east lies the Rivenhall Oaks Golf Course. To the north, the site abuts the rear gardens of a ribbon of properties that front onto Rickstones Road, which are part of the hamlet known as Rickstones End.
- 5.2 Travelling west along Rickstones Road in the direction of Witham, there is a further new housing development of 58 dwellings, marketed by Bellway as the Bluebells, but also referred to in planning documents as Phase 3. Beyond this lies the education complex on Conrad Road containing Elm Hall Primary School, New Rickstones Academy and Southview School as well as the recently constructed Chatten Free School, built on part of the playing fields of the New Rickstones Academy, which is a new school for

children with Special Educational Needs (SEN). Included in the red line of the application site is a footpath link through Phase 3 from Rectory Lane to Rickstones Road and visibility splays within the highway on both sides of the proposed bus access junction onto Rickstones Road.

- 5.3 The site is relatively flat and is bordered on its north-east and western perimeter by hedges and trees. A substantial tree belt also crosses the centre of the site, located west of the existing access road to the Golf Course. To the south, the site contains an isolated triangle of woodland, with an existing area dedicated for use as allotments beyond. To the west of the site is Rectory Lane, and beyond that the Grade II listed Old Rectory. The proposals map in Section 2 of the Adopted Local Plan includes the Bluebells (Phase 3) development within the settlement development boundary. The remainder of the town development boundary runs along Forest Road.
- 5.4 An existing maintenance access to the Golf Course crosses the site in the northern portion of the site connecting the Golf Course to Rectory Lane. Two Public Rights of Way (PROW) lie within the site: PROW 105\_58 runs east from Rectory Lane to the junction of PROW 105\_59 and PROW 105\_60. PROW 105\_59 runs in north eastern direction towards the Rivenhall Oaks Golf Course whilst PROW continues south through the Phase 1 and Phase 2 development. PROW 105\_59 and 105\_60 form part of the John Ray Walk; a linear recreational route connecting Braintree with Witham. Rectory Lane is designated as a 'Protected Lane' as identified under Policy LPP69 of the Adopted Local Plan. Essex County Council have also designated Rectory Lane as a Quiet Lane. Highway Authorities can designate country lanes as 'Quiet Lanes' in rural areas, under the Transport Act 2000. Quiet Lanes are a positive way of: providing a chance for people to walk, cycle and horse ride in a safer environment; widening transport choice; and protecting the character and tranquillity of country lanes.
- 5.5 A high-pressure gas main crosses within the site, running north to south, parallel, and adjacent to Rectory Lane.

## 6. PROPOSAL

- 6.1 This application seeks approval of details submitted to the Council to discharge Condition 6 of the outline planning permission. Condition 6 states:

*'Prior to submission of the first reserved matters, a Design Code for all areas of the site, including housing development, public realm, and character areas, which demonstrates compliance with the design principles of the Rivenhall Park IV Vision Statement (submitted 22 Sept. 2021), shall be submitted to and approved in writing by the local planning authority. All reserved matters submissions shall accord with the approved site wide Design Code'.*

- 6.2 The Applicant submitted a Design Code document with the application. Following comments provided by Planning Officers and the Highway Authority the Applicant submitted a revised Design Code document and this was subject to a further round of public consultation. Some further minor revisions and clarifications were requested by Officers and a third revision of the Design Code was submitted. Due to the minor nature of these changes a further round of public consultation was not considered necessary.
- 6.3 The Section 106 Agreement secures the provision of five self-build / custom build plots within the development. The Applicant proposes that these five plots are provided in a single group within the site. The submitted Design Code does not include Code that would control the development of these five plots as the level of detail required and the need for Code for these five plots is quite different to the Code which covers the remainder of the site (up to 225 dwellings). Officers consider that providing Code for these self-build / custom build plots in a separate, more focussed document is a sensible approach that will be helpful for both prospective self-builders / custom builders and the Council. The Applicant intends to submit a separate document that will provide Code for the self-build / custom build plots. This self-build / custom build Design Code document can confirm that many of the principles established in this Code will apply – like for example the Urban Design principles about design of homes on corner turning plots – but provide further Code that is specific to these five plots.
- 6.4 As the self-build / custom build Code will only cover five plots, and as the Planning Committee would not be required under the Scheme of Delegation to determine the individual Reserved Matters applications for each of individual self-build / custom build plot, Officers consider that it will not be necessary for the Planning Committee to consider and approve the self-build / custom build Design Code in the same way as the main Design Code. As a result, it is proposed that Officers can determine the self-build / custom build Design Code application under delegated powers.
- 6.5 Condition 6 requires that the Design Code for the whole site is approved prior to the submission of the first Reserved Matters. The Applicant is aware of this requirement and that if Members are minded to approve this application this will only partially discharge Condition 6. It will only be possible to fully discharge the condition and submit a Reserved Matters application once the Council approves Design Codes for the entirety of the site.

## 7. SUMMARY OF CONSULTATION RESPONSES

### 7.1 ECC Highways

#### 7.1.1 Initial consultation (July 2023) raised the following issues:

1. Page 24: The cross-section should be amended to show a 3.5-metre-wide footway/cycleway (3.5 metres is mentioned consistently in the accompanying text).
2. Page 25: The cross-section should be amended to show the 1.5-metre-wide footway at 2 metres wide and the verge 3 metres rather than 2.5 metres wide.
3. Page 26: Para. 2.27: the following should be added to the first bullet point: hardened and adopted as highway. Also, the third bullet point should be amended to also mention no buildings including guttering, downpipes, utility boxes for example should be located immediately at the back of the service margin.
4. Page 27: The cross-section should be amended to show a minimum width of 3.7 metres (as mentioned in the accompanying text).

**7.1.2 Second consultation (September 2023) raised the following issues:**

1. Page 36: The cross-section should be amended to show the proposed for adoption from back of footway to back of footway/cycleway only.
2. Page 37: The Street Type E Access (Option A) cross-section should be amended to show a minimum verge width of 3 metres (to enable adoption).
3. Page 37: The Street Type E Access (Option B) cross-section should be amended to remove hedge from the 0.5 metre service margin (probably a drafting error).
4. Where a service margin is mentioned, the accompanying text should mention it will be hardened and adopted as highway. Also, that no buildings including guttering, downpipes, utility boxes for example should be located immediately at the back of the service margin.

**7.1.3** The Applicant has submitted a revised version of the Design Code that addresses these issues. At the time of writing this report Officers have not received formal confirmation from the Highway Authority that they have no objection to the approval of this application. Officers will update Members and confirm the Highway Authority have no objection to the application at the Planning Committee meeting.

**8. PARISH / TOWN COUNCIL**

**8.1** There is no statutory requirement for the Local Planning Authority to consult Town and Parish Councils on the discharge of planning conditions, however in this instance as the content of the Design Code will establish the design principles that the Reserved Matters will follow, the Planning Development Manager considered that because the Design Code will determine the details in the Reserved Matters applications it was appropriate for the Council to consult the Parish Council, and because the site is immediately adjacent to the town of Witham, Witham Town Council.

## **8.2 Rivenhall Parish Council**

- 8.2.1** Initial consultation (July 2023) – Commented as follows: Express grave concern regarding the possible diversion of local Public Rights of Way as there are still issues remaining from the Phase 2 development. Also, there are issues relating to the possible changes regarding the bus access and exit via Rickstones Road at a very dangerous series of bends in a busy road with limited visibility for drivers from both directions.
- 8.2.2** Second consultation (September 2023) – Commented as follows: The Parish Council have been consulted on the revised Design Code. The Clerk requested additional time in order that the Parish Council could consider at their next meeting. At the time of writing this report their comments have not been received. Officers will update Members at the Planning Committee meeting of any comments that are received.

## **8.3 Witham Town Council**

- 8.3.1** Initial consultation (July 2023) – Commented as follows: Members were able to consider the salient points and were pleased to note that key outward facing frontages would aid wayfinding and parking courts would only serve a limited number of dwellings. They noted the different widths of roadways, layout to shared footpaths and cycleways for the main route and that short stretches of on-street parking for visitors would be landscaped. It was also noted that the bus egress from the estate had not been approved and a bus loop might be required. They were pleased to note that garages would be of sufficient size to allow for parking and storage. Comment was made about potential ownership of the sports field and pavilion. Members considered that the existing development at Rivenhall Park showed good design and layout and that the prepared code would ensure that this continued into the last phase.
- 8.3.2** Second consultation (September 2023) – Commented as follows: The Town Council did not feel there was any changes that warranted representation from them.

## **9. REPRESENTATIONS**

- 9.1** As stated previously there is no statutory requirement for local planning authorities to publicise applications to discharge planning conditions, however in this instance because the content of the Design Code will establish the appearance and form of the subsequent Reserved Matters the Planning Development Manager considered that it was appropriate for the Council to publicise the application through the display of site notices at the site and neighbour notification letters to residents adjoining the site.
- 9.2** No representations have been received from interested parties in response to this consultation.

## **10. PRINCIPLE OF DEVELOPMENT**

- 10.1** Outline planning permission for the development was granted at appeal, and the decision establishes the principle of development for this site for up-to 230 dwellings. Members therefore cannot reconsider the principle of development and can only consider whether the details contained within the Design Code are acceptable so that Condition 6 can be discharged.
- 10.2** The outline planning permission was granted with all matters reserved, so before development can proceed the Applicant will need to obtain approval for the Reserved Matters (appearance, means of access, landscaping, layout, and scale). The details within the Reserved Matters will need to be in accordance with the Parameter Plans that were approved as part of the outline planning permission. These plans established parameters for Land Use, Green Infrastructure, Pedestrian Access & Movement; Vehicular Access & Movement; and Storey Heights.
- 10.3** As part of the information supporting the outline planning application in 2020 the Applicant committed to delivering a high-quality development and a Vision Statement was submitted with the application to demonstrate this commitment. The Statement refers to Bellway's commitment to 'create an even higher quality development' on this phase of the development and to raising the bar.
- 10.4** To help to secure the design principles that were set out in the Vision Statement, Condition 6 requires a Design Code which demonstrates compliance with the Vision Statement.

## **11. DESIGN CODE ASSESSMENT**

- 11.1** The NPPF defines a Design Code as being 'A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area'.
- 11.2** The Design Code follows the approach advocated in the approved Rivenhall Park Phase IV Vision Statement. The Vision Statement established that this new development would draw context and inspiration from positive examples of local character and building design in the town. The Design Code provides a more detailed assessment of each area and positive aspects and characteristics which can be used to inform the Design Code and in particular develop a number of distinct Character Areas within the development. The areas of the town that were analysed were: Chipping Hill; Guithavon Street; The Avenue; and Rectory Lane.
- 11.3** The structure of the Design Code document was accepted by Officers at an early stage in the pre-application discussions. The Code establishes five components that cumulatively will provide the placemaking principles for the development. The five components are General Urban Design



Principles; Character Area Guidance; Street Typologies; Building Form Guidance; and Public Realm. These components are summarised below.

### **General Urban Design Principles**

- 11.4 The Code establishes key urban design principles which will be applied across the built areas. The principles recognise that there are a number of elements where the built form will be particularly important and where the appearance and layout will need to be particularly well considered. These include the key street frontages and landmark buildings. The Urban Design Principles also establish key parameters for the blocks / parcels of development. These principles are very important in determining the development layout and the number of dwellings that can be accommodated within the site.
- 11.5 These principles are applied to the Urban Design Principles Plan within the Code which identifies where the important frontages and landmark buildings are and identifies the broad location of where the development blocks / parcels will be located.

### **Character Area Guidance**

- 11.6 In addition to the sections of the document that establish site wide Code it is also desirable to create several distinct character areas. The use of character areas provides a means of varying the character and appearance of the development and to allow different parts of the scheme to reflect the more immediate surroundings and context of each character area. Character areas also aid legibility through the creation of a varied and diverse townscape. It is proposed that five distinct Character Areas will be coded.
- 11.7 The use of Character Areas was referenced within the Rivenhall Phase IV Vision Document, but following discussions with Officers the details and arrangement of the Character Areas has been refined.

The five-character areas are:

- Internal Spaces
- Country Edge
- The Avenue
- Parkland
- Recreation Ground

- 11.8 Each character area has been developed with reference to one of the area character analyses at the start of the Design Code. The Internal Streets character area draws inspiration from the study of Guithavon Street; the character of the Country Edge is inspired by the Chipping Hill area; The Avenue character area is inspired by some of the characteristics of The Avenue; the Parkland area also draws on the Chipping Hill study area; and the Recreation Ground has characteristics drawn from Rectory Lane.

- 11.9 The character areas within this new development are not intended to replicate the appearance or layout of the study areas but will instead feature some of the strong, positive characteristics which are identified in the character analysis at the start of the Design Code.
- 11.10 The Code for each Character Area specifies the building typology, height, enclosure, building detail, building material and other key elements that shape the overall appearance of the identified character areas. The Code for each of the proposed character areas is set out across six pages in the document and includes the following elements:
- Key characteristics.
  - A 3D visualisation showing a typical arrangement of housing.
  - Typical street sections.
  - An illustrative section of the streetscene, annotated to identify the features that have been drawn through from the character area analysis.
  - Building Details which set out the palette of materials and architectural details that will be used in the building designs.

### **Street Typologies**

- 11.11 As part of the placemaking for this new neighbourhood the Council want to see a clear street hierarchy that will help create a legible and permeable layout as well as an attractive and interesting place to lie.
- 11.12 The Design Code establishes four different street types. These will range from The Avenue which is the widest and most formal street type, down in scale to the Access Road and Minor Access street type and finally the Shared Private Drive which is the least formal and smallest scale of the street types. The code sets out the key characteristics of the different streets which vary in width / scale and establish through section drawings and text how vehicle parking and street trees will be accommodated and the surface materials that will be used.

### **Building Form Guidance**

- 11.13 To help develop distinct character, that will aid legibility and as well as providing visual interest, the code establishes that the scale and proportion of the buildings, the external materials and building details will vary in different areas of the development.
- 11.14 To promote high quality design a range of features can be incorporated in the building designs which include bay windows, window and door reveals, brick detailing, fenestration patterns and minimum eaves depths are specified. In addition to external design details, internally accommodation will be arranged to provide active frontages.

## **Public Realm**

- 11.15 The Landscape section of the Code sets out the design principles and parameter for the landscaped elements of the development. This includes the landscaping within the character areas as well as the areas of public open space.
- 11.16 The Applicant has engaged positively with Officers to develop this Design Code and those discussions have continued post-submission of this application.
- 11.17 Following those discussions a revised Design Code was submitted which contained a more thorough assessment of the study areas in the town and a clearer demonstration of how their analysis has informed the development of the Design Code for this new development. The revised document also sought to provide more details to establish Code that will clearly establish the detailed form of the development.
- 11.18 Having reviewed the revised Design Code, Planning Officers and the Highway Authority requested some further minor amendments to the document to improve clarity. These changes were minor in nature and there was no need to publicise the second revision of the Design Code.
- 11.19 Officers consider that the key components of the Design Code - the General Urban Design Principles; Character Area Guidance; Street Typologies; Building Form Guidance; and Public Realm – reference the Council's appropriate design standards and that they are covered in a manner with sufficient detail that the Code establishes a high-quality threshold that the Reserved Matters will need to meet.

## **12. CONCLUSION**

- 12.1 The Vision Statement which formed part of the outline planning permission was forthright in its commitment to achieving high quality design, acknowledging that earlier phases of development are of a standard which needs to be improved upon today to meet the aspirations of the Council, and the renewed emphasis that the Government has sought to establish through the NPPF on good design and creating beautiful places.
- 12.2 Officers are satisfied that the Design Code successfully identifies some of the positive attributes and characteristics of some other areas of Witham and has used these to help create a set of new Character Areas that will form this development. As was intended, the Code builds on the Vision Statement that was produced in support of the outline planning application and establishes clear design principles that will ensure that the detailed layout and appearance of the development will be of a high quality.
- 12.3 When this application was originally submitted the Applicant sought approval for the details submitted in respect of Condition 6 of the outline planning permission (Application Reference 20/02060/OUT) which was

granted permission at appeal. After this application was submitted, Members at the Planning Committee meeting held on 26<sup>th</sup> September 2023 resolved to grant a Section 73 application (Application Reference 23/01901/VAR) to vary a condition on the original outline planning permission (Condition 27 regarding the relocation of 2no. Pine Trees), subject to the completion of a Legal Agreement to link the original S106 Agreement to the new planning permission. Approval of the variation application will result in a new planning permission being granted. However, this new permission has not been issued yet as the Legal Agreement has not been completed.

- 12.4 As a matter of course, when granting a variation, Officers would update the list of conditions on the Decision Notice to reflect any conditions which have been discharged, by amending these to compliance conditions. As this discharge of condition application has been submitted pursuant to the original outline planning permission, if Members are minded to approve this application and partially discharge Condition 6, Officers also seek approval from the Planning Committee to update the wording of Condition 6 on the variation application (Application Reference 23/01901/VAR) to require compliance with the Design Code approved under this application, and a Design Code for the self-build and custom build plots when this is approved.

13. **RECOMMENDATION**

- 13.1 It is RECOMMENDED that the following decision be made: Application GRANTED confirming that the details submitted partially discharge Condition 6 of the outline planning permission, and to subsequently update the wording of Condition 6 of Application Reference 23/01901/VAR, to require compliance with the approved Design Code.

**CHRISTOPHER PAGGI  
PLANNING DEVELOPMENT MANAGER**

**APPENDIX 1:**

**APPROVED PLAN(S) & DOCUMENT(S) / CONDITION(S) & REASON(S) AND INFORMATIVE(S)**

**Approved Plan(s) & Document(s)**

<b>Plan Description</b>	<b>Plan Ref</b>	<b>Plan Version</b>
Design Code	P22-3095_04i	

**Condition(s) & Reason(s)**

The details contained within the Design Code (P22-3095\_04i) dated October 2023) are approved for all parts of the site, with the exception of the Self-Build / Custom Build Plots. A Design Code will need to be produced to specifically Code the Self-Build / Custom Build plots.

The approved document therefore partially discharges Condition 6, but the Council will be unable to confirm compliance with Condition 6 until a Design Code for the Self-Build / Custom Build plots is approved.

## **APPENDIX 2:**

### **POLICY CONSIDERATIONS**

#### **National Planning Guidance**

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

#### **Braintree District Local Plan 2013 - 2033**

SP1	Presumption in Favour of Sustainable Development
SP6	Infrastructure & Connectivity
SP7	Place Shaping Principles
LPP35	Housing Mix, Density and Accessibility
LPP42	Sustainable Transport
LPP43	Parking Provision
LPP47	Built and Historic Environment
LPP48	An Inclusive Environment
LPP50	Provision of Open Space, Sport and Recreation
LPP52	Layout and Design of Development
LPP57	Heritage Assets and their Settings
LPP63	Natural Environment and Green Infrastructure
LPP65	Tree Protection
LPP66	Protection, Enhancement, Management and Monitoring of Biodiversity
LPP67	Landscape Character and Features
LPP69	Protected Lanes
LPP76	Sustainable Urban Drainage Systems
LPP78	Infrastructure Delivery and Impact Mitigation

**APPENDIX 3:**

**SITE HISTORY**

<b>Application No:</b>	<b>Description:</b>	<b>Decision:</b>	<b>Date:</b>
22/00063/REF	Outline application with all matters reserved for up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones road, sustainable drainage systems, landscaping and all associated infrastructure and development.	Appeal Allowed	05.01.23
20/02060/OUT	Outline application with all matters reserved for up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones road, sustainable drainage systems, landscaping and all associated infrastructure and development.	Refused	18.03.22
21/03473/FUL	Retention of temporary (for a period of 6 months) construction site offices, storage containers and	Granted	14.01.22

	skips on the temporary contractor car park and a revised pedestrian bridge leading to Rectory Lane, to serve the consented development on the land south of Rickstones Road (in relation to planning permission ref. 18/00947/OUT).		
23/01555/FUL	Enabling infrastructure for the NE Witham Phase 4 development (approved under 20/02060/OUT), including: a priority junction and revised site access off Rickstones Road; section of spine road restricted to bus, taxi and motorcycle use only; sustainable drainage system; landscaping; and, all associated development.	Pending Decision	
23/01901/VAR	Variation of Condition 27 (Relocation of 2 No. Pine Trees) of approved application 20/02060/OUT (allowed at appeal) granted 05.01.2023 Outline application with all matters reserved for up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones road, sustainable drainage systems, landscaping and all associated infrastructure and	Pending Decision	



	<p>development. Variation would allow the condition to read 'Concurrent with the submission of reserved matters for layout or landscaping under Condition 1 of this decision, a plan shall be submitted identifying the location, type and size of four new trees to be planted on the site to compensate for the removal of the two Pine trees identified as T93 &amp; T94 in 'The Proposed Tree Management Location Details Based on Outline Plan' (SES, 24 Nov 2021). The plan shall include details of a five-year aftercare package for these new trees. The plan shall subsequently only be implemented in accordance with the approved details.'</p>		
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# Minutes

## Planning Committee 17th October 2023



### Present

<b>Councillors</b>	<b>Present</b>	<b>Councillors</b>	<b>Present</b>
J Abbott	Yes	A Hooks	Yes
J Beavis	Yes (from 7.16pm)	A Munday	Yes
L Bowers-Flint	Yes	I Parker (Chairman)	Yes
T Diamond	Apologies	F Ricci	Yes
M Fincken	Yes	P Schwier	Yes
J Hayes	Apologies	G Spray	Yes
D Holland	Yes		

### Substitutes

Councillor K Bowers attended the meeting as a substitute for Councillor J Hayes.  
Councillor M Thorogood attended the meeting as a substitute for Councillor T Diamond.

## 29 **DECLARATIONS OF INTEREST**

**INFORMATION:** The following interests were declared:-

On behalf of Members of the Committee, Councillor I Parker, the Chairman of the Planning Committee, declared a joint non-pecuniary interest in Application No. 23/01880/OUT - Land South of Springfields, Braintree as Councillor M Cunningham, who had registered to participate during Question Time to speak against the application and had submitted a written statement, was an Elected Member of Braintree District Council, who was known to them.

Councillor J Abbott declared a Non-Pecuniary Interest in Application Nos. 22/02462/LBC, 22/02463/FUL, 22/02464/FUL, 22/02863/LBC, 23/00351/FUL and 23/00352/LBC - Woodhouse Farm Cottage, Woodhouse Lane, Kelvedon as a representative of Rivenhall Parish Council on the Rivenhall Integrated Waste Management Facility – Liaison Group which had considered the proposals. Councillor Abbott stated that he had not expressed pre-determined views about the applications.

Councillor Abbott declared a non-pecuniary interest also in Application No. 23/01288/DAC - Phase 4, Land North East of Rectory Lane, Rivenhall as the proposal related to an extant planning permission which he had opposed when the

application had been considered by the Planning Committee and by an Inspector on appeal. On the basis of pre-determination, Councillor Abbott left the meeting when the application was considered and determined.

Councillor A Hooks declared a non-pecuniary interest in Application No. 23/01880/OUT - Land South of Springfields, Braintree as she had commented on other applications relating to the site. In particular, Councillor Hooks stated that in her capacity as Chairman of Rayne Parish Council she had commented on the development of an adjoining area of land through which the current proposal required access. Councillor Hooks left the meeting when the application was considered and determined.

Councillor I Parker declared a non-pecuniary interest in Application No. 23/01274/FUL - Clarks Farm, North Road, Belchamp Walter as the site was within the Ward which she represented as an Elected Member of Braintree District Council. Councillor Parker stated that a person who had registered to participate during Question Time and some of the objectors were known to her. Councillor Parker stated that she had not discussed the application with anyone.

Councillor G Spray declared a Non-Pecuniary Interest in Application Nos. 22/02462/LBC, 22/02463/FUL, 22/02464/FUL, 22/02863/LBC, 23/00351/FUL and 23/00352/LBC - Woodhouse Farm Cottage, Woodhouse Lane, Kelvedon as Braintree District Council's representative on the Rivenhall Integrated Waste Management Facility – Liaison Group. Councillor Spray stated that she had not commented on the proposals.

In accordance with the Code of Conduct, Councillors remained in the meeting, unless stated otherwise, and took part in the discussion when the applications were considered.

## 30 **MINUTES**

**DECISION:** That the Minutes of the meeting of the Planning Committee held on 26th September 2023 be approved as a correct record and signed by the Chairman.

## 31 **QUESTION TIME**

**INFORMATION:** There were six statements made about the following applications. The statements were made immediately prior to the Committee's consideration of each application.

App. No. 23/01274/FUL - Clarks Farm, North Road, Belchamp Walter  
App. No. 23/01288/DAC - Phase 4, Land North East of Rectory Lane, Rivenhall  
App. No. 23/01880/OUT - Land South of Springfields, Braintree

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

32 **PLANNING APPLICATIONS APPROVED**

**DECISION:** That the undermentioned planning applications be approved under the Town and Country Planning Act 1990, including Listed Building Consent where appropriate, subject to the conditions and reasons contained in the Planning Development Manager’s report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*22/02462/LBC (APPROVED)	Kelvedon	Mr Gareth Jones, Indaver Rivenhall Limited	Repair of existing roof structure, enclosure, chimneys, first floor ceiling, rainwater goods. Installation of new bat access features, Woodhouse Farm Cottage, Woodhouse Lane.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*22/02463/FUL (APPROVED)	Kelvedon	Mr Gareth Jones, Indaver Rivenhall Limited	Installation of timber post and rail fence, including one pedestrian gate providing private access, Woodhouse Farm Cottage, Woodhouse Lane.

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<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*22/02464/FUL (APPROVED)	Kelvedon	Mr Gareth Jones, Indaver Rivenhall Limited	Refurbishment, extension and fencing of existing agricultural steel barn and brick-built lean-to shed to create workshop and enclosed yard space that can be used by local community groups (Class D2), Woodhouse Farm Cottage, Woodhouse Lane.

The Committee approved this application, subject to the following additional Condition:-  
Additional Condition

5. Prior to the commencement of development, a lighting design scheme to protect biodiversity, residential amenity and the night sky shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on, or immediately adjoining the site, that are particularly sensitive for bats including those areas where lighting could cause disturbance along important routes used for foraging; detail the hours of use and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that the lighting proposed will minimise disturbance to bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and retained thereafter in accordance with the scheme.

Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*22/02863/LBC (APPROVED)	Kelvedon	Mr Gareth Jones	Consolidate, conserve and repair the remains of the walls and fabric to the Feed Barn, comprising the recording and removal of timber walls, concrete footings, timber posts and metal fence, C20 block wall and C20 concrete floor and the retention and minor repair of surviving brick plinth walls and farmyard brick wall, Woodhouse Farm Cottage, Woodhouse Lane.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*23/00351/FUL (APPROVED)	Kelvedon	Mr Gareth Jones, Indaver Rivenhall Limited	Repair and conservation of historic fabric, including brickwork plinths, chimneys, ovens and walling, timber framing and roof structure,

			internal and external windows and doors, internal and external finishes, fixtures and fittings. Provision of accessible WCs, baby changing facilities, level access, fire protection and means of escape, and integrating modern services (water, lighting, power, data, etc.) and insulation. Securing of roof space for use by bats, Woodhouse Farm Cottage, Woodhouse Lane.
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The Committee approved this application, subject to the following additional Condition:-

Additional Condition

7. Prior to the commencement of development, a lighting design scheme to protect biodiversity, residential amenity and the night sky shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on, or immediately adjoining the site, that are particularly sensitive for bats including those areas where lighting could cause disturbance along important routes used for foraging; detail the hours of use and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that the lighting proposed will minimise disturbance to bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and retained thereafter in accordance with the scheme.

Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*23/00352/LBC (APPROVED)	Kelvedon	Mr Gareth Jones, Indaver Rivenhall Limited	Repair and conservation of historic fabric, including brickwork plinths, chimneys, ovens and walling, timber framing and roof structure, internal and external

			windows and doors, internal and external finishes, fixtures and fittings. Provision of accessible WCs, baby changing facilities, level access, fire protection and means of escape, and integrating modern services (water, lighting, power, data, etc.) and insulation. Securing of roof space for use by bats, Woodhouse Farm Cottage, Woodhouse Lane.
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<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*23/01288/DAC (APPROVED)	Rivenhall	Bellway Homes Limited	Application for approval of details as reserved by condition 6 of approved application 20/02060/OUT (allowed on appeal) - Submission of Design Code, Phase 4, land North East of Rectory Lane.
<p>The Committee approved this application, subject to the document referred to in Condition No. 1 and in the list of Approved Plans being amended to 'P22-3095_04J – October 2023' as follows:-</p> <p><u>Amended Condition</u></p> <p>1. The details contained within the Design Code (P22-3095_04J dated October 2023) are approved for all parts of the site, with the exception of the Self-Build / Custom Build Plots. A Design Code will need to be produced to specifically Code the Self-Build / Custom Build plots.</p> <p>The approved document therefore partially discharges Condition 6, but the Council will be unable to confirm compliance with Condition 6 until a Design Code for the Self-Build / Custom Build plots is approved.</p> <p><u>Amended Approved Plan</u></p> <p>Design Code      P22-3095_04J – October 2023</p>			

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In addition, the Committee authorised the Planning Development Manager to approve the Design Code for the proposed self-build and custom-build properties.

Councillor J Abbott declared a non-pecuniary interest in this application and he left the meeting when it was considered and determined.

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*23/01785/HH (APPROVED)	Braintree	Mrs Sarah Sherry- Martin	Single storey rear extension and installation of decking, 114 Church Lane.

33 **SECTION 106 AGREEMENT**

<u>Plan No.</u>	<u>Location</u>	<u>Applicant(s)</u>	<u>Proposed Development</u>
*23/00994/FUL (APPROVED)	Hatfield Peverel	Mr Kampandila Kaluba, National Highways	Creation and use of a temporary construction compound including; access onto the A12, car park, storage yard, welfare and office facilities and associated landscaping to support the enabling works for the A12 Chelmsford to A120 Widening Scheme Development Consent Order on land to the north of the A12 Junction 20b at Hatfield Peverel, land North East of The Vineyards.

**DECISION:** That, subject to the applicant entering into a suitable legal agreement pursuant to Section 106 of the Town and County Planning Act 1990 (as amended) to cover the following Head of Term:

- Skylark Mitigation Scheme to be submitted to and agreed with the Local Planning Authority prior to commencement of development, which will ensure the provision of the required number of skylark plots for a ten-year period.

the Planning Development Manager, or an authorised Officer, be authorised to grant planning permission for the above development in accordance with the approved plans and documents and the conditions and reasons set out in the Agenda report



(as amended below). Alternatively, in the event that a suitable planning obligation is not agreed within three calendar months of the Planning Committee's decision, the Planning Development Manager be authorised to refuse planning permission. Details of this planning application are contained in the Register of Planning Applications.

The Committee approved this application, subject to the amendment of Condition No. 9 and to a typographical amendment to re-number Condition No. 19 to Condition No. 18 as follows:-

Amended Condition

9. Prior to the installation of any external lighting at the site, a lighting design scheme to protect biodiversity, residential amenity and the night sky: i) during construction phase; and ii) during the operational phase, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on, or immediately adjoining the site, that are particularly sensitive for bats including those areas where lighting could cause disturbance along important routes used for foraging; detail the hours of use and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that the lighting proposed will minimise disturbance to bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and retained thereafter in accordance with the scheme.

Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Typographical Amendment to Condition (Condition No. 19 re-numbered to Condition No. 18).

18. With the exception that development granted under Development Consent Order reference TR010060 (A12 Chelmsford to A120 Widening Scheme) has been implemented, within six months of the hereby permitted use ceasing, a Scheme of Reinstatement shall have been submitted to and approved in writing by the Local Planning Authority which is in broad accordance with the Enhancement and Reinstatement Plan submitted (Drawing No. HE551497-JAC-ELS-5\_S1E-DR-L-0003 P02). The Scheme of Reinstatement shall precisely detail the reinstatement works, their timing, phasing and implementation and shall be accompanied by Biodiversity Net Gain calculations to ensure that a biodiversity net gain is achieved in comparison to the site prior to the development hereby approved having occurred. The site shall be reinstated in strict accordance with the approved Scheme of Reinstatement.

34 **PLANNING APPLICATIONS REFUSED**

**DECISION:** That the undermentioned planning applications be refused for the reasons contained in the Planning Development Manager’s report, as amended below. Details of these planning applications are contained in the Register of Planning Applications.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*23/01274/FUL (REFUSED)	Belchamp Walter	Mr Aaron Hogsbjerg	Change of use from agricultural land to dog training facilities. Erection of kennel buildings, and office/vet/grooming building, Clarks Farm, North Road.

<b><u>Plan No.</u></b>	<b><u>Location</u></b>	<b><u>Applicant(s)</u></b>	<b><u>Proposed Development</u></b>
*23/01880/OUT (REFUSED)	Braintree	First Oak Partnership Ltd	Outline application with all matters reserved except access, for the erection of 74 affordable residential dwellings, land South of Springfields.

It was reported that a holding objection to this application, which had been submitted by Essex Highways had been withdrawn following the submission of additional information by the applicant.

The Committee refused this application for the Reasons contained in the Planning Development Manager’s report, subject to the deletion of Reason No. 3 (highways) and the renumbering of the Reasons. The Reasons for Refusal, as amended, are as follows:-

**Reason(s) for Refusal**

- 1 The proposed development is located outside of any settlement boundary. In such locations, only proposals that are compatible with and appropriate to the countryside will be permitted. The proposal is not one of those forms of development and therefore represents an encroachment into the countryside and an unacceptable form of urbanisation to the detriment of local landscape character. On this basis, the proposal is contrary to the National Planning Policy Framework and Policies SP1, SP3, SP7, LPP1, LPP42 and LPP52 of the Adopted Braintree District Local Plan (2013-2033).

- 2 The Applicant has not demonstrated that they can satisfactorily accommodate 74 dwellings on the application site. The indicative proposals indicate that the proposal would represent an overdevelopment of the site and would give rise to harm to existing residents in Springfields by reason of the fact that the indicative masterplan indicates that the properties which would back onto the properties in Springfields would have a back to back distance of approximately 22m and garden depths of less than 15m which falls below adopted standards. The proposal is therefore contrary to the National Planning Policy Framework, Policy LPP52 of the Adopted Braintree District Local Plan (2013-2033), and the Essex Design Guide.
- 3 Adopted policies and Supplementary Planning Documents applicable to the proposed development would trigger the requirement for:
- On-site Affordable Housing
  - A financial contribution towards outdoor sport and allotments
  - Provision of on-site informal and amenity open space and an outdoor equipped play area plus ongoing maintenance
  - A financial contribution for the NHS to ensure that the impacts of increased demand for services can be accounted for
  - A financial contribution towards early years and childcare, primary education, secondary education and library improvements
  - A financial contribution towards the Springwood Drive/Rayne Road/Pods Brook Road roundabout improvement scheme and towards Flitch Way improvements
  - Refuse vehicle access
  - A financial HRA contribution
  - Monitoring fees for each planning obligation.

These requirements would need to be secured through a Section 106 planning obligation. At the time of issuing this decision no agreement or unilateral undertaking had been agreed. In the absence of securing such planning obligations the proposal is contrary to Policies SP6, LPP31, LPP50 and LPP78 of the Adopted Braintree District Local Plan (2013-2033), the Open Space Supplementary Planning Document (2009) and Essex County Council Developers' Guide to Infrastructure Contributions (2020).

Councillor A Hooks declared a non-pecuniary interest in this application and she left the meeting when it was considered and determined.

PLEASE NOTE: The full list of standard conditions and reasons can be viewed at the office of the Planning Development Manager, Council Offices, Causeway House, Bocking End, Braintree, Essex CM7 9HB.

(Where applications are marked with an \* this denotes that representations were received and considered by the Committee).

The meeting closed at 9.38pm.

Councillor I Parker  
(Chairman)

**Our ref:** 23/03049/DAC  
**Your Ref:** PP-12658816  
**Direct Dial:** 01376 552525 ext. 2523  
**Ask for:** Neil Jones  
**Date:** 16.02.2024



**Development Management**  
Causeway House Braintree  
Essex CM7 9HB

Tel: 01376 557779  
Email: [planning@braintree.gov.uk](mailto:planning@braintree.gov.uk)

Bellway Homes Limited  
C/o Andrew Martin - Planning Limited  
Mr Olivier Spencer  
Town Mill  
Mill Lane  
Stebbing  
Dunmow  
CM6 3SN

Dear Sir

**APPLICATION NO:** 23/03049/DAC

**DESCRIPTION :** Application for approval of details as reserved by condition 6 of approved application 20/02060/OUT (allowed at appeal) - Submission of Self Build Design Code

**LOCATION :** Phase 4 Land North East Of Rectory Lane Rivenhall Essex

I refer to the above request for confirmation of compliance of planning conditions under planning permission reference No.20/02060/OUT (allowed at appeal).

I can confirm that the details contained within the Self Build Design Code / Plot Passports (P22-3095\_14B, dated December 2023) are approved for Plots SB1, SB2, SB3, SB4, & SB5.

The approved document for the Self Build / Custom Build Plots, together with Design Code (P22-3095\_04J, dated October 2023) which was approved for the remainder of the site, combined comprise a Design Code for the whole development site.

I can confirm that the Self Build Design Code / Plot Passports (P22-3095\_14B, dated December 2023) and Design Code (P22-3095\_04J, dated October 2023) together satisfy the terms of Condition No.6 on the decision notice and the request for confirmation of approval of the details required by the planning condition is **GIVEN**.

Yours faithfully

Neil Jones  
For Development Manager

**Our ref:** 23/01288/DAC & 20/02060/OUT  
**Your Ref:** PP-12149887  
**Direct Dial:** 01376 552525 ext. 2523  
**Ask for:** Neil Jones  
**Date:** 16.02.2024



**Development Management**  
Causeway House Braintree  
Essex CM7 9HB

Tel: 01376 557779  
Email: [planning@braintree.gov.uk](mailto:planning@braintree.gov.uk)

Bellway Homes Limited  
C/o Andrew Martin - Planning Limited  
Mr Olivier Spencer  
Town Mill  
Mill Lane  
Stebbing  
Dunmow  
CM6 3SN

Dear Sir

**APPLICATION NO:** 23/01288/DAC

**DESCRIPTION :** Application for approval of details as reserved by condition 6 of approved application 20/02060/OUT (allowed at appeal) - Submission of Design Code

**LOCATION :** Phase 4 Land North East Of Rectory Lane Rivenhall Essex

I refer to the above request for confirmation of compliance of planning conditions under planning permission reference No. 20/02060/OUT (allowed at appeal).

I can confirm that the details contained within the Design Code (P22-3095\_04J, dated October 2023) are approved for all parts of the site, with the exception of the Self-Build / Custom Build Plots. A further Design Code document will need to be produced to specifically Code the Self Build / Custom Build plots.

The approved document therefore **PARTIALLY DISCHARGES** Condition 6, but the Council will be unable to confirm full compliance with Condition 6 until a Design Code for the Self-Build / Custom Build plots is approved.

Yours faithfully

Neil Jones  
For Development Manager

# **Braintree District Housing Supply Review 2023**

## **Appendix 2K**

### **Rivenhall Park Phase 4**


#### **Planning Performance Agreement Project Plan**

**Planning Performance Agreement (PPA)**

<b>Planning Performance Agreement (PPA) between:</b>	
Braintree District Council (BDC) and Bellway Homes Limited (Essex)	
<b>PPA Reference:</b>	23/70001/PPA
<b>Site:</b>	Phase 4 Land North East of Rectory Lane, Rivenhall, Essex
<b>Dated:</b>	25.01.2023

**Agreement**

BDC and the Applicant hereby agree to the content of this Project Programme.

<b>Braintree District Council</b>	
<b>Name:</b>	Christopher Paggi
<b>Position:</b>	Planning Development Manager
<b>Signature:</b> (On Behalf of BDC)	
<b>Date:</b>	22.12.2023

<b>Applicant</b>	
<b>Name:</b>	Catherine Williams
<b>Position:</b>	Regional Planning Director
<b>Signature:</b> (On Behalf of Applicant)	
<b>Date:</b>	



## Appendix 1: Project Programme

BDC and the Applicant shall work to ensure that the consideration of the proposal is progressed in accordance with the Project Programme set out below (unless a variation to the Project Programme is agreed in writing in accordance with the Planning Performance Agreement).

### Project Programme

<b>Date</b>	<b>Meeting / Milestone</b>	<b>BDC Officers Required</b>
24 <sup>th</sup> January 2023	PPA Inception Meeting.	<ul style="list-style-type: none"> <li>• Case Officer</li> </ul>
9 <sup>th</sup> February 2023	Pre-App meeting (Discussion regarding structure / content of the Design Code).	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
21 <sup>st</sup> February 2023	Highway meeting (TRO's).	<ul style="list-style-type: none"> <li>• Case Officer</li> </ul>
9 <sup>th</sup> March 2023	Pre-App Meeting (Draft Design Code & Layout).	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
12 <sup>th</sup> April 2023	Pre-App Meeting (Draft Design Code & Layout).	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
17 <sup>th</sup> May 2023	Submission of application to discharge planning Condition 6 (23/01288/DAC).	<ul style="list-style-type: none"> <li>• Bellway</li> </ul>
17 <sup>th</sup> May 2023	Assessment of application for validation and confirmation of validation. Application validation date 17 <sup>th</sup> May.	<ul style="list-style-type: none"> <li>• Validation Officer</li> </ul>
12 <sup>th</sup> June 2023	Submission of application for Infrastructure (priority junction and revised site access off Rickstones Road; section of spine road restricted to bus, taxi and motorcycle use only;	<ul style="list-style-type: none"> <li>• Bellway</li> <li>• Case Officer</li> <li>• Validation Officer</li> </ul>

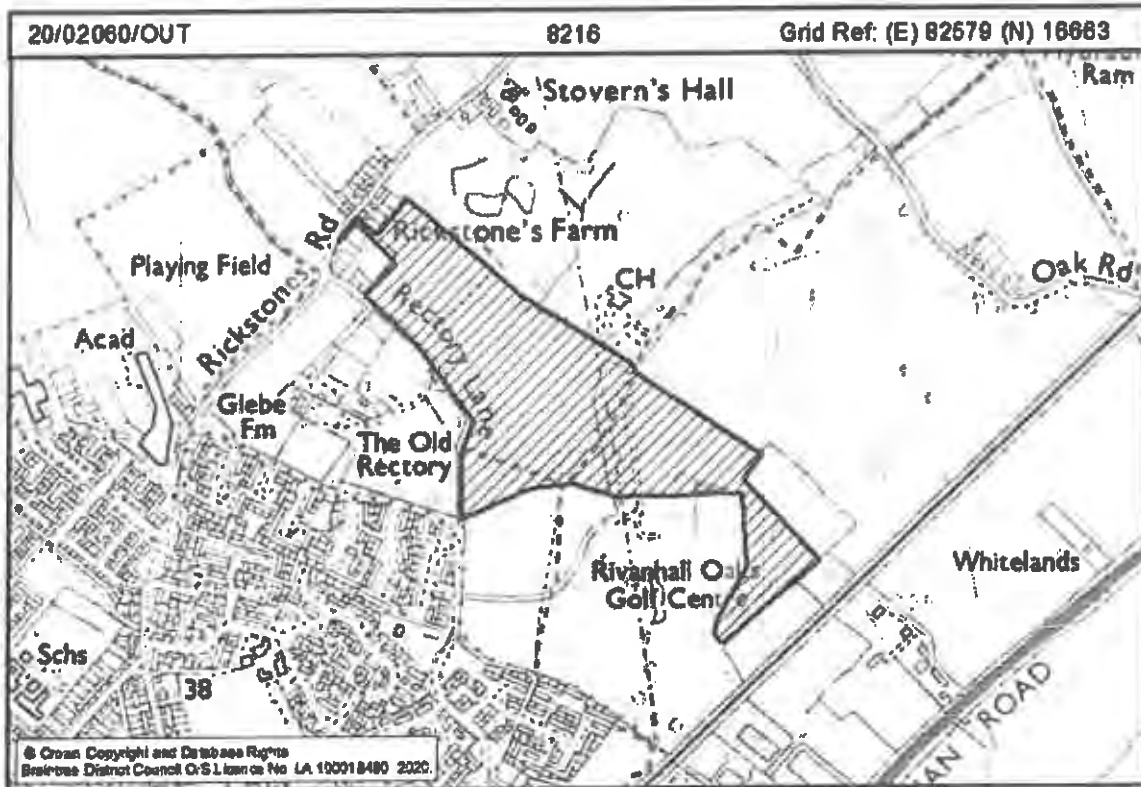
	<p>sustainable drainage system) (Application Ref. 23/01555/FUL).</p> <p>Within 2 working days of submission of application.</p> <p>Assessment of application for validation and confirmation of validation, or outstanding validation requirements (Information required to validate applicant received on 12<sup>th</sup> July. Application validation date 12<sup>th</sup> July).</p>	
17 <sup>th</sup> July 2023	<p>Post submission meeting (Discussion about submitted Design Code).</p>	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
25 <sup>th</sup> July 2023	<p>Electronic submission of S73 application to vary Condition 27 (tree translocation condition) for review by Case Officer. (Application Reference 23/01901/VAR).</p> <p>Within 2 working days of submission of application.</p> <p>Assessment of application for validation and confirmation of validation, or outstanding validation requirements (information required to validate applicant received on 31<sup>st</sup> July. Application validation date 31<sup>st</sup> July).</p>	<ul style="list-style-type: none"> <li>• Bellway</li> <li>• Case Officer</li> <li>• Validation Officer</li> </ul>
2 <sup>nd</sup> August 2023	<p>Design Code Workshop.</p>	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
22 <sup>nd</sup> August 2023	<p>Post submission meeting (Discussion – Design Code and Infrastructure</p>	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>

	application) & Pre-App Meeting Review of detailed layout and draft Reserved Matters submission.	
26 <sup>th</sup> September 2023	<b>Planning Committee</b>  S73 Application for Condition 27 (23/01901/VAR).	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Planning Development Manager</li> </ul>
3 <sup>rd</sup> October 2023	Pre-App Meeting Review of Committee Decisions & Progress with Decisions Update on Reserved Matters.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
17 <sup>th</sup> October 2023	<b>Planning Committee</b>  Design Code Discharge of Condition Application (23/01288/DAC).	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Planning Development Manager</li> </ul>
24 <sup>th</sup> October 2023	Pre-App Meeting - Review of detailed layout, design and elevations, Sports Park and update on S73 application.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
5 <sup>th</sup> December 2023	Pre-App Meeting - Review of detailed layout, Self-Build Design Code & Sports Park Plans.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
18 <sup>th</sup> December 2023	Pre-App Meeting to discuss Self-Build Design Code.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
w/c – 18 <sup>th</sup> December 2023	Electronic submission of application to fully discharge Condition No.6 through submission of Self-Build Design Code.  Within 2 working days of submission of application.	<ul style="list-style-type: none"> <li>• Bellway</li> <li>• Case Officer</li> <li>• Validation Officer</li> </ul>

	Assessment of application for validation and confirmation of validation, or outstanding validation requirements.	
w/c 28 <sup>th</sup> December 2023	Assessment of application.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
w/c 31 <sup>st</sup> January 2024	Determination of application to discharge planning Condition 6 under Delegated Powers (23/03049/DAC), subject to revised submission being acceptable.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Planning Development Manager</li> </ul>
w/c – TBC (Bellway target for submission first / second week January 2024 – dependent on landowner approval of application and full approval of Condition 6 (Design Code))	<p>Electronic submission of two Reserved Matters Applications (one with the section of spine road restricted to bus, taxi and motorcycle use only and one with the bus turning facility).</p> <p>Within 2 working days of submission of application.</p> <p>Assessment of application for validation and confirmation of validation, or outstanding validation requirements.</p>	<ul style="list-style-type: none"> <li>• Bellway</li> <li>• Case Officer</li> <li>• BDC Validation Officer</li> </ul>
w/c	1st Post Reserved Matters Application meeting (General overview and discussion).	<ul style="list-style-type: none"> <li>• Design Officer</li> <li>• Case Officer</li> </ul>
w/c	Applicant team working up revised drawings (if required).	N/A
w/c	2 <sup>nd</sup> Post Reserved Matters Application meeting.	<ul style="list-style-type: none"> <li>• Design Officer</li> <li>• Case Officer</li> </ul>

w/c	Amended plans submitted and sent out for consultation.	<ul style="list-style-type: none"> <li>• Case Officer (and other officers as required).</li> </ul>
w/c	Assessment of application and consultation responses.	<ul style="list-style-type: none"> <li>• Case Officer</li> <li>• Design Officer</li> </ul>
22 <sup>nd</sup> March 2024	Deadline for Draft Committee Report.	<ul style="list-style-type: none"> <li>• Case Officer</li> </ul>
5 <sup>th</sup> April 2024	Publication Deadline for Committee Report (subject to application being submitted by w/c 5 <sup>th</sup> February 2024).	<ul style="list-style-type: none"> <li>• Case Officer</li> </ul>
16 <sup>th</sup> April 2024	<b>Planning Committee</b>	<ul style="list-style-type: none"> <li>• Case Officer</li> </ul>
26 <sup>th</sup> April 2024	Draft and Issue Decision Notices.	<ul style="list-style-type: none"> <li>• Case Officer</li> </ul>

**Appendix 2: Site Location Plan**





# **Braintree District Housing Supply Review 2023**

## **Appendix 2L**

### **Rivenhall Park Phase 4**

#### **Reserved Matters submission**

- Planning Statement**
- Application Form**
- Design and Access Statement**





Development Management  
Causeway House  
Bocking End  
Braintree  
Essex CM7 9HB

T: 01376 552525  
E: [planning@braintree.gov.uk](mailto:planning@braintree.gov.uk)  
W: [www.braintree.gov.uk](http://www.braintree.gov.uk)

## Application for Approval of Reserved Matters following Outline Approval

### Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Land bounded by: the North East (NE) Witham Phase 1 & 2 development to the south; the Rivenhall Oaks Golf Centre to the east and northeast; the rear gardens of properties along Rickstones Road to the northwest; and, Rectory Lane to the west.

## Applicant Details

### Name/Company

Title

Miss

First name

Catherine

Surname

Williams

Company Name

Bellway Homes Limited

### Address

Address line 1

c/o Agent

Address line 2

c/o Agent

Address line 3

Town/City

c/o Agent

County

Country

c/o Agent

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

## Contact Details

Primary number

Secondary number

Fax number

Email address

## Agent Details

Name/Company

Title

First name

Surname

Company Name

## Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

CM6 3SN

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Development Description

Please indicate all those reserved matters for which approval is being sought:

- Access
- Appearance
- Landscaping
- Layout
- Scale

Please provide a description of the approved development as shown on the decision letter

Variation of Condition 27 (Relocation of 2 No. Pine Trees) of approved application 20/02060/OUT (allowed at appeal) granted 05.01.2023. Outline application with all matters reserved for up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones road, sustainable drainage systems, landscaping and all associated infrastructure and development. Variation would allow the condition to read 'Concurrent with the submission of reserved matters for layout or landscaping under Condition 1 of this decision, a plan shall be submitted identifying the location, type and size of four new trees to be planted on the site to compensate for the removal of the two Pine trees identified as T93 & T94 in 'The Proposed Tree Management Location Details Based on Outline Plan' (SES, 24 Nov 2021). The plan shall include details of a five-year aftercare package for these new trees. The plan shall subsequently only be implemented in accordance with the approved details.'

Reference number

23/01901/VAR

Date of decision (date must be pre-application submission)

29/02/2024

Please provide a description of the reserved matters for which you are seeking consent. Please state if the outline planning application was an environment impact assessment application and, if so, confirm that an environmental statement was submitted to the planning authority at that time

Reserved matters application seeking approval for access, appearance, landscaping, layout and scale, in accordance with planning permission 23/01901/VAR (originally approved under 20/02060/OUT), for 225 dwellings (including 69 affordable homes), public open space (including sports pitches and facilities, neighbourhood equipped area for play, parkland and other greenspace), an all-vehicle access from Forest Road and Evans Way, a bus access from Rickstones Road and bus-only section of spine road on-site, cycle and pedestrian connections to Rickstones Road, sustainable drainage systems, landscaping and associated infrastructure and development. Details also provided in respect of EV charging, boundary treatments, parking, solar PV, M4 compliance, noise, external lighting, biodiversity enhancement, arboriculture, refuse collection, open space management, levels and affordable housing.

This is not EIA development.

Has the work already started?

- Yes  
 No

## Supporting Information

Please provide the following information

Please list all relevant drawings, including reference numbers, that were approved as part of the original decision.

Location Plan drawing no. BW219-PL-01 Rev E  
Land Use Parameter Plan drawing no. BW219-PP-01 Rev I  
Green Infrastructure Parameter Plan drawing no. BW219-PP-02 Rev I  
Pedestrian & Cycle Access & Movement Parameter Plan drawing no. BW219-PP-03A Rev G  
Vehicular Access & Movement Parameter Plan drawing no. BW219-PP-03B Rev F  
Storey Heights Parameter Plan drawing no. BW219-PP-04 Rev J

Please list all drawing numbers submitted with this application for approval

Please refer to Table 1.2 in the accompanying Planning Statement.

If applicable, please state the reasons for any changes to the original drawings

n/a

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes  
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent  
 The applicant  
 Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes

No

**If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):**

Officer name:

Title

\*\*\*\*\* REDACTED \*\*\*\*\*

First Name

\*\*\*\*\* REDACTED \*\*\*\*\*

Surname

\*\*\*\*\* REDACTED \*\*\*\*\*

Reference

n/a

Date (must be pre-application submission)

12/04/2023

Details of the pre-application advice received

Please refer to the accompanying Planning Statement and Statement of Community Engagement for further information on pre-application discussions, including meetings held with officers and members from Braintree District Council, Essex County Council and other stakeholders.

## Authority Employee/Member

**With respect to the Authority, is the applicant and/or agent one of the following:**

(a) a member of staff

(b) an elected member

(c) related to a member of staff

(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

Yes

No

## Declaration

I/We hereby apply for Approval of reserved matters as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Olivier Spencer

Date

27/03/2024



# LAND TO THE NORTH EAST OF WITHAM, PHASE 4

## Design & Access Statement.

ON BEHALF OF BELLWAY HOMES  
P22-3095\_GD\_002\_A\_01 | MARCH 2024

**PEGASUS**  
GROUP





*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.* ””

*(Para. 131, NPPF 2023)*

## Pegasus Design

Since 2003, we've been solving planning and development problems for our clients successfully, and we're really proud of that. Even though our work is complex, what we deliver for our clients is very simple: we deliver results.

Expertly Done sums up our approach. We listen and learn from our clients, working as true partners who are passionate about delivering excellence and expertise on every step of the journey.

Everything we do is Expertly Done.

## Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE

# 01

Introduction

5

# 02

Background & Context

7

# 03

Design Proposals &  
Design Code Compliance

11

# 04

Conclusion

27

**PEGASUS**  
GROUP

Pegasus Design  
Pegasus House  
Querns Business Centre  
Whitworth Road  
Cirencester  
Gloucestershire  
GL7 1RT

[www.pegasusgroup.co.uk](http://www.pegasusgroup.co.uk) | T 01285 641717

Prepared by Pegasus Design on behalf of Bellway Homes

Pegasus Design is part of Pegasus Group Ltd

March 2024 | Project code P22-3095

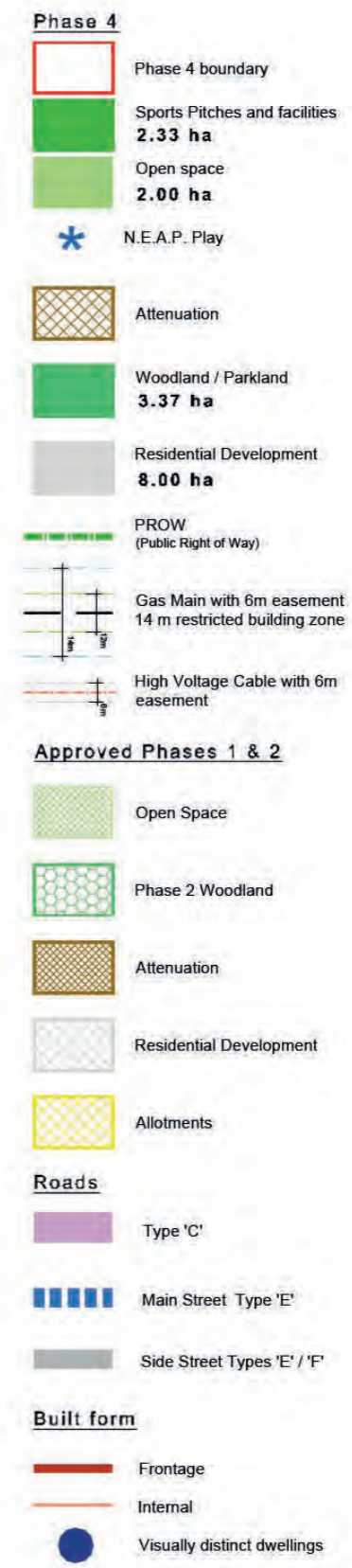


# INTRODUCTION

01

## PURPOSE OF THE STATEMENT

- 1.1 This Design & Access Statement has been prepared by Pegasus Design (part of Pegasus Group) on behalf of Bellway Homes as part of a Reserved Matters submission pursuant to the Outline Planning Permission (20/O2060/OUT) which was approved under appeal in January 2023 and subsequently varied by a s73 consent (23/O1901/VAR).
- 1.2 The purpose of this statement is to summarise the development proposals and demonstrate compliance with the Outline Planning Permission and Phase 4 Design Code approved in October 2023. This statement should be read in conjunction with the Reserved Matters Application and its accompanying documents.
- 1.3 This document achieves this within the following sections:
  - Section 1: Introduction.** Outlines the purpose of this document;
  - Section 2: Background & Context.** Outlines the planning history of the site and outline illustrative masterplan;
  - Section 3: Design Proposals & Design Code Compliance.** Presentation of the key design proposals including uses and amount proposed, layout of the development, scale of buildings, access, appearance and how the design accords with the approved Design Code; and
  - Section 4: Summary.**



Outline Illustrative Masterplan

# BACKGROUND & CONTEXT

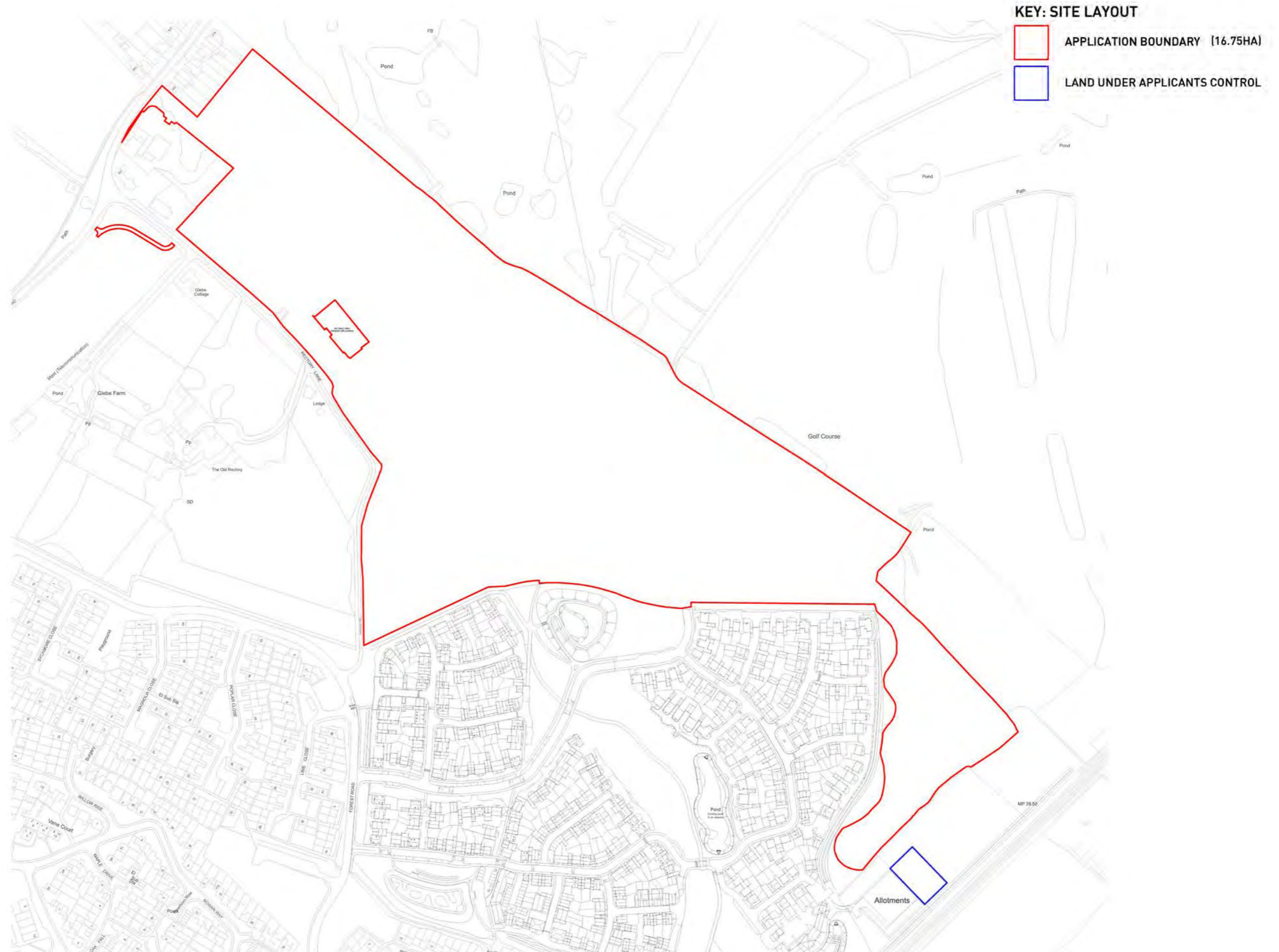
# 02

## PLANNING BACKGROUND

- 2.1 Braintree District Council granted Outline Planning Permission (20/02060/OUT) under appeal for the site in January 2023. The Outline Planning Permission was for:
- 2.2 “Outline Planning Application with all matters reserved for: up to 230 dwellings including affordable homes; public open space including sports pitches and facilities, neighbourhood equipped area of play, parkland and alternative natural greenspace; vehicular access via Forest Road and Evans Way; a bus, cycle and pedestrian connection to Rickstones Road; sustainable drainage systems; landscaping; and, all associated infrastructure and development.”
- 2.3 This planning permission was subsequently varied by a s73 consent (23/01901/VAR), which amends Condition 27 to allow the removal of two pine trees and the planting of four replacement nursery-stock trees on-site.
- 2.4 Reference should also be made to the approved Design & Access Statement, submitted as part of the Outline Planning Application and the approved Design Code.
- 2.5 This statement relates to Phase 4 which is located to the north of Phase 1 and 2 and to the east of Phase 3. Phase 1, 2 and 3 are all recently constructed. Phase 1 and 2 constitutes Bellway Homes’ Rivenhall Park Development (370 dwellings) and Phase 3 comprises The Bluebells development (58 dwellings).

## DESIGN CODE COMPLIANCY

- 2.6 The Land to the North of Witham, Phase 4, Design Code is a key document, which has informed the development proposals, as explained later in this document. There are certain parameters set by the document, and the key constraints and principles that have shaped the proposed site layout are:
  - The Regulating Plan (including land use, access, existing vegetation);
  - Urban Design Principles Plan (including frontage, landmark buildings, key corners);
  - Street Typology Plan (including access, street types, vehicular/pedestrian/cycle routes);
  - Enclosure and Frontage;
  - Parking Strategy;
  - Refuse and Recycling Strategy;
  - Character Areas;
  - Landscape Structure; and
  - Public Realm.



Site Location Plan

## PHYSICAL CONTEXT

2.7 The site is located on the northern fringe of Witham, in Rivenhall Parish, north of Rectory Lane and Bellway's Rivenhall Park development (Phases 1 and 2). The site is less than 1.5km from Witham Railway Station and 2km from Witham town centre. Witham is located approximately 7 miles to the northeast of Chelmsford and 14 miles to the southwest of Colchester, along the A12 corridor.

## THE SITE

2.8 The site is 16.755 hectares in size and is bounded by; Phases 1 and 2 to the south; the Rivenhall Oaks Golf Centre to the east and northeast; existing properties on Rickstones Road to the northwest; and Rectory Lane to the west.

2.9 The site currently comprises a mix of agricultural land, plantation woodland, former golf holes associated with the Golf Centre and a temporary construction compound.



Context Plan





*"The detailed layout accords with the Regulating Plan, set out in the Design Code (page 18)"*

Site Layout

# DESIGN PROPOSALS & DESIGN CODE COMPLIANCE

# 03

## USE & AMOUNT OF DEVELOPMENT

3.1 The site layout opposite shows the proposed development for Phase 4. The site area is 16.755 hectares and comprises a residential development of 225 dwellings, open space, sports pavilion, pitches and children's play area.

### Residential – up to 225 dwellings (Class C3)

3.2 The development includes a mix of 48 no. 4 bedroom dwellings, 80 no. 3 bedroom dwellings, 91 no. two bedroom dwellings and 6 no. 1 bedroom apartments.

3.3 The 225 dwellings comprise of 156 open market units and 69 affordable units. An area excluded from this application has been set aside for 5 self/custom build development, which will come forward as a separate application.

### Affordable Housing

3.4 69 new affordable units will be provided through this scheme, equating to 30% affordable housing provision in accordance with the requirements of the outline permission, as well as in line with the adopted planning policy. Of these 69 units, 46 are affordable rented and 23 shared ownership.

3.5 Further information on the affordable housing provision is provided later in this document.

### Public Open Space and Green Infrastructure

3.6 7.96ha of Public Open Space will be provided within the proposals, well in excess of the policy requirements. The amount of open space has been designed in order to cater for recreational needs of both the existing and new communities at Witham.

## LAYOUT

3.7 The layout has been designed to follow the principles of the previously approved Design Code.

3.8 A mix of large detached and semi-detached dwellings front the principle street (The Avenue) set back and accessed from a private drive adjacent to the street. The outer edges of the development are generally composed of large detached dwellings accessed from private drives, creating a lower density edge. The remainder of the site is made up of a mix of detached, semi-detached and terraced dwellings, accessed from secondary streets and shared surface streets, providing a transition between The Avenue and the outer edges of the development.

3.9 Dwellings follow the same building line as illustrated in the approved Design Code and the road structure has not been altered.

3.10 Dwellings front onto The Avenue, running through the development, ensuring that this principle route is well overlooked, encouraging natural surveillance. The new development will provide active frontages overlooking the existing and proposed areas of public open space, and provide natural surveillance over the sports pitches and children's play area.



*"The detailed layout accords with the Open Space Typology Plan set out within the Design Code."*

## DENSITY

- 3.11 The layout achieves an average net density of 29.3 dwellings per hectare (dph) across the site, which accords with the Design Code and Government guidance on ensuring the efficient use of land, yet is reflective of the scale of the local area.
- 3.12 The average density allows for the formation of differing densities across the development, including higher density development on the north western side overlooking the sports pitches, and lower densities along the green edges fronting onto the open space.
- 3.13 Overall the density results in the efficient use of the site, whilst at the same time promoting densities which are appropriate to the local area, and which will help assimilate the development into the surrounding areas.
- 3.14 It should be noted that the net density is significantly lower than phases 1 & 2 of the development, which reflects the differing character of phase 4 and the greater provision of landscaping and street trees.
- 3.15 A variety of house types, tenures and sizes are provided which will assist in created a balanced community, as a verity of households can be accommodated, therefore minimising the potential of social exclusion. A hierarchy of dwellings is provided; ranging from large detached dwellings set within larger plots through to smaller terraced forms and apartments allowing variety in the proposed streetscape.



*"The detailed layout accords with the Urban Design Principles Plan, set out in the Design Code (page 20)"*

## CONTINUITY

- 3.16 The design of the development proposals are based on the principle of perimeter blocks, providing strong frontages to the public realm, whilst protecting the amenity of the residents. This continuity assists in defining the public realm, promotes an active street scene and helps to create a safe and attractive environment.
- 3.17 Where dwellings are located on corners, additional windows have been incorporated on these elevations to reinforce the level of surveillance of public areas.
- 3.18 The Urban Design Principles Plan within the Design Code set out indicative locations of important frontages within the development. The detailed proposals follow this outward facing perimeter block nature, with important frontages located along the principle route, The Avenue, and south western edges overlooking the public open space.
- 3.19 These important frontages are particularly prominent and critical to the appearance of the development. Particular attention has been paid to the massing and architectural style of these buildings so that they contribute positively to the quality and character of the new development. These frontages have been designed as a composition in order to provide a cohesive element to these prominent positions.

## SCALE / BUILDING HEIGHTS

- 3.20 The height and massing of the proposed development varies across the site according to the nature of the public realm to be created. The proposals predominantly comprise 2 storey development, reflecting surrounding residential development along Forest Road, Rickstones Road and Phases 1 and 2. Occasional 2.5 storey dwellings are located along The Avenue to provide distinctiveness in the street scene and to comply with the approved Design Code. There is also 4no. bungalows proposed, which will also serve as wheelchair units.
- 3.21 The pavilion building which sits adjacent to the sports pitches is single storey, and reflects the scale and massing found within the rectory lane character assessment.
- 3.22 Variety in building heights and massing is achieved through the use of a range of housetypes and sizes ranging from smaller 1 bed units to larger 4 bedroom detached houses.
- Landmark buildings and key corners are considered to increase the legibility of development. Landmark buildings are identified in the Design Code; at the entrance to the site from Evans Way; at the north western end of The Avenue; at key points along The Avenue; and overlooking the open space towards the south of the development. The proposed layout reflects this with these key units having been designed to be distinctive, and prominent within the street scene through the use of increased storey heights and a change in materials.*
- 3.23 For further details on the scale of the dwellings proposed, please refer to the house type pack and street scene drawings submitted as part of this application.



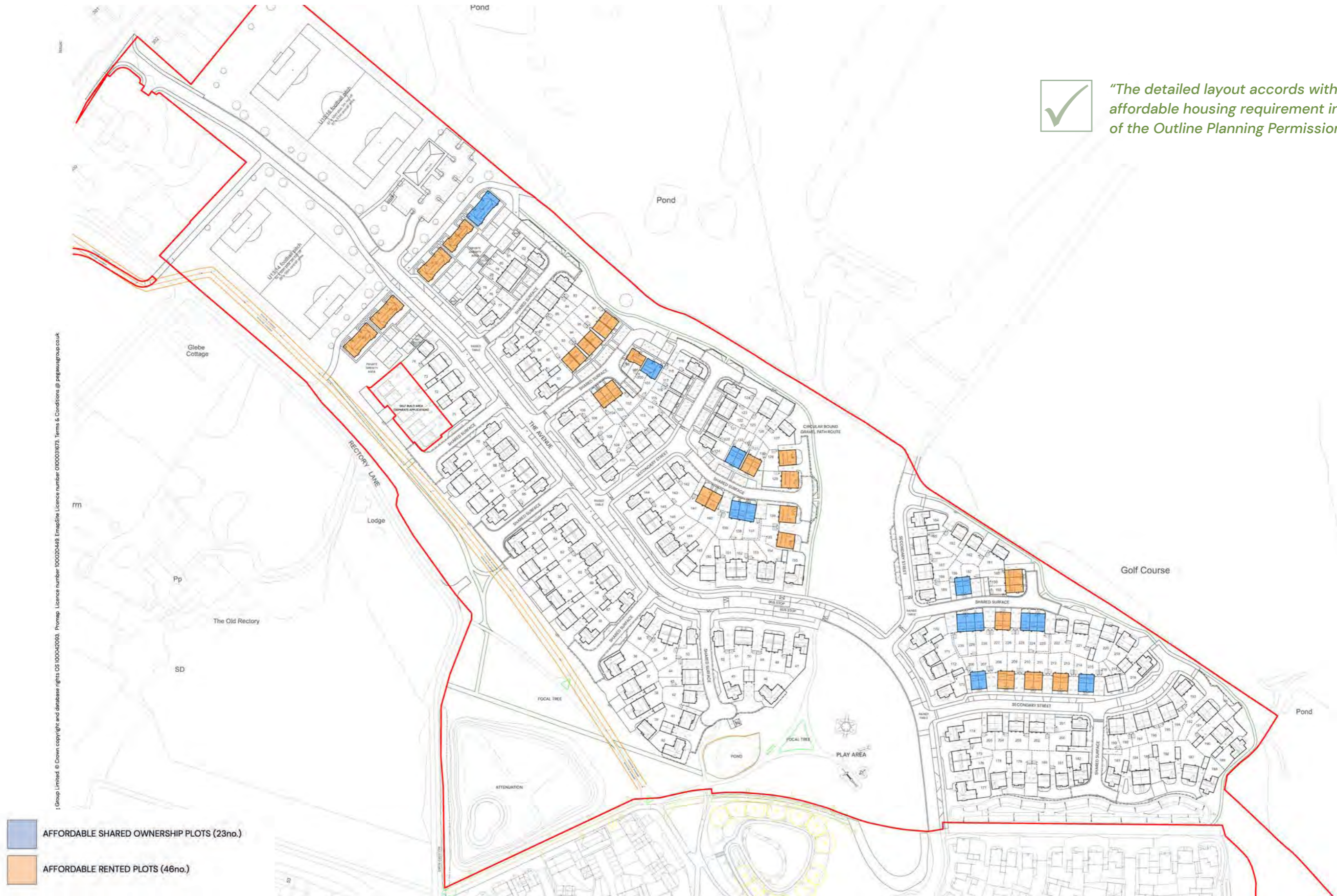
**KEY: BUILDING HEIGHTS**

- 2.5 STOREY
- 2 STOREY
- SINGLE STOREY

*"The detailed layout accords with the Storey Heights Parameter Plan (drwg no. BW219-PP-04), approved as part of the Outline Planning Permission."*

**Building Heights Plan**

LAND TO THE NORTH EAST OF WITHAM, PHASE 4



*"The detailed layout accords with the affordable housing requirement in the S106 of the Outline Planning Permission."*

- AFFORDABLE SHARED OWNERSHIP PLOTS (23no.)
- AFFORDABLE RENTED PLOTS (46no.)

Tenure Plan

## AFFORDABLE HOMES / TENURE

- 3.24 Within the detailed proposals, 30% on-site affordable housing will be provided (69 dwellings of the total 230 dwellings approved). They are designed to be “tenure blind” so as indistinguishable from the open market dwellings.
- 3.25 The proposals distribute the affordable units in several clusters across the site, so groups are not all accessed off the same section of highway, thereby ensuring that groups are not contiguous.
- 3.26 The Tenure Plan presented opposite shows the location of the affordable dwellings. The affordable units will be provided as 1 and 2 bedroom apartments, 2 and 3 bedroom bungalows and 2, 3 and 4 bedroom houses.

## MOVEMENT AND ACCESS

- 3.27 A well-connected movement network, accessible by all users, is proposed which helps to ensure that all areas of the development will be accessible, easy to navigate, safe and secure.
- 3.28 The movement hierarchy clearly defines the main routes and helps to achieve a permeable layout. The hierarchy recognises the need to combine the function of the street as a movement corridor, alongside its placemaking function. The importance of each of the street types in terms of its movement and place function varies within the hierarchy. Streets are defined by the building layout, so that buildings rather than roads dominate.
- 3.29 The development proposals have been influenced by “Manual for Streets 1 & 2”, which encourages designers to move away from the standardised prescriptive measures and to adopt a more innovative approach, in order to create high quality places for all users, ages and abilities.

- 3.30 The proposed vehicular access is taken from Evans Way, south of the site, which runs through Phases 1 and 2. A further ‘bus only’ access point is located off Rickstones Road. Both these access points are in accordance with the Movement Parameter Plan, approved as part of the Outline Planning Permission.
- 3.31 A clear hierarchy of streets is proposed within the development, which provides for and encourages pedestrian and cycle movement, whilst also delivering necessary vehicular connections, aiding in the creation of an integrated movement network.
- 3.32 The following street types have been incorporated within the scheme, in accordance with the Street Typologies set out in the Design Code:
- Street Type D Feeder – ‘The Avenue’
  - Street Type E Access
  - Street Type F Minor Access
  - Street Type H Shared Private Drive
- 3.33 Within the site Street Type D ‘The Avenue’ runs south-east to north-west. It has been designed to encourage low traffic speeds and has a verdant feel, with tree planting set within verges to both sides of the street. Further to this, dwellings fronting onto the street are set back by private drives, creating a boulevard-like character according with the approved Design Code.
- 3.34 Street Type E Access Streets feed off The Avenue but retain the green verdant feel with tree planting set within a verge to one side of the street. Street Types F and H are lower category roads which have a less formal character and allow for greater instances of social interaction within the street.
- 3.35 A connection has been proposed from Rickstones Road providing a direct bus only route into the development.

House Type	Beds/People	Sqm	Sqft	No of Units	No Storeys	Total Sqft
<b>OPEN MARKET</b>						
<b>2 BED HOUSES</b>						
POTTER	2B3P	71.43	769	32	2	24408
RYDER	2B3P	74.48	802	16	2	12832
<b>3 BED HOUSES</b>						
THESPAN	3B4P	85.53	921	19	2	17499
QUILTER	3B4P	88.59	954	6	2	5724
CARVER	3B4P	91.13	981	11	2	10791
MASON	3B5P	96.35	1059	8	2	19062
WEBSTER	3B4P	113.83	1225	10	2.5	12250
<b>4 BED HOUSES</b>						
SILVERSMITH	4B6P	114.61	1234	16	2	19744
SCULPTOR	4B6P	120.77	1300	4	2	5200
PHILOSOPHER	4B7P	140.03	1507	8	2	12056
GOLDSMITH	4B8P	140.52	1513	9	2	13617
JEWELLER	4B7P	160.89	1732	7	2	12126
<b>TOTAL</b>				<b>156</b>		<b>165507</b>
<b>AFFORDABLE - RENTED</b>						
<b>1 BED APARTMENTS</b>						
H450 GF	1B2P	50	538	3	1	1614
H450 FF	1B2P	51.37	553	3	1	1659
<b>2 BED APARTMENTS</b>						
H470 GF	2B4P	70	753	3	1	4518
H470 FF	2B4P	71.81	773	3	1	4638
<b>2 BED HOUSES</b>						
3BB 70 (BUNG)	2B4P	70	753	2	1	1506
BAKER	2B4P	81.38	876	12	2	10512
<b>3 BED HOUSES</b>						
3BB 65 (BUNG)	3B5P	86	926	2	1	1852
TILLMAN	3B5P	95.28	1026	4	2	4104
H4102	3B6P	102	1097	4	2	4388
<b>4 BED HOUSES</b>						
H4115	4B7P	115.01	1238	4	2	4952
<b>AFFORDABLE RENTED TOTAL</b>				<b>46</b>		<b>39743</b>
<b>AFFORDABLE - SHARED OWNERSHIP</b>						
<b>2 BED APARTMENTS</b>						
H470 GF	2B4P	70	753	3	2	2259
H470 FF	2B4P	71.81	773	3	2	2319
<b>2 BED HOUSES</b>						
BAKER	2B4P	81.38	876	11	2	9636
<b>3 BED HOUSES</b>						
TILLMAN	3B5P	95.28	1026	4	1	4104
<b>AFFORDABLE SHARED TOTAL</b>				<b>23</b>		<b>20770</b>
<b>AFFORDABLE TOTAL</b>				<b>69</b>		<b>60113</b>
<b>GRAND TOTAL</b>				<b>225</b>		<b>225620</b>
NET DEVELOPABLE AREA						
6.9 Ha						
17.05 Acres						
COVERAGE						
13233 sqft/acre						
DENSITY						
33 DPH						



*“The detailed layout accords with the Street Typology Plan and Street Sections set out in the Design Code.”*

## FOOTWAYS AND CYCLEWAYS

- 3.36 The location of the site, close to the established community and Witham town centre are both positive characteristics which have been maximised through the provision of direct and interesting pedestrian access routes. In order to achieve this, safe and convenient routes through the site with inclusive access (particularly for those with disabilities) have been used to inform the detailed proposals.
- 3.37 The proposed pedestrian/cycle network is seen as an integral part of the transport infrastructure for the site, and has been developed in accordance with the approved Pedestrian and Cycle Parameter Plan approved as part of the Outline Planning Permission.
- 3.38 The following measures to provide accessibility by foot and cycle are proposed:
- The northern route from Rickstones Road is a bus, cycle and pedestrian only connection providing a quiet, direct and infrequently used access from Rickstones Road;
  - Closure to part of Rectory Lane to through traffic, helping to retain its character as a rural lane and encouraging residents to use it as part of journeys on foot or cycle;
  - Creation of a 2.7km circular walking route around the perimeter of the site; and
  - A new pedestrian/cycle connection between the scheme and Phases 1 and 2 to the south of the site.
  - There are also 3-metre wide foot and cycle paths being proposed through Phase 3 and along the northern side of Rickstones Road to the existing schools off Conrad Rd.

*Note the slight change in route*

## PARKING

- 3.39 Parking has been designed in line with current guidance contained within Manual for Streets, the Essex Design Guide, Essex Parking Standards (2009) and the Design Code.
- 3.40 Allocated parking is predominantly provided on plot, within the curtilage, either to the front or side of dwellings with individual bays and/or garages set back from the building line to allow ease of access to dwellings. Allocated residential parking has been provided at a minimum rate of 1 no. car space per 1 bedroom dwelling and 2 no. spaces for units with 2 or more bedrooms.
- 3.41 Vehicle/pedestrian visibility splays of 1.5m x 1.5m (from the back of the highway to the side of the driveway, assuming a 2.4m car width) have been incorporated where parking spaces abut the back edge of the footway or the highway boundary.



*"The detailed layout accords with the Pedestrian and Cycle Parameter Plan (drwg no. BW219-PP-03a) approved as part of the Outline Planning Permission."*

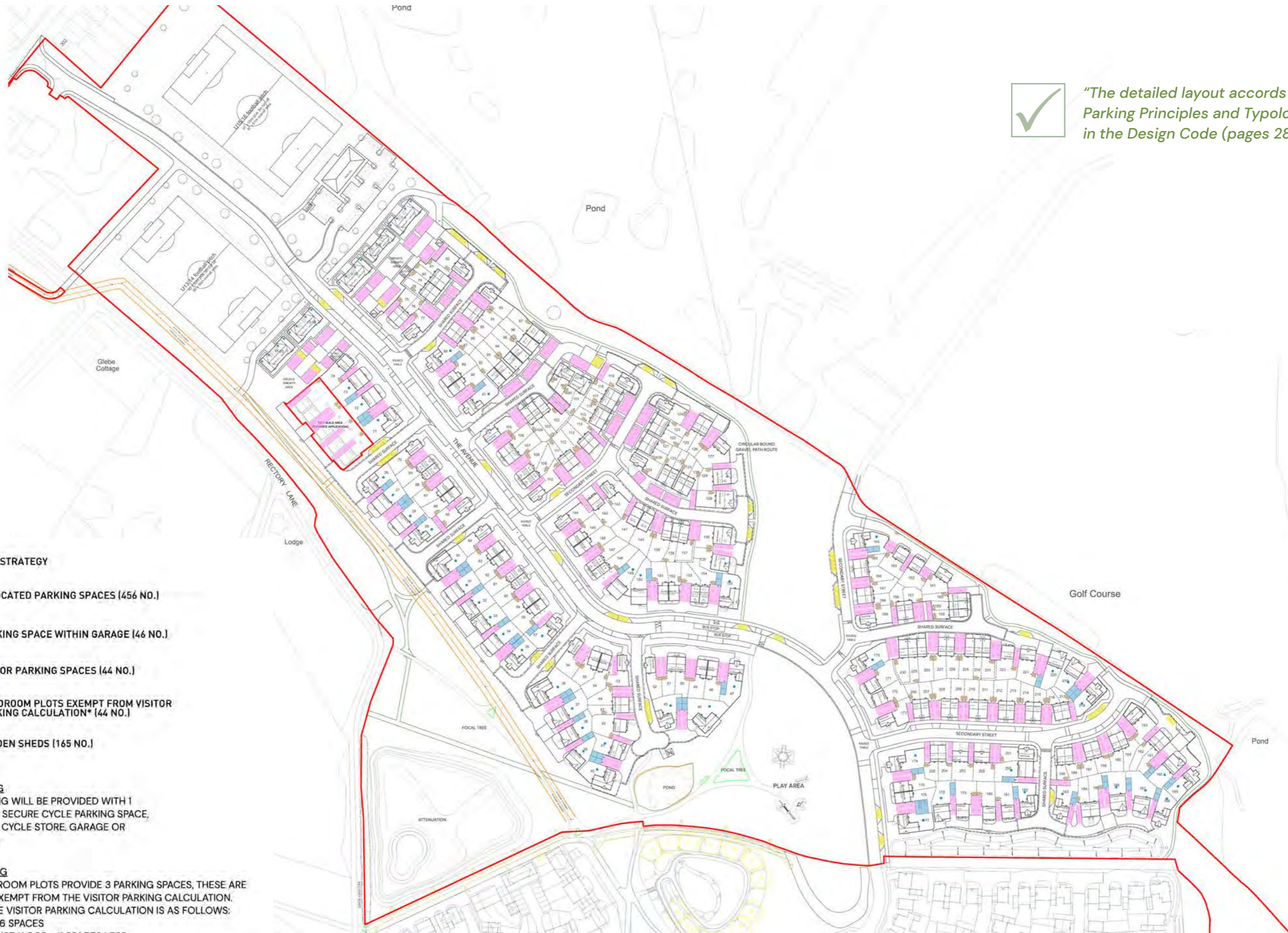
- 3.42 The parking courts located at the north western part of the development have been designed to include good levels of natural surveillance, providing opportunities for active overlooking.
- 3.43 Disabled parking has been provided in accordance with the appropriate standards.
- 3.44 At the proposed sports pavilion, there is a further 37 parking spaces and 16 cycle spaces provided.

### Garages

- 3.45 Garages counting toward a dwelling's allocated parking provision have been identified on the Parking Strategy Plan. The identified garages have been designed to demonstrate that they are sufficiently large, accessible and safe enough to be utilised regularly, and are a minimum internal size of 3m x 7m as set out in the Essex Parking Standards (2009) and Design Code.

### Cycle Parking

- 3.46 Cycle parking spaces for individual dwellings have been provided within the curtilage of the dwelling at a rate of 1 space per dwelling, either within garages or in sheds located within back gardens for units without a garage. Secure cycle parking has been designed into communal facilities for the apartments fronting onto the sports pitches.



"The detailed layout accords with the Parking Principles and Typologies set out in the Design Code (pages 28-31)."

**KEY: PARKING STRATEGY**

- ALLOCATED PARKING SPACES (456 NO.)
- PARKING SPACE WITHIN GARAGE (46 NO.)
- VISITOR PARKING SPACES (44 NO.)
- 4 BEDROOM PLOTS EXEMPT FROM VISITOR PARKING CALCULATION\* (44 NO.)
- GARDEN SHEDS (165 NO.)

**CYCLE PARKING**  
 EACH DWELLING WILL BE PROVIDED WITH 1 COVERED AND SECURE CYCLE PARKING SPACE, EITHER WITHIN CYCLE STORE, GARAGE OR GARDEN SHED.

**VISITOR PARKING**  
 \*WHERE 4 BEDROOM PLOTS PROVIDE 3 PARKING SPACES, THESE ARE CONSIDERED EXEMPT FROM THE VISITOR PARKING CALCULATION. THEREFORE THE VISITOR PARKING CALCULATION IS AS FOLLOWS:  
 >225 X 0.25 = 56 SPACES  
 >44 UNITS EXEMPT X 0.25 = 11 SPACES LESS  
 >56-11 = VISITOR SPACES REQUIRED = 45





## ENCLOSURE

- 3.47 Development plots will be defined by a range of boundary treatments in order to clearly define public and private spaces. (See boundaries plan opposite)
- 3.48 These boundary treatments were largely informed by the extensive character analysis work done at the design code level and these reflect the local character.
- 3.49 Along the main avenue a softer hedge boundary treatment is utilised, which is in line with the code and this reflects 'the Avenue' study area.
- 3.50 Internally within the scheme there are more formal boundary treatments such as railings and low walls, to help create defensible space with a sense of ownership.
- 3.51 To the edges of the development a mixture of knee rail and parkland railings have been proposed, to help create and define public and private boundaries in an appropriate way.
- 3.52 All flank walls which front the public realm are 1.8m brick with internal garden boundaries being timber 1.8m fence.



Garden Size Plan

## GARDEN SIZES

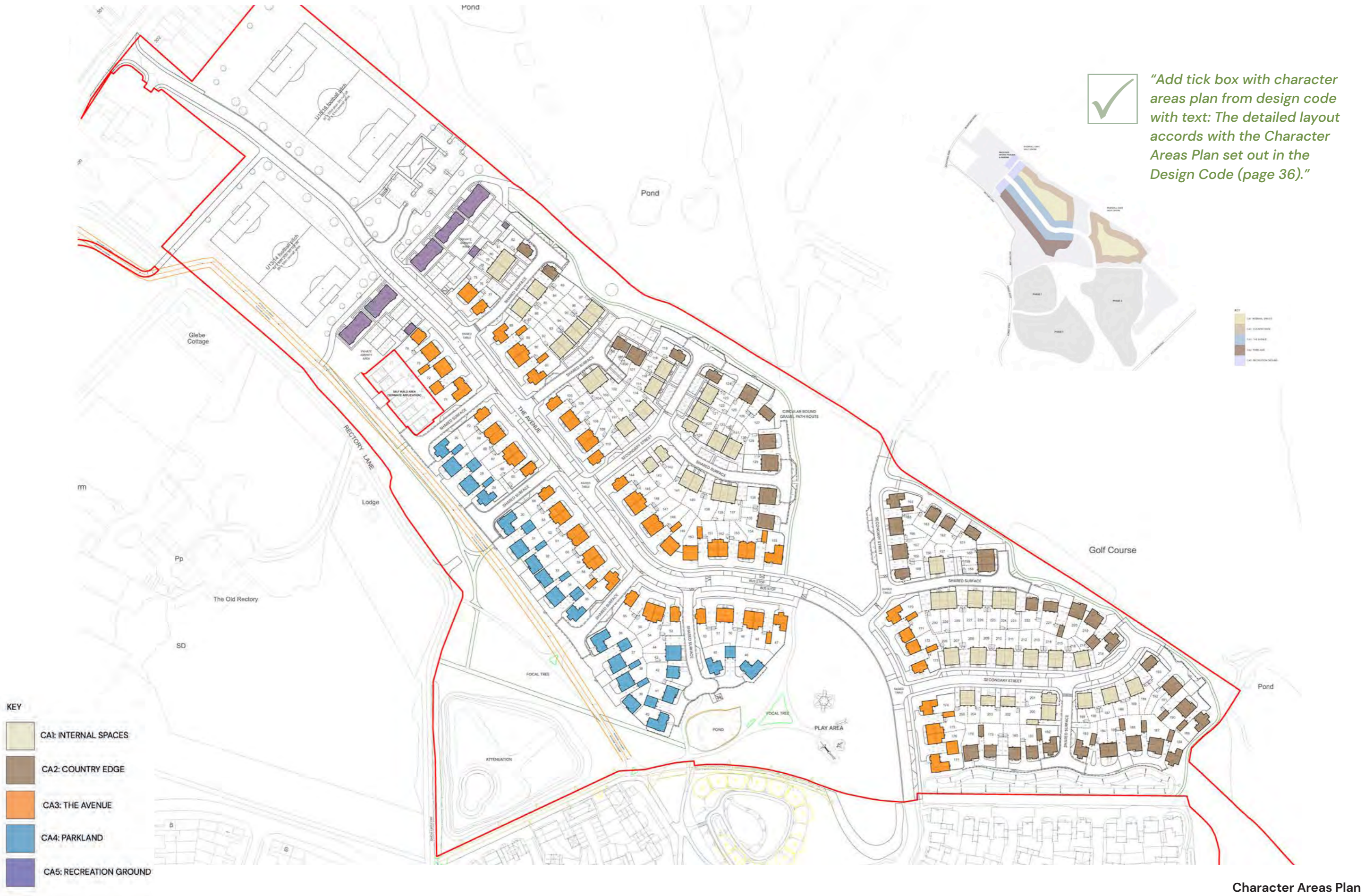
- 3.53 The development is fully compliant with policy garden sizes. This is reflected on the plan opposite.
- 3.54 The sizes required are as follows:
- Flats 25m<sup>2</sup>
  - 2 Bedroom Dwellings 50m<sup>2</sup>
  - 3 Bedroom Dwellings + 100m<sup>2</sup>
- 3.55 Back to back distances for upper floor windows also meet the required 25m across the layout.

## RECYCLING AND REFUSE COLLECTION

- 3.56 Braintree District Council provide a grey general waste bin, a green garden waste bin, a clear recycling sack and a food waste caddy. The bins are currently emptied once a fortnight, however the food waste caddy is emptied weekly.
- 3.57 The layout provides rear access to dwellings allowing residents to store waste bins away from dwelling frontages, and within the dwelling curtilage.
- 3.58 Bin Collection Points (BCP's) are proposed along private drives at a maximum of 30m from dwelling curtilage and are positioned a maximum of 20m from the nearest adoptable road, in line with the guidance contained within Essex Design Guide and Design Code. This will ensure any future bin collection operates within the maximum bin carry distances. Reference should be made to the Refuse Strategy Plan and exact location of BCPs shown opposite.



*"The detailed layout accords with the Recycling and Refuse Collection Strategy set out in the Design Code (page 32)."*



Character Areas Plan



*“The detailed layout accords with the Materials Palette set out in the Design Code (page 34).”*

## APPEARANCE AND CHARACTER

3.59 Following a detailed assessment of Witham and its surrounding development, street typologies, distinctive spaces, materials and details have been identified within the Design Code, that exhibit distinctive local design to be further incorporated into the detailed design of the new development. This will ensure the architectural response of the development proposals will reflect the traditional local character rather than the more recent development in the immediate surroundings.

### Character Areas

3.60 Character area have been defined within the Design Code that will help to achieve the creation of a sense of place. The proposed character areas for the development are as follows:

- **CA1:** Internal Spaces
- **CA2:** Country Edge
- **CA3:** The Avenue
- **CA4:** Parkland
- **CA5:** Recreation Ground

3.61 Each character area will contain its own individual design elements which aid in making it distinct from other areas. It includes built form principles, changes in height, setbacks, landscape treatments, architectural detailing, colour and use of materials. The following section illustrates how the proposed residential dwellings have complied with the character areas set out in the Design Code.

### CA1: Internal Spaces

3.62 The Internal Spaces character area will cover dwellings in the centre of the site and will provide a transition between the formal nature of CA3 The Avenue and the informal character of CA2 Country Edge. As a result, the architectural approach will contain common elements from each, although the appearance will be similar to that found at Chipping Hill and

Guithavon Street (character study areas).

3.63 Defining features propose a strong use of red/buff brick, rich in brick detailing including contrasting brick quoins, headers and stone cills.

### CA2: Country Edge

3.64 The Country Edge character area is typified by dwellings fronting onto the existing landscape framework. Views out to the landscape assets are a defining feature of this character area, that will draw the green environment into the built form. As such, the architectural approach will be less formal than the other character areas. The character of this area has been inspired by Chipping Hill (character study area).

3.65 Dwellings within this area will typically be formed by a lower density arrangement with a less formal relationship with the public realm, suggesting a more rural feel with a strong presence of soft landscaping.

3.66 Defining features will include a more varied palette of materials to include soft pastel renders, brick, exposed rafter feet, to give more of a build over time feel.

### CA3: The Avenue

3.67 The Avenue character area runs adjacent to the main street and is characterised by a more formal arrangement. Formal landscaping within both the public and private domain and the tree-lined carriageway frame The Avenue. The use of consistent building lines and setbacks from the street create a cohesive character and help to define a more formal setting. The majority of dwellings will front a tree lined street and will be served by private drives set back from the Avenue.

3.68 Defining features include boulevard style street trees, generous set-backs, mixture of roof forms/heights and a range of building detailing, including some limited use of timber framing and render, as found in the character area study.

### CA4: Parkland

3.69 The Parkland character area is proposed to the south-western edge of the development. Dwellings in this area will overlook the key open space which will feature an informal circuit walk linked into the local John Ray Walk, attenuation basins and a Neighbourhood Equipped Area of Play (NEAP).

3.70 Dwellings within this area will typically be formed by a lower density arrangement of buildings with less formal relationship with the public realm, suggesting a more rural feel with a strong presence of soft landscaping.

3.71 Defining features will include a strong use of black boarding, combined with a fairly consistent palette of materials, to create a unique and memorable character.

### CA5: Recreation Ground

3.72 The Recreation Ground character area is proposed to the north-western edge of the development. Dwellings will overlook the proposed formal sports pitches and will feature a pavilion-like architectural style. The dwelling materials will reflect those of the nearby Old Rectory and the edge location will respond to the character of Rectory Lane.

3.73 Dwellings will form a continuous building line to create a strong edge to the development. The architectural appearance of this character area will be dominated by dual pitch built form with projecting gables. Elevational relief will be provided through extrusions and recesses within the facades. Parking will be provided to rear of the built form aiding to the continuous frontage along the development edge. Dwellings will be 2 storey in height and set back by estate railings, creating a visually-permeable barrier whilst defining the boundary between the public and private realm.

3.74 Defining features include boarded gables and chimneys to break up the roofscape, arranged to be viewed as a set piece.

### CA2: COUNTRY EDGE



### CA3: THE AVENUE



### CA4: PARKLAND



### CA1: INTERNAL SPACES



Plot 188



Plot 223

Plot 224

Plot 225

Plot 226

Plot 227

Plot 228

Plot 229

Plot 230

### CA5: RECREATION GROUND



Plot 153

Plot 164



Plot 13-16

Plot 17-20



Plot 35





# CONCLUSION

# 04

- 4.1 This Design and Access Statement has set out a clear explanation of the design process, and how the development proposals accord with the approved outline parameter plans and Design code.
- 4.2 The plans and design approach together with the supporting illustrative strategies demonstrate how the vision for Witham can be delivered to create a high quality, beautiful place that is intrinsically linked to the local character, to create a strong and coherent high quality development (in compliance with Para. 131, NPPF 2023).
- 4.3 The development will provide:
- The delivery of up to 225 new homes in a range of dwellings types, sizes and tenure, offering an accessible and acceptable choice of lifestyles;
  - The creation of an integrated and sustainable residential community with a sensitive relationship to the existing settlement;
  - Delivery of new open spaces or the benefit of both new and existing residents in the area.
  - Providing a development that is well connected, readily understood and easily navigated.
  - The creation of legible routes through the development, complementing existing routes and providing sustainable transport choices;
  - The creation of a strong landscape structure, focused around the retained woodland, responding to the local area, and enhancing and optimising the immediate locality; and
  - Sports park and pavilion
  - Expansion of the existing allotments

### Office Location

33 Sheep Street

Cirencester

GL7 1RQ

T 01285 641717

cirencester@pegasusgroup.co.uk

Offices throughout the UK and Ireland.

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# Planning Statement

Reserved Matters Application for 225 dwellings,  
sports pitches and facilities, neighbourhood  
equipped area for play, public open space, SuDS  
and associated development, with bus access onto  
Rickstones Rd

on behalf of

Bellway Homes

---

at

Land at North East Witham Phase 4  
(in Rivenhall Parish)

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March 2024 | AM-P Ref: 19032



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## DOCUMENT CONTROL SHEET

REVISION	ISSUE PURPOSE	AUTHOR	CHECKED	DATE
Draft	Initial Review	OS	IB	22/12/2023
Final	Submission	OS	IB	01/03/2024

### Distribution

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**1.0 INTRODUCTION**

- 1.1 This Planning Statement has been prepared by Andrew Martin – Planning Limited (AM-P) on behalf of Bellway Homes Limited. It supports a reserved matters application for 225 dwellings, sports pitches and facilities, neighbourhood equipped area for play, public open space, sustainable drainage systems and associated development, on land at North East (NE) Witham Phase 4.
- 1.2 Outline planning permission (ref. 20/02060/OUT) was granted on appeal for up to 230 dwellings, public open space, sustainable drainage systems, landscaping and associated development at NE Witham Phase 4 in January 2023. Approval was subsequently given by BDC’s planning committee in September 2023 to vary condition 27 of that planning permission to allow the removal of two pine trees and the planting of four replacement nursery-stock trees on-site. This resulted in a new planning permission (ref. 23/01901/VAR) being issued by BDC in February 2024. The current application seeks reserved matters consent pursuant to the most recent planning permission (ref. 23/01901/VAR) for the whole site, with the exception of the five self / custom build plots that are excluded from the application boundary and will be subject to separate reserved matters applications in due course.
- 1.3 This Planning Statement explains and justifies the proposal in planning terms. The following sections of this Statement:
  - 1. Provide an introduction to the Applicant and the Application Site;
  - 2. Describe the main elements of the Proposed Development;
  - 3. Review the relevant national and local planning policies;
  - 4. Review the planning history at the Application Site;
  - 5. Assess the key planning merits of the scheme, in accordance with the statutory development plan and other material considerations; and
  - 6. Conclude and provide a justification for the Proposed Development.
- 1.4 It addresses the following reserved matters and key planning conditions contained on Decision Notice 23/01901/VAR, as summarised in Table 1.1 below.

**Table 1.1 – Summary of where matters are considered in this Planning Statement**

Condition	Subject	Requirement	Paragraphs in this Statement
1	Reserved Matters	Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.	5.6-5.28



Planning Statement  
NE Witham Phase 4 – Reserved Matters Application

Condition	Subject	Requirement	Paragraphs in this Statement
4	Parameter Plans	The development hereby permitted shall be carried out in accordance with the following approved drawings: BW219-PL01 Rev E, PP-01 Rev I, 02 Rev I, 03A Rev G, 03B Rev F, 04 Rev J.	5.6-5.22
6	Design Code	All Reserved Matters submissions shall comply with the relevant approved Design Code for the site – Self Build Design Code / Plot Passports (P22-3095 14B, dated December 2023) for Plots SB1, SB2, SB3, SB4, & SB5, or the Design Code (P22-3095_04J, dated October 2023) for the remainder of the site.	5.6-5.7, 5.31
8	Noise	Concurrent with the submission of reserved matters for appearance or layout under Condition 1 of this decision, an updated Noise Assessment Report shall be submitted.	5.55-5.56
9	Lighting	Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, a Lighting Scheme designed to promote personal safety, protect living conditions and the night-time landscape and biodiversity shall be submitted.	5.57-5.59
10	Biodiversity Enhancement	Concurrent with the submission of reserved matters for layout or landscaping under Condition 1 of this decision, a Biodiversity Enhancement Strategy for Protected and Priority Species shall be submitted.	5.60-5.61
11	Landscaping	Concurrent with the submission of reserved matters for landscaping under Condition 1 of this decision, a Landscaping Scheme shall be submitted.	5.23-5.28
12	Trees	Concurrent with the submission of reserved matters for layout, landscaping or access under Condition 1 of this decision, an Arboricultural Impact Assessment Report shall be submitted.	5.23-5.28
13	Refuse	Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, a Refuse Scheme shall be submitted...	5.62-5.64
14	EV Charging	Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, a Strategy detailing the location and specification of all Electric Vehicle Charging Points to be provided shall be submitted and which, as a minimum, shall ensure each new dwelling includes provision of one charging point wherever practical.	5.50



Planning Statement  
NE Witham Phase 4 – Reserved Matters Application



Condition	Subject	Requirement	Paragraphs in this Statement
15	Boundary Treatments	Concurrent with the submission of reserved matters for appearance, landscaping or layout under Condition 1 of this decision, a plan indicating the location and general design of all walls, fences, other boundary treatments and means of enclosure shall be submitted.	5.29-5.32
16	Parking	Concurrent with the submission of reserved matters for layout under Condition 1 of this decision, details of the location and design of all garages/car parking spaces and cycle storage facilities shall be submitted.	5.46-5.49
17	Solar PV	Concurrent with the submission of reserved matters for appearance under Condition 1 of this decision, a plan indicating the location and design of solar photovoltaic generation equipment for every dwelling shall be submitted.	5.51-5.54
27	Removal of Two Pine Trees	Concurrent with the submission of reserved matters for layout or landscaping under Condition 1 of this decision, a plan shall be submitted identifying the location, type and size of four new trees to be planted on the site to compensate for the removal of the two Pine trees identified as T93 & T94 in 'The Proposed Tree Management Location Details Based on Outline Plan' (SES, 24 Nov 2021). The plan shall include details of a five-year aftercare package for these new trees. The plan shall subsequently only be implemented in accordance with the approved details.	5.26
34	NDSS	The dwellings shall not be first occupied until the Technical Housing Standards - Nationally Described Space Standards (2015) has been complied with and the details of compliance provided to the local planning authority.	5.36
44	Market Housing Mix	Notwithstanding the submitted details, the development hereby permitted shall provide for a minimum of 25% of the Market Housing as 1 or 2-bed dwellings.	5.35

1.5 The plans and documents submitted with the reserved matters application are listed in Table 1.2 below.

**Table 1.2 – List of Submitted Plans and Documents**

Plan / Document Title	Drawing No. / Date	Revision
Application Forms	March 2024	
Planning Statement	March 2024	
Site Location Plan	P22-3095-DE-001-A-09	

Planning Statement  
NE Witham Phase 4 – Reserved Matters Application



Plan / Document Title	Drawing No. / Date	Revision
Site Layout	P22-3095-DE-001-X-02	
Parking Strategy Plan	P22-3095-DE-001-A-08	
Refuse Strategy Plan	P22-3095-DE-001-A-10	
Building Heights Plan	P22-3095-DE-001-A-11	
Boundary Treatments Plan	P22-3095-DE-001-A-12	
Movement Hierarchy Plan	P22-3095-DE-001-A-13	
Garden Sizes Plan	P22-3095-DE-001-A-14	
Materials Plan	P22-3095-DE-001-A-15	
Solar Panel Location Plan	P22-3095-DE-001-A-16	
EV Charging Plan	P22-3095-DE-001-A-17	
Tenure Plan	P22-3095-DE-001-A-18	
Character Areas Plan	P22-3095-DE-001-A-19	
Conveyance Plan	P22-3095-DE-001-W-32	
Indicative Streetscenes	P22-3095-DE-001-B-17	
Sports Park Layout Option 1	P22-3095-EN-002	E
Pavilion Floor Plans & Elevations	P22-3095-DE-008-C-21	
Site Section (Bus Gate)	P22-3095-DE-001-A-34	
Enclosure Details	P22-3095-DE-001-A-20	
Dry Verge Details	A/SD/S80/A/11	C
House Type Pack	December 2023	
Schedule of Accommodation	-	
Landscape Masterplan Sheet 1 of 2	PR180-02.1	B
Landscape Masterplan Sheet 2 of 2	PR180-02.2	A
NEAP Play Area Design Plan	PR180-03	C
Extended Allotments Plan	PR180-04	
Design & Access Statement	March 2024	
Noise Assessment	2002472-R01	
Lighting Design Considerations Report	February 2024	Rev 1
Outdoor Lighting Report / Calculations	9 <sup>th</sup> February 2024	
Lighting Layout – Sheet 1 of 4	ECC-23-565-4-1300-005	1
Lighting Layout – Sheet 2 of 4	ECC-23-565-4-1300-006	1
Lighting Layout – Sheet 3 of 4	ECC-23-565-4-1300-007	1
Lighting Layout (Column Schedule) – Sheet 4 of 4	ECC-23-565-4-1300-008	1
Biodiversity Enhancement Strategy	March 2024	A
South Western SuDS Detailed Planting Plan	PR180-05	A
South Eastern SuDS Detailed Planting Plan	PR180-06	A
Detailed Planting Proposals for Native Thicket Hedge Plan	PR180-07	B
Detailed Planting Proposals Sheet 1 of 7	PR180-08.1	A
Detailed Planting Proposals Sheet 2 of 7	PR180-09	A
Detailed Planting Proposals Sheet 3 of 7	PR180-10	A
Detailed Planting Proposals Sheet 4 of 7	PR180-11	A
Detailed Planting Proposals Sheet 5 of 7	PR180-12	A
Detailed Planting Proposals Sheet 6 of 7	PR180-13	A
Detailed Planting Proposals Sheet 7 of 7	PR180-14	A
Tree Pit Details	PR180-17	
Arboricultural Impact Assessment	01/03/2024	
Statement of Community Involvement	-	
Arboricultural Note for Condition 17	30/01/2024	



Plan / Document Title	Drawing No. / Date	Revision
Transport Statement Addendum	2002472-R02	
Drainage Statement including appended: - Drainage Strategy Drawings; - Catchment Areas Plans; - Hydraulic Calculations; - SuDS Management & Maintenance Plan; and - Proposed Levels Strategy.	2002472-R06	

**THE APPLICANT**

1.6 The Applicant is Bellway Homes Limited, one of the UK’s largest house builders. Bellway’s homes are designed, built and marketed by local teams operating from regional offices. Bellway is committed to building houses that respond to the local vernacular, rather than standard house types. Bellway is already involved in a number of local development projects in Chelmsford, Colchester, Halstead and in particular on Phases 1 & 2 (known as Rivenhall Park) and Phase 3 (known as Bluebells) at NE Witham.

**THE APPLICATION SITE**

- 1.7 The NE Witham Phase 4 site (hereafter referred to as ‘the Application Site’) is situated to the north east of Witham and is 16.755 hectares (ha) in size, as shown on the accompanying Site Location Plan.
- 1.8 The Application Site is bounded by the NE Witham Phase 1 & 2 development to the south, the Rivenhall Oaks Golf Centre to the east and northeast, the rear gardens of properties along Rickstones Road to the northwest and Rectory Lane to the west.
- 1.9 The Site currently comprises a mix of agricultural land, plantation woodland, former golf holes associated with the Golf Centre and a temporary construction compound.
- 1.10 There are two existing footpaths that cross the Application Site. One is the John Ray Walk which leads from Phase 1 to the south, through the site, onto Rectory Lane and across Rickstones Road to the north. The other arrives from Phase 1 to the south, runs through the site and heads in a north-easterly direction through the Golf Centre and on towards Oak Road.
- 1.11 The Application Site is located less than 1.5 km from Witham railway station and 2 km from the Witham town centre. The no. 90 bus service connects the Application Site to the railway station and town centre.
- 1.12 Witham railway station is situated on the London (Liverpool Street) to Ipswich/Norwich main line and is the base for the Braintree branch line. Witham is located approximately 7 miles to the northeast of Chelmsford and 14 miles to the southwest of Colchester, along the A12 corridor.



- 1.13 Located to the south of the railway line, Witham town centre is situated around Newlands Street and the Newland and Grove shopping precincts. The Town's main employment area is also situated to the south of the railway line and consists of a mix of business units, accessible from Freebournes Road and Eastways, via the Motts Lane bridge.
- 1.14 A range of existing amenities are located less than 1 km from the Application Site including:
- (i) a convenience store and pharmacy which opened in 2019 on Phase 1;
  - (ii) existing primary and secondary schools located off Conrad Road;
  - (iii) the recreation ground, shops and community facilities at the Rickstones Neighbourhood Centre; and
  - (iv) the golf, bar and restaurant facilities at the Rivenhall Oaks Golf Centre.
- 1.15 The local historic environment includes the Old Rectory and Rectory Lane. The Old Rectory is located approximately 110 metres to the west of the Application Site and is a Grade II listed 16<sup>th</sup>/17<sup>th</sup> Century timber framed house, that had significant alterations and additions made to it during the 18<sup>th</sup> Century. The house is situated in the middle of extensive grounds that are bounded with dense trees and hedgerows that obscure most views to and from the surrounding land and homes. Rectory Lane is a designated Protected Lane and provides access to the Old Rectory.



## 2.0 PROPOSED DEVELOPMENT

### 2.1 The Proposed Development comprises:

*“Reserved matters application seeking approval for access, appearance, landscaping, layout and scale, in accordance with planning permission 23/01901/VAR (originally approved under 20/02060/OUT), for 225 dwellings (including 69 affordable homes), public open space (including sports pitches and facilities, neighbourhood equipped area for play, parkland and other greenspace), an all-vehicle access from Forest Road and Evans Way, a bus access from Rickstones Road and bus-only section of spine road on-site, cycle and pedestrian connections to Rickstones Road, sustainable drainage systems, landscaping and associated infrastructure and development. Details also provided in respect of EV charging, boundary treatments, parking, solar PV, M4 compliance, noise, external lighting, biodiversity enhancement, arboriculture, refuse collection, open space management, levels and affordable housing.”*

### RESIDENTIAL

2.2 The Proposed Development incorporates 225 dwellings of which 69 will be affordable homes, with a 2:1 split of affordable rent to shared ownership. The proportion, split and mix of affordable homes set out in Table 2.1 below accords with the requirements in the signed s106 agreement. Furthermore, in excess of 25% of the market homes will be two-bedroom dwellings in accordance with Condition 44 of the outline permission.

2.3 The Proposed Development comprises the following mix of dwelling types and sizes.

**Table 2.1 – Proposed Housing Mix**

Dwelling	Bedrooms	People	Storeys	Floor space (sqm)	NDSS (sqm)	Tenure		
						Market	Affordable Rent	Shared Ownership
HA50 GF	1	2	1	50	50		3	
HA50 FF	1	2	1	51	50		3	
HA70 GF	2	4	1	70	70		6	3
HA70 FF	2	4	1	72	70		6	3
2BB 70 (Bung)	2	4	1	70	70		2	
Baker	2	4	2	81	79		12	11
3BB 85 (Bung)	3	5	1	86	86		2	
Tillman	3	5	2	95	93		4	6
HA102 3B6P	3	6	2	102	102		4	
HA115 4B7P	4	7	2	115	115		4	
Potter	2	3	2	71	70	32		
Ryder	2	3	2	74	70	16		
Thespian	3	4	2	86	84	19		

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Dwelling	Bedrooms	People	Storeys	Floor space (sqm)	NDSS (sqm)	Tenure		
						Market	Affordable Rent	Shared Ownership
Quilter	3	4	2	89	84	6		
Carver	3	4	2	91	84	11		
Mason	3	5	2	98	93	18		
Webster	3	6	2.5	114	108	10		
Silversmith	4	6	2	115	106	16		
Sculptor	4	6	2	121	106	4		
Philosopher	4	7	2	140	115	8		
Goldsmith	4	8	2	141	124	9		
Jeweller	4	7	2	161	115	7		
Total Number of Dwellings						156	46	23

- 2.4 A total of 225 dwellings over a net development area of 7.67 ha equates to a net density of 29.3 dwellings per ha (dph). This is notably lower than the net density of 39.4 dph that Braintree District Council (BDC) granted on Phases 1 & 2 in 2016 and reflects the differing character of Phase 4 and the greater provision for street trees.
- 2.5 All of the proposed dwellings comply with the Nationally Described Space Standards (NDSS) (2015) required by Condition 34 and will be accommodated within the 'residential development' area shown on the Land Use Parameter Plan approved at the outline stage.
- 2.6 The majority of the proposed dwellings are two storeys in height – comprising either two-storey houses or two-storey buildings with ground floor and first floor apartments, each with their own ground floor entrance. However, the housing mix also includes four affordable bungalows (2BB 70 and 3BB 85) fronting the central woodland belt and ten 2.5 storey market houses (Webster) along the avenue / spine road leading through the site. All of these heights are consistent with the limits set out on the Building Heights Parameter Plan approved at the outline stage.
- 2.7 All of the affordable ground floor apartments and houses have been designed to comply with Part M4(2) (accessible and adaptable dwellings) and all four of the affordable bungalows have been designed to comply with Part M4(3) (wheelchair adaptable) of the Building Regulations.
- 2.8 The Garden Areas Plan demonstrates that each:
- one or two-bedroom apartment has at least 25 sqm of communal residents' gardens;
  - two-bedroom house (or bungalow) has a private rear garden of at least 50 sqm; and
  - three or four-bedroom house (or bungalow) has a private rear garden of at least 100 sqm.



- 2.9 The detailed design, appearance and materials of the proposed dwellings has been prepared in accordance with the main Design Code approved by BDC’s planning committee in October 2023. In particular, there will be five distinct character areas on-site comprising: CA1 – Internal Spaces; CA2 – Country Edge; CA3 – The Avenue; CA4 – Parkland; and, CA5 – Recreation Ground.
- 2.10 Further information on the design and appearance of the dwellings is set out in the Design Compliance Statement that accompanies this application.

### **PUBLIC OPEN SPACE**

- 2.11 The Proposed Development includes a total of 7.96 ha of public open space and greenspace, excluding the surface water attenuation basins. This equates to 47.5% of the total application area and includes:
- 2.39 ha of formal sports park, including two football pitches, a pavilion building with changing facilities, clubroom and storage, a car park with 37 parking spaces, cycle parking and a landscape bund for ball-stop mitigation;
  - 2.44 ha of parkland and open space, including a neighbourhood equipped area for play (NEAP) for older children, which will complement the existing local equipped area for play (LEAP) for younger children on Phase 1;
  - 3.00 ha of existing woodland, including alternative natural greenspace; and
  - 0.13 ha for an extension to the existing allotments near Phase 2.
- 2.12 Once built the signed s106 agreement requires the formal sports park to be transferred to BDC, while the allotment extension will be transferred to Witham Town Council (WTC) or any other body that BDC nominates. All other areas of open space on-site will become the responsibility of a management company, paid for by an annual service charge from new residents.
- 2.13 In addition the Proposed Development includes a 2.7 km long peripheral footpath around the Application Site and Phases 1 & 2. This will provide an extensive route for recreational users, joggers and dog-walkers, passing the proposed sports park, parkland and NEAP on Phase 4 and the existing LEAP, woodland and other areas of semi-natural greenspace on Phases 1 & 2.
- 2.14 An extension is also planned to the existing allotment area to the south of the site and near Phase 2. This will provide additional allotment plots to cater for the new homes and any existing unmet demand in the local area.
- 2.15 This is consistent with the areas of public open space and greenspace shown on the Green Infrastructure Parameter Plan approved at the outline stage.



## DRAINAGE

- 2.16 Surface water will be managed via a sustainable drainage system (SuDS), covering approximately 0.7 ha, which treats surface water on-site and then releases it into the receiving watercourse at greenfield runoff rates, plus an additional 40% allowance for climate change.
- 2.17 The Drainage Strategy Drawings appended to the Drainage Statement confirm that the SuDS include a network of swales and surface water drains, leading to two new attenuation basins located on the lower lying land to the south of the site. From here surface water will be discharged into the existing SuDS network that serves Phases 1 & 2. The existing network was designed to accommodate the predicted surface water flows from future development on Phase 4 and therefore has adequate capacity to cope with the 1 in 100-year flood event plus an additional 40% allowance for climate change.
- 2.18 The location and size of the new attenuation basins are consistent with the ‘attenuation’ area shown on the Land Use Parameter Plan approved at the outline stage.

## ACCESS

- 2.19 Vehicular access to the Proposed Development by private car will be from Forest Road and Evans Way (on Phases 1 & 2) only. This will lead into the new formal tree-lined boulevard, which will comprise a 6.75-metre carriageway suitable for buses and flanked by a 2-metre footway on one side and a 3.5-metre foot & cycle path on the other side.
- 2.20 A bus, pedestrian and cycle connection will be provided to Rickstones Road to the north, enabling sustainable linkages to the existing schools off Conrad Road and facilitating bus, taxi and motorcycle access into the site and along the central tree-lined spine road. No direct access will be available onto Rickstones Road or Rectory Lane for private cars from the Proposed Development <sup>1</sup>.
- 2.21 These access arrangements are consistent with those set out on the Vehicular Access & Movement Parameter Plan approved at the outline stage.
- 2.22 There are existing bus stops on Forest Road that are located within 400 metres of the Application Site. These provide access to the no. 90 (Witham – Heybridge – Maldon) bus service, which operates a 30-minute frequency service Monday to Saturday during the day and provides public transport access to Morrison’s supermarket, the railway station and the town centre in Witham. The Proposed Development includes a sustainable transport contribution of £2.9m, a significant part of which will be used either to improve an existing bus service or to provide a new bus service, with the objective of providing direct bus access from within the site and:

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<sup>1</sup> However, the existing vehicular access to the commercial unit / barn at Rickstones Farm will be retained from Rickstones Road and the existing maintenance access from the golf course service yard near Glebe Farm will be retained via a lockable gate off Rectory Lane.





- providing at least a 20-minute frequency service during the day, Monday to Saturday;
- introducing a new at least hourly frequency service in the evenings and on Sundays; and
- potentially providing an evening and Sunday service linking the site not only with Witham, but to Braintree town centre and to Freeport.

2.23 Furthermore, the Proposed Development includes:

- a new 3.5-metre foot & cycle path leading through the site, across Phase 3 and along the northern side of Rickstones Road to the existing schools off Conrad Road;
- a foot & cycle connection to the existing path through Phase 1, across BDC's land and to the Motts Lane railway crossing, which leads to both Witham railway station and the Eastways employment area; and
- the closure of the southern-most part of Rectory Lane to vehicles, to encourage pedestrian and cycle use of this rural lane.

2.24 Additional pedestrian connections will be provided both within the site and out to the existing network of footways and footpaths in the local area, as set out on the Pedestrian & Cycle Access & Movement Parameter Plan approved at the outline stage.

## OTHER DETAILS

2.25 The accompanying Landscape Masterplan identifies where:

- Existing trees and hedges will be retained on-site including: the woodland to the southeast and the central woodland belt (except where tree removals are necessary to accommodate the new spine road and NEAP); the boundaries with the Golf Centre to the northeast; where the site meets the rear gardens of properties on Rickstones Road; and, the field boundary with Rectory Lane.
- Extensive new native tree and/or hedge planting will be undertaken including: alongside the central avenue / spine road, secondary streets and shared private drives; around the periphery of the proposed sports park; and, alongside the southwestern edge of the development, where it faces Rectory Lane.
- Tussock grass, meadow mixture for wetlands, general purpose meadow mixture planting and aquatic planting will be accommodated onsite, including in the SuDS features and along the linear park running parallel to Rectory Lane.
- A self-binding gravel path will be laid to form part of the 2.7km peripheral footpath and where other new concrete asphalt and mown grass paths will be used to provide access to and across the parkland and NEAP.
- Timber and droppable bollards will be erected around the periphery of the development to prevent vehicle encroachment into the areas of public open space and greenspace.
- Concrete asphalt or block paving will be used onsite for the new central avenue / spine road, secondary streets and shared private drives.



- 2.26 Further information on the proposed tree removals necessary to facilitate the Proposed Development is set out in the accompanying Arboricultural Impact Assessment prepared by SES.
- 2.27 The Boundary Treatments Plan and the Landscape Masterplan demonstrate that a combination of:
- 1.8-metre-high brick walls will be used where rear gardens meet the public realm;
  - 1.8-metre-high close timber board fencing will be used between rear gardens;
  - hedges will be used around the shared amenity spaces for the apartments; and
  - low railings (1.0-metre), brick walls (0.6 or 1.0-metre) or landscape planting (including hedges) will be used to delineate front gardens.
- 2.28 Car and cycle parking will be provided on-site as shown on the accompanying parking plan and in accordance with the Essex Parking Standards (2009). This includes:
- at least 1 allocated resident parking space for every one-bedroom dwelling and at least 2 allocated resident parking spaces for every two-bedroom (or larger) dwelling;
  - at least 0.25 unallocated visitor parking spaces per dwelling, except where a group of dwellings already provide at least 3 parking spaces on each plot;
  - at least 1 cycle parking space per dwelling, provided in garages or sheds;
  - 37 vehicle parking spaces for the sports park, including 3 disabled parking spaces; and
  - 16 cycle parking spaces for the sports park.
- 2.29 Every dwelling will be provided with an electric vehicle (EV) charging point, as indicated on the EV charging plan. This is consistent with the requirements of Condition 14.
- 2.30 Every dwelling also will be provided with solar photovoltaic (PV) generation equipment, as indicated on the solar PV plan. This is consistent with the requirements of Condition 17.
- 2.31 The proposed street lighting has been designed to meet the required lighting classes with Class P3 for carriageway and Class P4 for footpaths & cycleways along The Avenue and Class P5 for secondary roads. 8m steel columns are proposed on The Avenue and 6m columns throughout the remainder of the development, with mid-hinged raise and lower columns along the cycle paths. This is consistent with the requirements of Condition 9.
- 2.32 The application is also accompanied by a Biodiversity Enhancement Strategy, prepared by SES, which recommends a series of measures to enhance biodiversity across the site and ensure a net gain overall.



### ALTERNATIVE PROPOSALS

- 2.33 The Applicant has submitted a separate reserved matters application on this site, containing very similar proposals to those described above. The only significant difference being that the proposed bus access onto Rickstones Road and bus-only section of spine road has been removed from the 'alternative' scheme and replaced with a bus turning loop on-site, near the proposed sports pavilion.
- 2.34 The Applicant intends for both of these reserved matters applications to be progressed and considered concurrently. This should enable BDC to decide which of the two applications to approve in due course.



### 3.0 PLANNING POLICY

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.
- 3.2 In this case the ‘development plan’ comprises the Braintree Section 1 (2021) and Section 2 (2022) Local Plan. The National Planning Policy Framework (NPPF) (2023), the Essex Design Guide (2018), the Essex Parking Standards (2009) and the Braintree Open Space SPD (2009) are all material considerations.

#### NPPF

- 3.3 Revised and reissued in December 2023, the NPPF sets out the Government’s planning policies for England.
- 3.4 Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 11 includes a presumption in favour of sustainable development which, for decision-taking, means approving development proposals that accord with an up-to-date development plan without delay.
- 3.5 Paragraph 60 explains that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. According to paragraph 66 at least 10% of the total number of homes on major developments should be available for affordable home ownership.
- 3.6 Paragraph 96 expects planning decisions to aim to achieve healthy, inclusive and safe places which:
- (a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other;
  - (b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high-quality public space; and
  - (c) enable and support healthy lifestyles – for example through the provision of safe and accessible green infrastructure, sport facilities, local shops, allotments and layouts that encourage walking and cycling.
- 3.7 Paragraph 104 advises that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.



- 3.8 Paragraph 114 advises that in assessing applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be (or have been) taken up and safe and suitable access to the site can be achieved for all users. Paragraph 115 directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be 'severe'.
- 3.9 Paragraph 131 explains that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 3.10 Paragraph 135 directs that planning decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 3.11 Paragraph 136 expects new streets to be tree-lined and opportunities to be taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.
- 3.12 Paragraph 137 directs that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests.



- 3.13 According to paragraph 162, when determining planning applications local planning authorities should expect new development to:
- (a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
  - (b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

3.14 Paragraph 173 requires all planning applications to ensure that flood risk is not increased elsewhere and paragraph 175 expects major development to incorporate SuDS on-site.

3.15 Paragraph 180 directs that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

3.16 Paragraph 191 expects planning decisions to mitigate and reduce potential adverse impacts resulting from noise to a minimum and to avoid noise giving rise to significant impacts on health and quality of life.

#### **BRAINTREE LOCAL PLAN**

3.17 The Braintree Section 1 Local Plan was adopted in January 2021 and followed by the Braintree Section 2 Local Plan in July 2022.

3.18 Policy SP1 confirms that development that complies with the Plan will be approved without delay, unless material considerations indicate otherwise.

3.19 Policy SP3 explains that existing settlements will be the principal focus for additional growth across North Essex within the local plan period and that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role.

3.20 Policy SP6 expects all development to be supported by the provision of infrastructure, to serve the needs arising from the development. As part of this, the local authority will work with partners to deliver: changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles; and, improved urban and inter-urban public transport and new and innovative ways of providing public transport.

3.21 Policy SP7 set outs place shaping principles and expects all new development to meet high standards of urban and architectural design. Design codes are to be prepared in consultation with stakeholders to meet this objective and development should:

- Respond positively to local character and context to preserve and enhance the quality of existing places and their environs;



- Provide buildings that exhibit individual architectural quality within well-considered public and private realms;
- Protect and enhance assets of historical or natural value;
- Incorporate biodiversity creation and enhancement measures;
- Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car;
- Provide a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods;
- Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place;
- Provide streets and spaces that are overlooked and active and promote inclusive access;
- Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;
- Provide an integrated and connected network of biodiverse public open space and green and blue infrastructure, thereby helping to alleviate recreational pressure on designated sites;
- Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions; and
- Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

3.22 Policy LPP1 directs that development outside defined development boundaries will be confined to uses appropriate to the countryside.

3.23 Policy LPP31 requires 30% affordable housing provision on sites located in or directly adjacent to Braintree (including Great Notley, Bocking and High Garrett), Witham, Halstead and Sible Hedingham. The affordable mix should reflect current local needs.

3.24 Policy LPP35 expects development to create sustainable, inclusive and mixed communities by providing a mix of house types and sizes at an appropriate density for the local area. The housing mix should be in line with the identified local need set out in the 2015 SHMA Update or its successor and all new homes should be in accordance with the NDSS. On-site amenity space should be provided in accordance with the adopted guidance – which is set out towards the end of this section. A minimum of 10% of new market homes and all new affordable homes (on ground floor level) should be Category M4(2) or Category M4(3), plus 5% of all new affordable homes should be Category M4(3)(2)(a/b). On sites of 500 or more dwellings, 2% of all homes should be made available for self or custom builders.

3.25 Policy LPP42 expects sustainable transport to be facilitated through new development to promote accessibility and integration into the wider community and existing networks. Priority should be given to cycle and pedestrian movements and access to public transport. In particular, development



proposals are expected to provide public transport, through measures that will improve and support public transport and provide new public transport routes.

- 3.26 Policy LPP43 requires development to provide vehicular and cycle parking in accordance with the Essex Parking Standards – which are set out towards the end of this section.
- 3.27 Policy LPP46 confirms that all new residential development must be served by a fast and reliable broad connection to the premises.
- 3.28 Policy LPP47 a high standard of design and layout in all new development and the protection and enhancement of the historic environment in order to respect and respond to the local context, especially in the District's historic areas, where development may affect the setting of listed buildings.
- 3.29 Policy LPP48 expects development to achieve a high standard of accessible and inclusive design to ensure that they: can be used safely, easily and with dignity by all; are convenient and welcoming with no disabling barriers; are flexible and responsive taking account of the needs of different users; and, are maintained and managed to ensure they remain inclusive.
- 3.30 Policy LPP50 expects all new development to provide new open spaces in line with the requirements set out in the Braintree Open Space SPD (2009) or its successor - which are set out towards the end of this section.
- 3.31 Policy LPP52 seeks a high standard of layout and design in all developments and encourages innovative design where possible. Planning permission should be granted where the following relevant criteria are met:
- The scale, layout, height and massing of buildings and overall elevation design should reflect or enhance the area's local distinctiveness and shall be in harmony with the character and appearance of the surrounding area; including their form, scale and impact on the skyline and the building line.
  - Buildings and structures should be of high architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, but not necessarily replicate, the local architectural character.
  - There shall be no unacceptable impact on the amenity of any nearby properties including on privacy, overshadowing, loss of light and overbearing impact.
  - The public realm including buildings, open areas, circulation spaces, and other townscape and landscape features shall be of a high standard of design and materials and they shall be consistent with affordable long term maintenance which is appropriate to the character and historic value of the area.
  - Designs shall be sensitive to the need to conserve and enhance local features of architectural, historic and landscape importance, particularly in proximity to heritage assets.





- Development proposals will incorporate measures for environmental sustainability throughout the construction, occupation and demolition of the development; in relation to energy conservation, water efficiency, waste separation (internal and external), climate change, flood resilience and resistant construction and the use of materials with low overall energy requirements.
- Designs shall incorporate details of waste storage and collection arrangements, including provision for recycling, within the site to ensure that the impact on amenity and character are considered and recycling is optimised.
- Designs and layouts shall promote a safe and secure environment, crime reduction and prevention, and shall encourage the related objective of enhancing personal safety with the maximum amount of natural surveillance of roads, paths and all other open areas and all open spaces incorporated into schemes.
- Landscape proposals should consist of native plant species and their design shall promote and enhance local biodiversity and historic environmental assets. Biodiversity net gain in line with the requirements of national policy through the provision of new priority habitat where appropriate is encouraged. Development layouts must be appropriately designed to accommodate structural tree and hedge planting and ensure that future interference with highway safety, roads, pavements, services and properties is minimised.
- The design and level of any lighting proposals will need to be in context with the local area, comply with national policy and avoid or minimise glare, spill and light pollution on local amenity, intrinsically dark landscapes and nature conservation.
- Use of sustainable modes of transport are promoted in the design and layout of new development.
- The development proposed should not have a detrimental impact on the safety of highways or any other public right of way, and its users.
- Developments shall be legible and accessible to all and create or contribute to a coherent sense of place that is well articulated and visually interesting and welcoming.
- Developments shall be permeable and well-connected to walking and cycling networks, open spaces and facilities.
- Residential developments shall provide a high standard of accommodation and amenity for all prospective occupants.
- The provision of private outdoor amenity space shall be provided having regard to the standards set out in the Essex Design Guide, or its successor, and shall be accessible, usable and well-related to the development.

3.32 Policy LPP63 expects all development proposals to take measures to ensure the protection and enhancement of the natural environment, habitats, biodiversity and geodiversity of the District. It also expects all development to contribute towards the delivery of new green infrastructure. Leading on from this, Policy LPP64 notes that proposals that result in a net gain in priority habitat will be supported in principle. Policy LPP66 expects development proposals to provide for the protection of biodiversity and the mitigation or compensation of any adverse impacts.



- 3.33 Policy LPP65 sets out that trees that make a significant positive contribution to the character and appearance of their surroundings should be retained unless there is a good arboricultural reason for their removal. Trees of higher quality are a material consideration in the development process.
- 3.34 Policy LPP67 expects additional landscaping including the planting of native trees, hedgerows and other flora to maintain and enhance existing landscape features.
- 3.35 Policy LPP69 confirms that the District Council will conserve the traditional landscape and nature consideration character of the protected lanes, including their verges, banks, ditches and hedgerows.
- 3.36 Policy LPP70 directs that development will not be permitted where, individually or cumulatively and after mitigation, there are likely to be unacceptable impacts arising from the development in relation to general amenity and tranquillity, health and safety, air quality, noise, surface water and groundwater quality, odour or environmental quality standards.
- 3.37 Policy LPP71 expects applicants to demonstrate that measures to lower carbon emissions, increase renewable energy provision and adapt to the impacts of climate change have been incorporated into their schemes.
- 3.38 Policy LPP72 requires all new dwellings to meet the Building Regulations optional requirement for water efficiency of 110 litres per person per day. It also expects all new residential development to include renewable and low carbon technology to provide at least a 19% improvement in energy performance over the requirements of the 2013 Building Regulations unless revised Building Regulations superseded this requirement.
- 3.39 Policy LPP76 expects major development proposals to incorporate SuDS.
- 3.40 Policy LPP77 sets out that proposals for external lighting within development will be permitted where all of the following criteria are met:
- The lighting is designed as an integral element of the development and shall be capable of adoption by the Highway Authority when it is on the public highway.
  - Low energy lighting is used in conjunction with features such as movement sensors, daylight sensors and time controls, and hours of illumination shall be controlled.
  - The alignment of lamps and provision of shielding minimises spillage, glare and glow, including into the night sky.
  - The lighting intensity is no greater than necessary to provide adequate illumination.
  - There is no loss of privacy or amenity to nearby residential properties and no danger to pedestrians and road users.
  - There is no harm to biodiversity, natural ecosystems, intrinsically dark landscapes and/or heritage assets.



### ESSEX DESIGN GUIDE

- 3.41 The Essex Design Guide was published in 1997, revised in 2005 and updated again in 2018. It encompasses urban design advice, principles and aims that should be implemented throughout Essex to create places of quality and identity. The document specifically refers to the need for at least: 50 sqm of private garden for one and two-bedroom houses; 100 sqm of private garden for three-bedroom (or larger) houses; and, at least 25 sqm of communal amenity space per flat.
- 3.42 On top of this, the guide recommends a minimum 25-metre back-to-back distance and a minimum 15-metre back-to-flank distance between new dwellings.

### ESSEX PARKING STANDARDS

- 3.43 The Essex Parking Standards document was approved in September 2009 and was one of the first such documents in England to introduce minimum, rather than maximum, parking provision for the residential properties.
- 3.44 For residential (Class C3) uses, the standards expect:
- a minimum of one resident vehicle parking space per one-bedroom dwelling or two resident vehicle parking spaces per two-bedroom or larger dwelling;
  - a minimum of 0.25 visitor vehicle parking spaces per dwelling; and
  - a minimum of one secure cycle space per dwelling.
- 3.45 For outdoor sports (formerly Class D2, now Class F2), the standards expect:
- a maximum of 20 vehicle parking spaces per pitch;
  - a minimum of 3 disabled parking spaces; and
  - a minimum of 10 cycle spaces, plus 1 cycle space per 10 vehicle parking spaces.

### BRAINTREE OPEN SPACE SPD

- 3.46 The Braintree Open Space SPD was approved in 2009 and sets out the Council's open space requirements for new development. Table 2 in Appendix 2 of the SPD expects a total of 2.63 ha of total open space (including outdoor sport, outdoor equipped playgrounds, casual or informal space within housing areas and allotments) per 1,000 people.
- 3.47 Applying a district-wide average of 2.36 people per household, the current application for 225 dwellings could accommodate 531 people and generate a need for at least 1.40 ha of open space at the Application Site.



## 4.0 PLANNING HISTORY

### APPLICATIONS

- 4.1 Outline planning permission with all matters reserved (ref. 20/02060/OUT) was granted at appeal in January 2023 for the following at the Application Site:

*“Up to 230 dwellings including affordable homes, public open space including sports pitches and facilities, neighbourhood equipped area for play, parkland and alternative natural greenspace, vehicular access via Forest Road and Evans way, a bus, cycle and pedestrian connection to Rickstones Road, sustainable drainage systems, landscaping and all associated infrastructure and development.”*

- 4.2 A site location plan and five parameter plans are tied to the planning permission by Condition 4 which states that:

*“The development hereby permitted shall be carried out in accordance with the following approved drawings: BW219-PL01 Rev E, PP-01 Rev I, 02 Rev I, 03A Rev G, 03B Rev F, 04 Rev J.”*

- 4.3 The Land Use (PP-01 Rev I) and Green Infrastructure (PP-02 Rev I) Parameter Plans set out the approved areas for residential development (to the centre of the site, either side of the existing woodland), sports pitches and facilities (to the northwest of the site), open space (to the west and south of the site), woodland / parkland (to the centre, north and southeast of the site), SuDS (to the south of the site) and a NEAP (to the centre of the site).
- 4.4 The Pedestrian & Cycle Access & Movement Parameter Plan (PP-03A Rev G) identifies the approved points of pedestrian access, the dedicated foot and cycle path leading through the site and on towards Phase 3 and Rickstones Road, and the 2.7 km circular peripheral route for recreational users, joggers and dog-walkers. It also highlights that the southern section of Rectory Lane is to be closed to vehicles to encourage greater pedestrian and cycle use.
- 4.5 The Vehicular Access & Movement Parameter Plan (PP-03B Rev F) confirms that private cars are only permitted to access the Proposed Development from Evans Way (on Phase 1) and that a ‘spine road’ will permeate through the centre of the site. A revised access from Rickstones Road will continue to provide vehicular access into the commercial unit at Rickstones Farm and will connect to a ‘bus-only’ section of highway at northern end of the spine road. The plan also confirms that a lockable gated access will be maintained across the site from Rectory Lane, for golf maintenance vehicles.
- 4.6 The Storey Heights Parameter Plan (PP-04 Rev J) allows for a maximum building height of 2 storeys (8.5 metres to the ridge) across the site, except for either side of the central spine road where a maximum building height of 2.5 storeys (11.5 metres to the ridge) is acceptable.



- 4.7 However, s73 application (ref. 23/01901/VAR) was submitted in July 2023 to vary the wording of Condition 27 of the original outline permission. This sought to: remove two pine trees (T93 & T94) from the eastern part of the Application Site, which would have been complicated and expensive to re-locate and may not have survived; and, replace them with four new nursery stock trees of a similar height and size, along with a five-year aftercare package to help ensure the new trees thrive. The s73 application was approved by BDC’s planning committee in September 2023 and, once a Unilateral Undertaking had been signed to tie the application to the original s106 agreement, resulted in a new planning permission being issued. The current reserved matters application is being made in accordance with this latest planning permission (i.e. ref. 23/01901/VAR).
- 4.8 Condition 6 of the original outline permission required the submission and approval of a site-wide design code, prior to the submission of the first reserved matters application on this site. Prepared by Pegasus, the main site-wide Design Code (ref. 23/01288/DAC) was submitted in May 2023 and approved by BDC’s planning committee in October 2023. It: establishes a long-term vision, and a design-led framework for the site; builds upon the work set out in the outline planning application, and the September 2021 Vision Statement for the site; provides a level of certainty to the landowner, local authority, developer and the community; provides a clear guide for developers working on individual development parcels; and, sets specific design requirements for the more detailed work now coming forward via the current reserved matters application.
- 4.9 A separate but more specific Design Code, covering the five self/custom build plots only, was also prepared and submitted to BDC in December 2023 (ref. 23/03049/DAC).

#### **PRE-APPLICATION DISCUSSIONS**

- 4.10 The Applicant has undertaken extensive pre-application discussions with officers and members from BDC and Essex County Council (ECC), along with other stakeholders. This has included:
- Officer-level meetings on 9<sup>th</sup> February, 9<sup>th</sup> March, 12<sup>th</sup> April, 17<sup>th</sup> July, 2<sup>nd</sup> August, 22<sup>nd</sup> August, 3<sup>rd</sup> October, 24<sup>th</sup> October, 5<sup>th</sup> December and 18<sup>th</sup> December 2023 to discuss: the main site-wide Design Code; the proposed detailed layout; proposed streetscenes; plans for the proposed sports park; highway matters; programme and timescales; and, the self-build Design Code.
  - Member’s forums at BDC on 14<sup>th</sup> March and 14<sup>th</sup> November 2023 to discuss the main site-wide Design Code, the proposed detailed layout and the proposed design of the new homes.
  - Specific stakeholder meetings with representatives from Rivenhall Parish Council (RPC) on 16<sup>th</sup> March and from Witham Town Council (WTC) on 27<sup>th</sup> March 2023.
- 4.11 The Applicant has also engaged the local community on the emerging plans for the site. Further details of this are set out in the accompanying Statement of Community Engagement, prepared by Connect.



## 5.0 KEY PLANNING CONSIDERATIONS

5.1 The following section assesses the key planning considerations for the Proposed Development.

### PRINCIPLE OF DEVELOPMENT

- 5.2 The Application Site is located outside Witham’s defined development boundary, where Policy LPP1 directs that development should be confined to uses appropriate to the countryside.
- 5.3 However, in this case the principle of the Proposed Development has been established by the grant of outline planning permission (ref. 20/02060/OUT) in January 2023 for a major new residential-led development at NE Witham Phase 4, in accordance with the presumption in favour of sustainable development at paragraph 11 of the NPPF. Five parameter plans (covering Land Use, Green Infrastructure, Pedestrian & Cycle Access & Movement, Vehicle Access & Movement and Building Heights) were approved as part of the outline permission and as explained later in this section the current reserved matters application complies with all five of these plans.
- 5.4 Furthermore, Policy SP3 recognises that existing settlements will be the principal focus for additional growth across North Essex and that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role. The Application Site immediately adjoins the Witham development boundary and the Proposed Development is proportionate to the Town’s scale, sustainability and existing role.
- 5.5 In summary the principle of the Proposed Development has been established by the outline planning permission which was granted in accordance with paragraph 11 of the NPPF (2023) and, despite some conflict with Policy LPP1 in the Braintree Section 2 Local Plan (2022), is supported by Policy SP3 in the Braintree Section 1 Local Plan (2021).

### LAYOUT AND APPEARANCE

- 5.6 The layout of the Proposed Development is heavily influenced and guided by the Land Use Parameter Plan approved at the outline stage and the Design Code subsequently approved by BDC. In general terms the layout includes two parcels of residential development set either side of the existing central woodland belt along with two SuDS attenuation basins and a NEAP to the south, a linear park to the west and a new sports park to the northwest. A 6.75-metre-wide tree-lined avenue / spine road provides access through the centre of the development, with secondary streets and shared private drives branching off from this.
- 5.7 The residential areas are made up of five distinct ‘character areas’, as defined in the approved Design Code. These comprise:



- CA1 – The Internal Spaces character area covers dwellings in the centre of the site and provides a transition between the formal nature of CA3 - The Avenue and the informal character of CA2 - Country Edge. Dwellings in this character area are generally served from secondary streets or shared surface streets. The building line is predominantly uniform and close to the edge of the back of the street which defines the boundary of the public realm. Building typology is predominantly semi-detached and terraced which draws upon the existing dwellings in Guithavon Street. Private space is clearly demarked from the public realm through the incorporation of either black vertical railing, hedges or brick walls to key plots. External materials in this character area are typically red or buff brick, with artificial slate or red concrete roof tiles.
- CA2 – The Country Edge character area is typified by dwellings fronting onto the existing northern landscape framework and the perimeter of the eastern development parcel on the site. Views out to the landscape assets are a defining feature of this character area. As such, the architectural approach is less formal than the other character areas. The character of this area has been inspired by Chipping Hill. Dwellings in this character area are generally served by private drives, thus creating a more irregular street pattern to aid in the creation of a more informal character. Dwellings within this area are typically formed by a lower density arrangement of buildings with less formal relationship with the public realm, suggesting a more rural feel with a strong presence of soft landscaping and the incorporation of estate railings to define the public realm. External materials in this character area are typically pastel coloured render or red or buff brick, with red or brown concrete roof tiles.
- CA3 – The Avenue character area runs adjacent to the spine road that passes through the scheme and is characterised by the most formal development. Formal landscaping within both the public and private domain and the tree-lined carriageway frame The Avenue as it leads north-west towards the formal sports pitches. The use of consistent building lines and setbacks from the street aid a cohesive character and help to define a more formal character. The majority of dwellings front a tree-lined street and are served by private drives set back from The Avenue. Private spaces are clearly demarked from the public realm through the incorporation of soft landscaping and occasional brick walls. Dwellings are predominantly 2-storey in height, with some 2.5 storey homes, and an architectural approach featuring strong repetitive features and a formal character typically found on Collingwood Road, The Avenue and Avenue Road, in Witham. External materials in this character area are typically white coloured render with timber effect framing or red brick, with artificial slate or brown concrete roof tiles.
- CA4 – The Parkland character area is proposed to the south-western edge of the development. Dwellings in this area overlook the key open space which features an informal circuit walk linked into the local John Ray Walk, attenuation basins and a NEAP. Views out to the landscape assets are a defining feature of this character area. This area is inspired by Chipping Hill and dwellings in this character area are generally be served by private drives,



thus creating a more irregular street pattern to aid in the creation of a more informal character. Dwellings within this area are typically formed by a lower density arrangement of buildings with less formal relationship with the public realm, suggesting a more rural feel with a strong presence of soft landscaping. To distinguish the Parkland character area from the Country Edge, black boarding is proposed to dwellings which draws from Chipping Hill and the surrounding area. As well as black boarding, external materials in this character area are typically red or buff brick, with red or brown concrete roof tiles and some artificial slate.

- CA5 - The Recreation Ground character area is situated at the north-western edge of the development. Dwellings overlook the proposed sports park and feature a pavilion-like architectural style. The dwelling materials reflect those of the nearby Old Rectory and the character of Rectory Lane. Due to the relationship with the adjacent sports park, dwellings here form a continuous building line to create a strong edge to the development. The architectural appearance of this character area is dominated by dual pitch built form with projecting gables. Elevational relief is provided through extrusions and recesses within the facades and the incorporation of bay windows creating a strong visual interest. Parking is provided to rear of the built form aiding to the continuous frontage along the development edge. Consistent design features include enlarged porches, timber effect boarded gables and chimneys to break up the roofscape. Dwellings are set back by estate railings, creating a visually-permeable barrier whilst defining the boundary between the public and private realm. External materials in this character area are typically red brick and white boarding, with brown concrete roof tiles.

- 5.8 The Proposed Development incorporates back-to-back distances of at least 25 metres and back-to-flank distances of at least 15 metres, in accordance with the Essex Design Guide (2018).
- 5.9 The main design consideration behind the Proposed Development is to create a high quality and beautiful place, consistent with the expectations in paragraph 131 of the NPPF (2023) and Policy SP7 in the Braintree Section 1 Local Plan (2021), and to exceed the quality of design achieved on Phases 1, 2 & 3.
- 5.10 That said, the Proposed Development also seeks to function well, be sympathetic to the local character and history of the area (including Rectory Lane and the Old Rectory), establish a strong sense of place (through the five character areas mentioned above which take their cues from local influences) and create a safe, inclusive and accessible place (with extensive foot and cycle connections, as explained below). This is consistent with paragraph 135 of the NPPF (2023) and Policies LPP42 and LPP52 in the Braintree Section 2 Local Plan (2022).
- 5.11 Further information on the layout, design and appearance of the Proposed Development is set out in the accompanying Design Compliance Statement, prepared by Pegasus.





## SCALE

- 5.12 In terms of 'scale', the Proposed Development comprises 225 market and affordable dwellings and cumulatively accommodates 20,961 sqm of residential (Class C3) floorspace. This is in accordance with the original outline planning permission which allowed 'up to 230 dwellings' on this site <sup>2</sup>.
- 5.13 Of the 225 dwellings proposed in this application, 211 are two storeys in height – comprising either two-storey houses or two-storey buildings with ground floor and first floor apartments, each with their own ground floor entrance. However, the housing mix also includes four affordable bungalows (2BB 70 and 3BB 85) fronting the central woodland belt and ten 2.5 storey market houses (Webster) along the avenue / spine road leading through the site. All of these heights are consistent with the limits set out on the Building Heights Parameter Plan approved at the outline stage, which allowed up to 2 storeys (i.e. 8.5 metres to the ridge) across the site, except for either side of the central spine road where a maximum building height of 2.5 storeys (i.e. 11.5 metres to the ridge) was deemed acceptable.
- 5.14 The proposed pavilion building at the sports park is single storey in height and provides 275 sqm of recreation-related (Class F2) floorspace.

## ACCESS

- 5.15 Vehicular access to the Proposed Development by private car will be from Forest Road and Evans Way (on Phases 1 & 2) only. This will lead into the new formal tree-lined boulevard, which will comprise a 6.75-metre carriageway suitable for buses and flanked by a 2-metre footway on one side and a 3.5-metre foot & cycle path on the other side.
- 5.16 However, a bus, pedestrian and cycle connection will be provided to Rickstones Road, enabling sustainable linkages to the existing schools off Conrad Road and facilitating bus-only <sup>3</sup> access from the north, into the site and along the central tree-lined spine road. The new bus access from Rickstones Road would provide journey time advantages to public transport users and should make the provision and continued operation of services here more attractive to local bus companies.
- 5.17 These access arrangements are consistent with those set out on the Vehicular Access & Movement Parameter Plan approved at the outline stage.
- 5.18 Furthermore, the s106 agreement signed at the outline stage provides for a sustainable transport contribution of £2.9m, a significant part of which will be used either to improve an existing bus service or to provide a new bus service, with the objective of providing direct bus access from within the site and:

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<sup>2</sup> The remaining five dwellings will come forward via separate applications for the self/custom build plots.

<sup>3</sup> Albeit ECC's Traffic Regulation Order (TROs), once applied for and if/when obtained, will allow the bus-only section of spine road to be used by taxis and motorcycles too.



- providing at least a 20-minute frequency service during the day, Monday to Saturday;
- introducing a new at least hourly frequency service in the evenings and on Sundays; and
- potentially providing an evening and Sunday service linking the site not only with Witham, but to Braintree town centre and to Freeport.

5.19 The Proposed Development will also deliver:

- a new 3.5-metre foot & cycle path leading through the site, across Phase 3 and along the northern side of Rickstones Road to the existing schools off Conrad Road;
- a foot & cycle connection to the existing path through Phase 1, across BDC's land and to the Motts Lane railway crossing, which leads to both Witham railway station and the Eastways employment area; and
- the closure of the southern-most part of Rectory Lane to vehicles, to encourage pedestrian and cycle use of this rural lane.

5.20 Cumulatively these measures will ensure that sustainable modes of transport are promoted and enhanced, that safe and suitable access to the site can be achieved for all users and that there are no severe impacts on the wider road network, in accordance with paragraphs 114 and 115 of the NPPF (2023).

5.21 The major investment that the Applicant is making in local bus services and foot and cycle connections has a realistic prospect of changing travel behaviour, enabling sustainable modes of transport to compete effectively with private vehicles and improving urban and inter-urban public transport – which are strategic objectives sought by Policy SP6 in the Braintree Section 1 Local Plan (2021). The measures will also give priority to cycle and pedestrian movements and access to public transport in accordance with Policy LPP42 and achieve a high standard of accessible and inclusive design in accordance with Policy LPP48 of the Braintree Section 2 Local Plan (2022).

5.22 Having said that, if BDC is ultimately unwilling to support new bus access from Rickstones Road and a new bus-only section of spine road onsite, then the Applicant has submitted a separate reserved matters application on this site with a bus turning loop on-site, near the proposed sports pavilion, instead. This could result in slightly longer journey times for public transport users and make the provision of services less attractive to local bus companies, but would remove the need for a bus access from Rickstones Road and for the bus-only section of spine road between the proposed sports pitches.

#### **LANDSCAPING, TREES & HEDGES**

5.23 The accompanying Landscape Masterplan identifies where:

- Existing trees and hedges will be retained on-site including: the woodland to the southeast and the central woodland belt (except where tree removals are necessary to accommodate the new spine road and NEAP); the boundaries with the Golf Centre to the northeast; where



the site meets the rear gardens of properties on Rickstones Road; and, the field boundary with Rectory Lane.

- Extensive new native tree and/or hedge planting will be undertaken including: alongside the central avenue / spine road, secondary streets and shared private drives; around the periphery of the proposed sports park; and, alongside the southwestern edge of the development area, where a 1.8-metre high hedge will be planted to soften the appearance of the development from Rectory Lane.
- Tussock grass, meadow mixture for wetlands, general purpose meadow mixture planting and aquatic planting will be accommodated onsite, including in the SuDS features and along the linear park running parallel to Rectory Lane.
- A self-binding gravel path will be laid to form part of the 2.7km peripheral footpath and where other new concrete asphalt and mown grass paths will be used to provide access to and across the parkland and NEAP.
- Timber and droppable bollards will be erected around the periphery of the development to prevent vehicle encroachment into the areas of public open space and greenspace.
- Concrete asphalt or block paving will be used onsite for the new central avenue / spine road, secondary streets and shared private drives.

5.24 The detailed Landscaping Scheme submitted alongside this application specifies the exact size, type, distance and number of new trees and hedgerow to be planted, soil specifications, seeding and turfing treatments, the colour and type of all hard surface treatments in the public realm, watering and maintenance regimes, and the programme for these works.

5.25 The accompanying Arboricultural Impact Assessment, prepared by SES, confirms that the Proposed Development will lead to the complete removal of individual 28 trees, three groups of trees and one shrub, and the partial removal of five groups of trees, three areas of woodland and four hedges. However, these losses will be more than offset (with a 2:1 ratio) by the proposed Landscaping Scheme which includes the planting of 278 new trees, 416 metres of hedgerow within the areas of public open space and a considerable length of hedgerows within the residential part of the site delineating gardens and parking courts/shared drives.

5.26 A separate report has also been prepared by SES to identify where and how four new nursery stock trees will be planted to compensate for the loss of the two Category B pine trees referred to in Condition 27.

5.27 To ensure that all new trees onsite are given the best opportunity to survive and flourish, a five-year aftercare package will be employed, comprising:

- auditable watering, health checks and maintenance such as formative pruning/removal of dead/damaged branches and the checking of strimmer guards on each visit;
- following the trees planting the guying system will need re-tensioning after 3 months as per the manufactures recommendation, with further checks every 3 months;



- underground guying systems will be left in situ (as per the manufactures guidelines, designed to naturally decompose) to prevent undue damage to the below ground rooting area when attempting removal;
- the trees will need to be re-mulched annually which will include a well rotted mulch mixed with biochar and nutrients;
- the trees will be installed with two 'Root rain Urban' irrigation systems each, which feature a large capacity perforated pipe designed to remain underground that allows the water to be delivered directly into the rooting area;
- there will be an inner and outer ring of irrigation pipe to encourage the roots to move in an outward trajectory;
- watering will be a process of filling the irrigation system by applying a measured amount of water per visit to both the watering loops. This will be required from spring through to autumn and it is estimated that ongoing watering and maintenance will be required for 5 years due to the size of the trees that are being established.

5.28 In summary the Proposed Development: includes a detailed Landscaping Scheme and an Arboricultural Impact Assessment as required by Conditions 11 & 12 of planning permission 23/01901/VAR; ensures that all new streets are tree lined in accordance with paragraph 136 of the NPPF (2023); and, retains trees that make a significant positive contribution to the character and appearance of their surroundings, where feasible, and includes new native tree, hedgerow and other planting, in line with Policies LPP65 and LPP67 of the Braintree Section 2 Local Plan (2022).

#### **BOUNDARY TREATMENTS**

5.29 The boundary treatments around the outer edges of the wider Application Site are to comprise existing and proposed trees, hedges and other planting, as set out on the accompanying Landscape Masterplan.

5.30 Within the residential development area on-site, the Boundary Treatments Plan and the Landscape Masterplan demonstrate that a combination of:

- 1.8-metre-high brick walls will be used where rear gardens meet the public realm;
- 1.8-metre-high close timber board fencing will be used between rear gardens;
- hedges will be used around the shared amenity spaces for the apartments; and
- low railings (1.0-metre), brick walls (0.6 or 1.0-metre) or landscape planting (including hedges) will be used to delineate front gardens.

5.31 These boundary treatments and the materials used, which will vary according to the five character areas set out in the approved Design Code, will contribute towards the creation of a high quality place and ensure that each new dwelling has acceptable levels of privacy and residential amenity.

5.32 The provision of this information complies with Condition 15 of planning permission 23/01901/VAR.



## HOUSING MIX

- 5.33 The Proposed Development incorporates a broad mix of dwellings, across affordable rent, shared ownership and market tenures, as set out at Table 2.1 above. Notably this includes: one and two-bedroom apartments; two and three-bedroom bungalows; and, two, three and four-bedroom houses.
- 5.34 The proportion of affordable housing and mix exactly matches the specification set out in Schedule 7 of the signed s106 agreement for this site. Furthermore, the provision of 23 shared ownership dwellings will ensure that at least 10% of all homes on the site are available for affordable home ownership, as expected by paragraph 66 of the NPPF (2023).
- 5.35 The market dwellings provide a balanced mix of 48 x two-bedroom (31%), 64 x three-bedroom (41%) and 44 x four-bedroom (28%) properties that very closely accord with the preferred mix (i.e. 31% two-bedroom, 45% three-bedroom and 20% four-bedroom) set out in BDC's 2015 Strategic Housing Market Assessment (SHMA) Update and Policy LPP35 of the Braintree Section 2 Local Plan (2022). This also ensures that approximately 31% of the market dwellings are two-bedroom properties, which is in excess of the minimum 25% required under Condition 44 of planning permission 23/01901/VAR.

## NDSS

- 5.36 Table 2.1 above confirms that all of the proposed market and affordable homes comply with the NDSS (2015), as required by Condition 34 of planning permission 23/01901/VAR.

## PRIVATE AMENITY SPACE

- 5.37 The accompanying Garden Areas Plan demonstrates that each proposed:
- one or two-bedroom apartment has at least 25 sqm of communal residents' gardens;
  - two-bedroom house (or bungalow) has a private rear garden of at least 50 sqm; and
  - three or four-bedroom house (or bungalow) has a private rear garden of at least 100 sqm.
- 5.38 Generally the private rear gardens and communal residents' gardens have been designed to create usable rectangular garden shapes, as far as possible. In doing so, these proposed amenity spaces accord with the quantitative and qualitative expectations set out in the Essex Design Guide (2018).

## PUBLIC OPEN SPACE

- 5.39 The Proposed Development includes a variety of public open space and greenspace. As set out in Section 2 of this Statement, it equates to 47.5% of the total application area and includes:
- 2.39 ha of formal sports park, including two football pitches, a pavilion building with changing facilities, clubroom and storage, a car park with 37 parking spaces, cycle parking and a landscape bund for ball-stop mitigation;



- 2.44 ha of parkland and open space, including a neighbourhood equipped area for play (NEAP) for older children, which will complement the existing local equipped area for play (LEAP) for younger children on Phase 1;
- 3.00 ha of existing woodland, including alternative natural greenspace; and
- 0.13 ha for an extension to the existing allotments near Phase 2.

5.40 The proposed areas of public open space and greenspace are consistent with the Green Infrastructure Parameter Plan approved at the outline stage and totals 7.96 ha. Notably this total provision is five and a half times greater than the minimum open space requirements (1.40 ha) set out in Policy LPP50 of the Braintree Section 2 Local Plan (2022) and the Braintree Open Space SPD (2009) for a development of this size.

5.41 In addition the Proposed Development provides a 2.7 km long peripheral footpath around the Application Site and Phases 1 & 2. This will provide an extensive route for recreational users, joggers and dog-walkers, passing the proposed sports park, parkland and NEAP on Phase 4 and the existing LEAP, woodland and other areas of semi-natural greenspace on Phases 1 & 2.

#### SUDS

5.42 As set out on the Drainage Strategy Drawings appended to the Drainage Statement, surface water will be managed via a sustainable drainage system (SuDS) which treats surface water on-site and then releases it into the receiving watercourse at greenfield runoff rates plus an additional 40% allowance for climate change.

5.43 The SuDS will include a network of swales and surface water drains, leading to two new attenuation basins located on the lower lying land to the south of the site. From here surface water will be discharged into the existing SuDS network that serves Phases 1 & 2. This existing network was designed to accommodate the predicted surface water flows from future development on Phase 4 and therefore has adequate capacity to cope with the 1 in 100-year flood event plus an additional 40% allowance for climate change.

5.44 Although there have been previous local reports of surface water flooding on or adjacent to Rectory Lane, the Applicant's flood risk consultants, Ardent, advise that the most recent significant event here in Winter 2019 was caused by a blockage in the one of headwalls and the poor condition of the ditch upstream. The SuDS included in the Proposed Development will intercept, control, treat and restrict the flows of surface water at the Application Site and in doing so represent a significant improvement over what currently happens during significant storm events.

5.45 In summary the proposed surface water strategy and details are consistent with paragraphs 173 and 175 in the NPPF (2023) and Policy LPP76 in the Braintree Section 2 Local Plan (2022).



## **PARKING**

- 5.46 The accompanying Parking Plan demonstrates that every proposed dwelling is served by:
- at least one allocated resident parking space per one-bedroom dwelling or at least two allocated resident parking spaces per two-bedroom (or larger) dwelling; and
  - at least one cycle parking space, provided in garages, sheds or a dedicated shared cycle store.
- 5.47 Furthermore, visitor parking has been pepper-potted across the site to ensure that there is at least one unallocated visitor parking spaces for every four dwellings, except where a group of dwellings already have at least three resident parking spaces each and thereby provide their own visitor parking on-plot.
- 5.48 The proposed sports park includes a pavilion and car park with 37 vehicle parking spaces (including three disabled parking spaces) and 16 cycle parking spaces.
- 5.49 This proposed vehicle, visitor and cycle parking provision accords with the standards set out in the Essex Parking Standards (2009) and Policy LPP43 in the Braintree Section 2 Local Plan (2022).

## **EV CHARGING**

- 5.50 The accompanying EV Charging Plan illustrates that each new dwelling will be served by one electric vehicle (EV) charging point, either as a wall-mounted or free-standing unit. This complies with the requirements in Condition 14 of planning permission 23/01901/VAR.

## **RENEWABLE ENERGY, ENERGY PERFORMANCE AND WATER EFFICIENCY**

- 5.51 The Proposed Development incorporates solar photovoltaic (PV) generation equipment for every dwelling and the location of this is shown on the accompanying Solar PV Plan. The detailed design of these solar PV panels can be secured by a pre-occupation condition. Many of the new dwellings are also likely to be fitted with air source heat pumps (ASHPs), albeit precisely which dwellings this will apply to will depend on when each dwelling is built relative to the forthcoming Future Homes Standard, which is expected to come into force in 2025.
- 5.52 These measures and the design of the new dwellings generally should ensure that the Proposed Development provides in excess of a 19% improvement in energy performance over the requirements of the 2013 Building Regulations.
- 5.53 Furthermore, the proposed new dwellings have been designed to achieve a water efficiency standard of no more than 110 litres per person per day.



5.54 In summary the Proposed Development incorporates measures to lower carbon emissions, increase renewable energy production and adapt to the impacts of climate change, in accordance with Policies LPP71 and LPP72 in the Braintree Section 2 Local Plan (2022), paragraph 162 of the NPPF (2023) and Condition 17 of planning permission 23/01901/VAR.

## NOISE

5.55 An updated Noise Assessment has been prepared by Ardent to comply with Condition 8 of planning permission 23/01901/VAR. This explains that:

- The site would be considered low risk when compared with ProPG Guidance. Areas directly adjacent to the access road to Rivenhall Golf Club be considered medium risk during the day and night.
- The design of mitigation measures for proposed dwellings to control noise from road traffic will also be suitable to control noise from the pitches. Noise from the pitches is significantly lower than the current noise environment at existing receptors. Therefore, noise from the sports pitches will have no adverse effect on proposed or existing receptors.
- The mitigation measures for the site will be suitable to control noise from road traffic on the surrounding road network. By controlling these dominant noise sources, the less prominent noise sources, i.e., the golf club, will also be controlled.
- Where required residents have the choice to keep windows closed and alternative means of background ventilation (e.g. trickle ventilation) will be provided in lieu of open windows. Windows will need to remain closed, however they are not required to be fixed shut and residents will have the option to open them, whilst noting internal sound levels will be slightly elevated.
- The risk of noise impact under overheating conditions within properties has been considered in accordance with AVO Guidance. Noise levels place areas of the site in the negligible to low category of noise impact during overheating condition during the day and the night.
- In these circumstances a Level 2 Overheating assessment is not required. The strategy to provide suitable internal noise levels and thermal comfort will be developed further at the detailed design stage of the site.
- External sound levels in amenity areas across the site will meet the guidance criteria set out in the standards.
- The change in noise levels due to operational traffic at the site when compared to the future baseline is negligible.
- Subject to the recommendations included in Ardent's report, it is considered that the requirements of Condition 8 have been met.

5.56 In summary the report demonstrates that noise will not give rise to any significant impacts on health and quality of life or lead to any unacceptable impacts arising from the development, in accordance with paragraph 191 of the NPPF (2023) and Policy LPP70 of the Braintree Section 2 Local Plan (2022).





## EXTERNAL LIGHTING

- 5.57 The proposed street lighting scheme has been submitted alongside the reserved matters application and has been designed to meet the required lighting classes with: Class P3 for carriageway and Class P4 for footpaths & cycleways along The Avenue; and, Class P5 for secondary roads. 8m steel columns are proposed on The Avenue and 6m columns throughout the remainder of the development, with mid-hinged raise and lower columns along the cycle paths. This is consistent with the requirements of Condition 9.
- 5.58 This lighting scheme has been designed to be an integral element of the Proposed Development, utilises low energy lighting, enables hours of illumination to be controlled, minimises light spillage and glare, does not result in any unacceptable adverse impact to residential amenity and avoids harm to biodiversity and ecological receptors.
- 5.59 In summary the lighting scheme accords with Policy LPP77 in the Braintree Section 2 Local Plan (2022) and Condition 9 of planning permission 23/01901/VAR.

## BIODIVERSITY ENHANCEMENT

- 5.60 The application is accompanied by a Biodiversity Enhancement Strategy, prepared by SES, which recommends that the following measures should be incorporated in the scheme:
- soft landscaping, new and existing hedgerow management and buffering, and the creation of new neutral grassland;
  - new species rich hedgerows, trees and tussocky grassland;
  - new ponds and SuDS basins onsite with marginal and aquatic vegetation;
  - 15 bat boxes;
  - Management of created and restored grasslands;
  - designated skylark mitigation area with species-specific landscaping;
  - bird nest boxes within buildings and trees;
  - sensitive management around existing ponds with the provision of log piles;
  - bug boxes; and
  - hedgehog highways.
- 5.61 These measures have been included in the accompanying detailed plans – including the Landscape Masterplan – and should ensure that the Proposed Development enhances biodiversity across the site and delivers an overall biodiversity net gain, in accordance with Condition 10 of planning permission 23/01901/VAR, paragraph 180 in the NPPF (2023) and Policies LPP63, LPP64 and LPP66 in the Braintree Section 2 Local Plan (2022).



#### **REFUSE COLLECTION**

- 5.62 Details of the refuse collection arrangements for the Proposed Development are set out on the accompanying Refuse Strategy Plan and Bin Store Elevations. These illustrate the proposed location and presentation points for refuse and recycling bins, the appearance of the bin stores serving the apartments, travel and carry distances and swept paths for roads intended for use by refuse vehicles. Swept path plans for the refuse vehicles have also been appended to the Transport Statement Addendum.
- 5.63 In particular, refuse / recycling collection points have been designed to be no more than 30 metres from dwellings and a maximum of 25 metres from the nearest adoptable road. All adoptable roads have been designed to accommodate the 26-tonne carrying capacity of the local authority's refuse vehicles.
- 5.64 This complies with requirements in Condition 13 of planning permission 23/01901/VAR.

#### **BROADBAND**

- 5.65 The Applicant will provide fibre broadband connectivity to all new dwellings on-site, prior to their occupation. The Home Builders Federation (HBF) has an arrangement in place whereby Openreach provides Fibre to the Premises (FTTP) on all new developments. The Applicant makes use of this arrangement to ensure that fibre broadband is installed on all of its new developments, as a matter of course.
- 5.66 In summary the Proposed Development complies with Policy LPP46 in the Braintree Section 2 Local Plan (2022) which expects all new residential development to be served by a fast and reliable broad connection to the premises.



## 6.0 CONCLUSION

- 6.1 This Planning Statement has been prepared by AM-P on behalf of Bellway Homes Limited. It supports a reserved matters application for 225 dwellings, sports pitches and facilities, neighbourhood equipped area for play, public open space, sustainable drainage systems and associated development, on land at NE Witham Phase 4.
- 6.2 The Application Site is situated to the north east of Witham and is 16.755 ha in size. It is bounded by the NE Witham Phase 1 & 2 development to the south, the Rivenhall Oaks Golf Centre to the east and northeast, the rear gardens of properties along Rickstones Road to the northwest and Rectory Lane to the west. The Application Site currently comprises a mix of agricultural land, plantation woodland, former golf holes associated with the Golf Centre and a temporary construction compound.
- 6.3 Outline planning permission (ref. 20/02060/OUT) was originally granted on appeal in January 2023 for up to 230 dwellings, public open space, sustainable drainage systems, landscaping and associated development at the Application Site. Approval was subsequently given by BDC's planning committee in September 2023 to vary condition 27 of that planning permission to allow the removal of two pine trees and the planting of four replacement nursery-stock trees on-site. This resulted in a new planning permission (ref. 23/01901/VAR) being issued by BDC. The current application seeks reserved matters consent pursuant to the most recent planning permission (ref. 23/01901/VAR).
- 6.4 The Applicant has also submitted a separate reserved matters application on this site. The only significant difference being that the proposed bus access onto Rickstones Road and bus-only section of spine road have been removed from the 'alternative' scheme and replaced with a bus turning loop on-site, near the proposed sports pavilion. The Applicant intends for both of these reserved matters applications to be progressed and considered concurrently.
- 6.5 These reserved matters applications are a product of extensive pre-application discussions with officers and members from BDC and ECC, along with other stakeholders and the local community, throughout 2023.
- 6.6 In this case the 'development plan' comprises the Braintree Section 1 (2021) and Section 2 (2022) Local Plan. The NPPF (2023), the Essex Design Guide (2018), the Essex Parking Standards (2009) and the Braintree Open Space SPD (2009) are all material considerations.
- 6.7 The principle of the Proposed Development has been established by the original outline planning permission which was granted in accordance with paragraph 11 of the NPPF and is supported by Policy SP3 in the Braintree Section 1 Local Plan. Furthermore, the Proposed Development complies with all relevant national and local planning policy, and other planning guidance. In particular:
- a) The main design consideration behind the Proposed Development is to create a high quality and beautiful place, which exceeds the quality of design achieved on Phases 1, 2 & 3. However, the Proposed Development also seeks to function well, be sympathetic to the local



character and history of the area (including Rectory Lane and the Old Rectory), establish a strong sense of place (through the five character areas described in Section 5) and create a safe, inclusive and accessible place. The proposed uses and their distribution across the site are consistent with the approved Land Use Parameter Plan.

- b) The scale of the Proposed Development – i.e. 225 dwellings (totalling 20,961 sqm of floorspace) which are predominantly 2-storeys in height but include some single and 2.5 storey dwellings – is consistent with the original outline planning permission and the Building Heights Parameter Plan. The proposed sports pavilion provides a further 275 sqm of floorspace.
- c) Vehicular access to the Proposed Development by private car will be from Forest Road and Evans Way (on Phases 1 & 2) only. This will lead into the new formal tree-lined boulevard, which will comprise a 6.75-metre carriageway suitable for buses and flanked by a 2-metre footway on one side and a 3.5-metre foot & cycle path on the other side. However, a bus, pedestrian and cycle connection will be provided to Rickstones Road, enabling sustainable linkages to the existing schools off Conrad Road and facilitating bus-only access from the north. The new bus access from Rickstones Road would provide journey time advantages to public transport users and should make the provision and continued operation of services here more attractive to local bus companies. These access arrangements are consistent with those set out on the approved Vehicular Access & Movement Parameter Plan.
- d) A detailed Landscaping Scheme and an Arboricultural Impact Assessment have been provided in accordance with Conditions 11 & 12 of planning permission 23/01901/VAR. All new streets are tree lined and although some existing trees and hedges will be removed to facilitate the Proposed Development, these losses will be more than offset (with a 2:1 ratio) by new tree and hedge planting across the Application Site.
- e) Appropriate boundary treatments have been proposed to comply with Condition 15 of planning permission 23/01901/VAR, to contribute towards the creation of a high-quality place and to ensure that each new dwelling has acceptable levels of privacy and residential amenity.
- f) The Proposed Development incorporates a broad mix of dwellings, across affordable rent, shared ownership and market tenures. Notably this includes: one and two-bedroom apartments; two and three-bedroom bungalows; and, two, three and four-bedroom houses. The affordable mix exactly matches the specification set out in Schedule 7 of the signed s106 agreement and the market mix very closely accords with the preferred mix set out in BDC's 2015 SHMA Update. Approximately 31% of the market dwellings are two-bedroom properties, which is in excess of the minimum 25% required under Condition 44 of planning permission 23/01901/VAR.
- g) All of the proposed market and affordable homes comply with the NDSS (2015), as required by Condition 34 of planning permission 23/01901/VAR.



- h) Each one or two-bedroom apartment has at least 25 sqm of communal residents' gardens, each two-bedroom house (or bungalow) has a private rear garden of at least 50 sqm and each three or four-bedroom house (or bungalow) has a private rear garden of at least 100 sqm, as expected by the Essex Design Guide.
- i) 47.5% of the Application Site (i.e. 7.96 ha) will comprise public open space and greenspace. Notably this total provision is five and a half times greater than the minimum open space requirements (1.40 ha) set out in the Braintree Section 2 Local Plan and the Braintree Open Space SPD for a development of this size.
- j) Surface water will be managed via SuDS, which treat surface water on-site and then release it into the receiving watercourse at greenfield runoff rates plus an additional 40% allowance for climate change.
- k) Resident, visitor and cycle parking is proposed in accordance with the Essex Parking Standards. These include: at least one allocated resident parking space per one-bedroom dwelling; at least two allocated resident parking spaces per two-bedroom (or larger) dwelling; and, at least one cycle parking space per dwelling, provided in garages, sheds or a dedicated shared cycle store. The proposed sports park also includes a pavilion and car park with 37 vehicle parking spaces (including three disabled parking spaces) and 16 cycle parking spaces.
- l) Each new dwelling will be served by one EV charging point, which complies with Condition 14 of planning permission 23/01901/VAR.
- m) The Proposed Development incorporates solar PV generation equipment for every dwelling and many of the new homes are also likely to be fitted with ASHPs. Furthermore, the proposed new dwellings have been designed to achieve a water efficiency standard of no more than 110 litres per person per day.
- n) Noise will not give rise to any significant impacts on health and quality of life or lead to any unacceptable impacts arising from the development.
- o) The lighting scheme has been designed to utilise low energy lighting, enable hours of illumination to be controlled, minimise light spillage and glare, not result in any unacceptable adverse impact to residential amenity and avoid harm to biodiversity and ecological receptors.
- p) Various measures have been incorporated into the scheme to ensure that the Proposed Development enhances biodiversity across the site and delivers an overall biodiversity net gain, in accordance with Condition 10 of planning permission 23/01901/VAR and the Braintree Section 2 Local Plan.

## Planning Statement

### NE Witham Phase 4 – Reserved Matters Application

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- q) Refuse / recycling collection points have been designed to be no more than 30 metres from dwellings and a maximum of 25 metres from the nearest adoptable road. All adoptable roads have been designed to accommodate the 26-tonne carrying capacity of the local authority's refuse vehicles.
  - r) The Applicant will provide fibre broadband connectivity to all new dwellings on-site, prior to their occupation.
- 6.8 Finally the Proposed Development is consistent with the main Design Code document approved by BDC's planning committee in October 2023.
- 6.9 In summary the Applicant considers that the Proposed Development complies with the statutory development plan as a whole and all key material considerations. Therefore, in the absence of any significant material considerations indicating otherwise, the Applicant respectfully requests that BDC approves this reserved matters application without delay.

# **Braintree District Housing Supply Review 2023**

## **Appendix 2M**

### **Rivenhall Park Phase 4**

#### **Reserved Matters submission**

#### **Updated Planning Performance Agreement Project Plan**

## Planning Performance Agreement (PPA)

<b>Planning Performance Agreement (PPA) between:</b> Braintree District Council (BDC) and Bellway Homes Limited (Essex)	
<b>PPA Reference:</b>	23/70001/PPA
<b>Site:</b>	Phase 4 Land North East Of Rectory Lane Rivenhall Essex
<b>Dated:</b>	25.01.2023

### Agreement

BDC and the Applicant hereby agree to the content of this Project Programme.

<b>Braintree District Council</b>	
Name:	Christopher Paggi
Position:	Planning Development Manager
Signature: (On Behalf of BDC)	
Date:	

<b>Applicant</b>	
Name:	Catherine Williams
Position:	Regional Planning Director
Signature: (On Behalf of Applicant)	
Date:	



## **Appendix 1: Project Programme**

BDC and the Applicant shall work to ensure that the consideration of the proposal is progressed in accordance with the Project Programme set out below (unless a variation to the Project Programme is agreed in writing in accordance with the Planning Performance Agreement).

### **Project Programme**

Date	Meeting / Milestone	BDC Officers Required
24 <sup>th</sup> Jan 2023	PPA Inception Meeting	• <input type="checkbox"/> Case Officer
9 <sup>th</sup> Feb 2023	Pre-App meeting (Discussion regarding structure / content of the Design Code)	• <input type="checkbox"/> Case Officer • <input type="checkbox"/> Design Officer
21 <sup>st</sup> Feb 2023	Highway meeting (TRO's)	• <input type="checkbox"/> Case Officer
9 <sup>th</sup> March 2023	Pre-App Meeting (Draft Design Code & Layout)	• <input type="checkbox"/> Case Officer • <input type="checkbox"/> Design Officer
12 <sup>th</sup> April 2023	Pre-App Meeting (Draft Design Code & Layout)	• <input type="checkbox"/> Case Officer • <input type="checkbox"/> Design Officer
17 <sup>th</sup> May 2023	Submission of application to discharge planning condition 6 (23/01288/DAC)	• <input type="checkbox"/> Bellway
17 <sup>th</sup> May 2023	Assessment of application for validation and confirmation of validation. Application validation date 17 <sup>th</sup> May.	• <input type="checkbox"/> BDC Validation Officer
12 <sup>th</sup> June 2023	Submission of application for Infrastructure (priority junction and revised site access off Rickstones Road; section of spine road restricted to bus, taxi and motorcycle use only; sustainable drainage system) (Application Ref. 23/01555/FUL)	• <input type="checkbox"/> Bellway
Within 2 working days of submission of application	Assessment of application for validation and confirmation of validation, or outstanding validation requirements (Information required to validate applicant received on 12 <sup>th</sup> July. Application validation date 12 <sup>th</sup> July)	• <input type="checkbox"/> Case Officer & BDC Validation Officer
17 <sup>th</sup> July 2023	Post submission meeting (Discussion about submitted Design Code)	• <input type="checkbox"/> Case Officer • <input type="checkbox"/> Design Officer
25 <sup>th</sup> July 2023	Electronic submission of S73 application to vary Condition 27 (tree translocation condition) for review by Case Officer. (Application Reference 23/01901/VAR)	• <input type="checkbox"/> Bellway
Within 2 working days of submission of application	Assessment of application for validation and	• <input type="checkbox"/> Case Officer & BDC Validation

	confirmation of validation, or outstanding validation requirements. (information required to validate applicant received on 31 <sup>st</sup> July. Application validation date 31 <sup>st</sup> July)	Officer
2 <sup>nd</sup> August 2023	Design Code Workshop	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
22 <sup>nd</sup> August 2023	Post submission meeting (Discussion – Design Code and Infrastructure application) & Pre-App Meeting Review of detailed layout and draft Reserved Matters submission	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
26 <sup>th</sup> September 2023	Planning Committee Meeting - S73 Application for Condition 27 (23/01901/VAR)	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>
3 <sup>rd</sup> October 2023	Pre-App Meeting Review of Committee Decisions & Progress with Decisions. Update on Reserved Matters.	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
17 <sup>th</sup> October 2023	Planning Committee Meeting – Design Code Discharge of Condition Application (23/01288/DAC)	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>
20 <sup>th</sup> October 2023	Draft and ISSUE DECISIONS	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>
24 <sup>th</sup> October 2023	Pre-App Meeting - Review of detailed layout, design and elevations, Sports Park and update on s73 application	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
5 <sup>th</sup> December 2023	Pre-App Meeting - Review of detailed layout, Self-Build Design Code & Sports Park Plans	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
18 <sup>th</sup> December 2023	Pre-App Meeting to discuss Self-Build Design Code	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
w/c – 18 <sup>th</sup> December 2023	Electronic submission of application to fully discharge Condition no.6 through submission of Self-Build Design Code	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Bellway</li> </ul>
Within 2 working days of submission of application	Assessment of application for validation and confirmation of validation, or outstanding validation requirements.	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer &amp; BDC Validation Officer</li> </ul>
w/c 28 <sup>th</sup> December 2023	Assessment of application	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
w/c 12 <sup>th</sup> February 2024	Approval of application to discharge planning condition 6 under Officer Delegated Powers, subject to content of application	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>

	being acceptable.	
w/c 19 <sup>th</sup> February 2024	Draft and Issue Decision Notice for S73 Application for Condition 27 (23/01901/VAR) following completion of legal agreement	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>
<b>28th March 2024</b>	<b>Electronic submission of two Reserved Matters Applications (one with the section of spine road restricted to bus, taxi and motorcycle use only ('the bus gate application') and one with the bus turning facility ('the bus turning loop application'))</b>	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> <b>Bellway</b></li> </ul>
Within 2 working days of submission of application	Assessment of application for validation and confirmation of validation, or outstanding validation requirements	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> BDC Validation Officer</li> </ul>
w/c 29th April 2024	1st Post Reserved Matters Application meeting (General overview and discussion on any key consultation responses)	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Design Officer</li> <li>• <input type="checkbox"/> Case Officer</li> </ul>
6th to 17th May 2024	Applicant team to work-up and submit any revised drawings (if necessary)	<input type="checkbox"/> Bellway
20th May 2024	Amended plans submitted and sent out for consultation.	<input type="checkbox"/> Case Officer (and other officers as required).
w/c 3rd June 2024	<ul style="list-style-type: none"> <li>• 2nd Post Reserved Matters Application meeting (To address any outstanding matters and agree draft conditions)</li> </ul>	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Design Officer</li> <li>• <input type="checkbox"/> Case Officer</li> </ul>
w/c 10th June 2024	Assessment of application and consultation responses	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> <li>• <input type="checkbox"/> Design Officer</li> </ul>
w/c 17th June 2024	Complete Reserved Matters committee report for both applications	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>
<ul style="list-style-type: none"> <li>• 21st June 2024</li> </ul>	Manager sign off of committee report for both applications	<input type="checkbox"/> Development Manager
<b>9th July 2024</b>	<b>Planning Committee for both applications</b>	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> <b>Case Officer</b></li> </ul>
12th July 2024	Draft and ISSUE DECISIONS	<ul style="list-style-type: none"> <li>• <input type="checkbox"/> Case Officer</li> </ul>
		•
		•
		•

**Appendix 2: Site Location Plan**

# **Braintree District Housing Supply Review 2023**

## **Appendix 2N**

### **Lodge Farm Witham**

**Planning Statement submitted with approved  
Variation Application**

**Section 73 Application for Variation of Condition 4 of  
Outline Planning Permission Reference  
17/02176/VAR, in relation to minor amendments to  
the approved Parameter Plans, having specific  
regard to Public Open Space and School Drop-Off  
Area, along with other minor adjustments to the  
previously approved plans  
at Lodge Farm, Hatfield Road, Witham**

**Planning Statement**

Prepared by Strutt & Parker on behalf of Redrow Homes

September 2020

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## 1.0 INTRODUCTION

- 1.1 This planning statement has been prepared by Strutt & Parker on behalf of Redrow Homes to accompany a planning application for the Variation of Details Reserved by Condition 4 of previously approved application 17/02176/VAR at Lodge Farm, Hatfield Road, Witham.
- 1.2 Application 17/02176/VAR itself was a variation of condition application to the original outline consent at Lodge Farm, which originally obtained planning permission under planning application reference 15/00430/OUT. The Outline application consent (as varied) secured consent for the erection of up to 750 dwellings, an enterprise zone, a primary school, public open space and conversion of barn buildings, with associated landscaping and infrastructure.
- 1.3 As set out within section 2 of this report, this Section 73 application seeks planning permission for a series of minor amendments to the illustrative masterplan and parameter plans as previously approved under 17/02176/VAR. The amendments include changes to the following:
  - Public Open Space provision;
  - Removal of School Lay-by and provision for an additional small residential area to the north of the school land;
  - Minor amendments to Secondary Routes within the development; and
  - Minor amendments to storey heights and urban design parameter plans.
- 1.4 This application has been accompanied by an Addendum to the Environmental Statement submitted as part of planning application 15/00430/OUT, to cover Social and Economic impacts, Landscape and Visual Effects and Ecology, the scope of which was agreed with planning officers at Braintree District Council. As part of this submission, it is proposed to provide a deed of variation to the approved Section106 Agreement on the site, to reduce the maximum number of dwellings on the site down from 750 to 665. The rationale for this change will be explained further within this planning statement.
- 1.5 In addition, the following plans are submitted for revision as part of the proposals:
  - Access and Movement Parameter Plan, Revision K, September 2020
  - Building Heights Parameter Plan, Revision G, September 2020
  - Land Use Parameter Plan, Revision K, September 2020
  - Landscape Parameter Plan, Revision H, September 2020
  - Urban Design Parameter Plan, Revision F, September 2020
  - Illustrative Masterplan, Revision E



## 2.0 BACKGROUND

2.1 On the 27<sup>th</sup> May 2016, consent was granted by Braintree District Council for:

*“Outline application with all matters reserved other than strategic access point onto Hatfield Road, for the erection of up to 750 dwellings, Primary School and early years centre, enterprise centre (A1/A2/B1/D1/D2 uses) and retention of existing barn buildings for mixed use purposes (A1/A2/A3/B1/D1/D2), with associated infrastructure and landscaping (Ref: 15/00040/OUT)”.*

2.2 This application has subsequently been varied under planning application 16/02101/VAR, which gave permission to vary condition 26 relating to the Site Wide Design Guide. More recently condition 4 of the original consent was varied, under planning application 17/02176/VAR, which was granted permission on the 25 July 2018 for minor variations to the illustrative masterplan and parameter plans. It is the 2018 consent (17/02176/VAR) that this application relates to.

2.3 Condition 4 of the original approved consent stated the following:

*“The submission of reserved matter applications pursuant to this outline planning permission shall together provide for up to 750 dwellings, Primary School and early years’ centre, enterprise centre (use classes A1/A2/B1/D1/D2 uses) and retention of existing barn buildings for mixed use purposes (A1/A2/A3/B1/D1/D2 uses, with associated infrastructure and landscaping and demonstrate compliance with the approved plans listed above.”*

2.4 The Decision Notice lists a number of plans that were approved as part of the outline consent. The application to vary this under reference 17/02176/VAR was to allow for a minor alteration to the illustrative masterplan and parameter plans. Under application 17/02176/VAR, the condition was re-worded to the below, and new plans were formally approved:

*“The submission of reserved matter applications pursuant to this outline planning permission shall together provide for up to 750 dwellings, Primary School and early years’ centre, enterprise centre (use classes A1/A2/B1/D1/D2 uses) and retention of existing barn buildings for mixed use purposes (A1/A2/A3/B1/D1/D2 uses, with associated infrastructure and landscaping and demonstrate compliance with the approved plans as follows:*

*Flood Risk Assessment*

*Tree Plan, reference 140712- P- 10- 01, Version A*

*Tree Plan, reference 140712- P-10-02, Version A*

*Tree Plan, reference 140712- P-11-01 Version D*

*Tree Plan, reference 140712-P-11-02, Version D*

*Tree Plan, reference TREE WORK SCHEDULE 140712-PD-12A*

*Tree Plan, reference 140712- P- 12- 01, Version B*

*Tree Plan, reference 140712- P- 12- 02, Version B*

*Local Plan, reference 13 904-SK02, Version B*  
*Access Details, reference RH.LODGEFARM.(ACCESS01)*  
*Site Masterplan – Ref: 164136*  
*Parameter Drawing –Version: J (Access and Movement)*  
*Parameter Drawing –Version: F (Storey Heights)*  
*Parameter Drawing –Version: J (Land Use)*  
*Parameter Drawing –Version: G (Landscape)*  
*Parameter Drawing –Version: E (Urban Design)”*

### **Reserved Matters and Infrastructure Application Planning History**

- 2.5 Reserved matters approval for Phase 1A of the site was granted on 18<sup>th</sup> September 2017 under application reference 17/00931/REM, to deliver 91 dwellings with associated landscaping, public open space, access and parking. Subsequently, a reserved matters application for Phase 1B of the site was submitted to Braintree District Council under application reference 18/00884/REM to deliver 84 dwellings with associated landscaping, access and parking and was subsequently approved on the 4<sup>th</sup> September 2018. Reserved matters approval was granted for Phase 2 of the site on the 26<sup>th</sup> March 2019 under application reference 18/01912/REM to deliver 61 dwellings and associated landscaping, access and parking. Most recently, a reserved matters application for Phase 3A (reference: 19/0228/REM) of the site was approved by Braintree District Council on the 10<sup>th</sup> March 2020 for 72 dwellings.
- 2.6 In addition to the above, an application for Phase 1 of the Infrastructure at the site was approved on the 28<sup>th</sup> April 2017 under application reference 16/01538/FUL. A Phase 2 infrastructure application was approved under reference 18/1325/FUL on the 17<sup>th</sup> July 2018. Finally, and most recently, a Phase 3 infrastructure application (reference 19/01040/FUL) was approved on the 31<sup>st</sup> January 2020. These applications have granted approval for the installation of the strategic road entrance into the site and the primary road network with associated footway/cycle way and drainage. The works forming the approved applications have been implemented on site in accordance with approved plans.
- 2.7 An application for approval of Secondary Road Infrastructure within Phase 3B and 4 was submitted to Braintree District Council on the 1<sup>st</sup> September 2020. This application is currently out to consultation and is pending determination.

### **Revised Condition 4 Suggested Wording**

- 2.8 This Section 73 Application to vary Condition 4 of the Amended Decision Notice provided by application 17/02176/VAR follows discussions with case officers at Braintree District Council. It is proposed that Condition 4 is varied as follows:

*“The submission of reserved matter applications pursuant to this outline planning permission shall together provide for up to 665 dwellings, Primary School and early years’ centre, enterprise centre (use classes E/F.1/F.2 uses) and retention of existing barn buildings for mixed use purposes (E/F.1/F.2 uses, with associated infrastructure and landscaping and demonstrate compliance with the approved plans as follows:*

*Flood Risk Assessment*  
*Access Details, reference RH.LODGEFARM.(ACCESS01)*  
*Site Masterplan – Rev E*  
*Parameter Drawing –Version: K (Access and Movement)*  
*Parameter Drawing –Version: G (Storey Heights)*  
*Parameter Drawing –Version: K (Land Use)*  
*Parameter Drawing –Version: H (Landscape)*  
*Parameter Drawing –Version: F (Urban Design)”*

- 2.9 The change to the wording of condition 4 has also incorporated the recent amendment to the use classes order as published on the 1<sup>st</sup> September 2020. It is not proposed to change the type of developments permitted within the Enterprise Centre or barn buildings, but the change of wording, merely reflects the new legal use class definitions as set out within the Use Classes Order September 2020.
- 2.10 In terms of the description of the development, whilst the quantum of the housing on the site remains unchanged, it is now anticipated that a maximum of 665 dwellings will be delivered on the site, against the approved quantum of 750 dwellings. Redrow are happy for the revised upper ceiling of 665 dwellings to be secured as part of a deed of variation to the Section106 Agreement.

### 3.0 PROPOSED DESCRIPTION OF THE AMENDMENTS

3.1 The proposals seek consent for the following amendments to the approved illustrative masterplan and parameters plans:

- Amendments to and reduction of public open space, to reflect proposed reduction in maximum number of units from 750 to 665 dwellings;
- Removal of School Lay-by area and provision for small residential area to the north of the proposed school, which has been made in response to the preference of Essex County Council for the layby to be removed;
- Introduction of an additional small residential area to the north of the school land and east of Phase 2
- Minor amendments to secondary road hierarchy; and
- Minor amendments to building heights and urban design parameter plans, having regard to the locations of 3 storey and marker buildings.

3.2 The need for this Section73 application has come about in response to a lower than anticipated quantum of development being delivered across the development site..

#### Unit Numbers and Open Space Provision

3.3 During the process of developing the detailed layouts for phases 1a, 1b, 2 and 3a, it became clear that due to various development management design standards and additional site and technical constraints, the site as a whole will only be able to accommodate a maximum of 665 units, rather than the previously anticipated 750 units.

3.4 This Variation of Condition Application seeks approval for a reduction in the Public Open Space on the site to a total of 7.31 hectares (against a current figure of 7.95 hectares) and 0.36 hectares for the allotments (against a current approved figure of 0.41 hectares). This amendment is being sought on the basis that the original Public Open Space calculation was worked out on an anticipated total of 750 dwellings being delivered on the site. Redrow are now anticipating delivering a total of 665 units across the whole site based on the below consented and planned units:

Phase	No. of units	Application details
Phase 1A	91 Units	Consented under Application Reference: 17/00931/REM and built
Phase 1B	84 Units	Consented under Application Reference: 18/00884/REM and built
Phase 2	61 Units	Consented under Application Reference: 18/01912/REM and built
Phase 3A	72 Units	Pending Approval under Application Reference: 19/02228/REM
Phase 3B & 4	210 Units	Submission to follow this application

<b>Phase</b>	<b>No. of units</b>	<b>Application details</b>
Phase 5	Up to maximum of 143 Units	Future Submission
Land to the North of the School	5 units	Future Submission
<b>Total:</b>	<b>Up to 665 units</b>	

- 3.5 Justification for the amendment to the Public Open Space provision against the adopted standards is set out within section 5 of this planning statement. The amendments to the Public Open Space provision essentially relate to small incidental areas of Public Open Space around phases 3, 4 and 5. The key elements of the open space, focused around a large central park and Cedar Green which have already been approved under the Reserved Matters for Phases 1a and 2 would remain unchanged by the revised parameters. The proposed allotments are maintained within their existing location to the west boundary of the site, with a small reduction in overall site area to reflect the reduced maximum development quantum.

#### **Removal of School Drop-Off Area**

- 3.6 As part of the 17/02176/VAR Outline application, Essex County Council Education supported and approved a proposed school drop off lay-by area to the west of the proposed primary school. Following approval of the 2017 Outline application, Essex County Council Education have since set out a strong preference for the lay-by to be removed from the site, to avoid promoting the use of the motor car within the development. They are instead seeking to replace the drop off area with a number of visitor parking bays in laybys adjacent to the spine road. Therefore, the amendments to the parameter plans, propose the removal of the lay-by area and replacement with visitor parking spaces along the western boundary of the school. As a result of this change, a small residential pocket is proposed to the north of the school to the east of the main primary road. This residential pocket area will have capacity for approximately 5 dwellings (which form part of the proposed revised maximum development quantum of 665 units).

#### **Secondary Route Network**

- 3.7 As part of the detailed discussions with Braintree District Council and Essex Highways on the pending Phase 3B and Phase 4 Reserved Matters application, it has been agreed in principle to provide for a slightly amended Secondary Road network, from that approved under access and movement parameter plan version J. The minor amendments proposed as part of this application, include provision within phase 3b for the Secondary Access route to dog-leg into the site from the south boundary of phase 3 rather than continuing along the southern boundary. Provision is also made for a Secondary Access route to facilitate a potential future vehicular access to the adjacent

site at Wood End Farm that is currently subject to an Outline planning application from Countryside Properties.

### **Building Heights Parameter Plan and Urban Design**

- 3.8 Some very minor adjustments are proposed to the existing consented Building Heights parameter plans. This includes a small extension to the 'up to 3 storey buildings' eastwards along the northern boundary, to reflect the proposed locations of the 3 storey apartment buildings, which are to be delivered as part of the Phase 3b application. In addition, an additional area of 'up to 3 stories' is proposed in the far north-west corner of the site, where an apartment building within phase 4 is proposed. The character of this far north-west corner has changed following the promotion of the Wood End Farm site to the west. The three storey apartment block in this location will provide a book-end to the Lodge Farm development. Within the central area of phase 5 provision is also sought to be made for an additional 'up to 3 stories' area in the centre of the parcel, to allow the creation of a focal point to this phase within the future.
- 3.9 It is also proposed to make some minor changes to the Urban Design Parameters Plan, to provide for amended locations of marker buildings, to ensure consistency with the proposed phase 3b and phase 4 reserved matters layout.

## **4.0 PLANNING POLICY CONSIDERATIONS**

- 4.1 This section considers the provisions of the current adopted Development Plan and other material considerations that are specifically relevant to the application.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.3 The Adopted Development Plan consists of the adopted Core Strategy (2011) and Saved Policies within the adopted Local Plan (2005). These documents provide the statutory basis for the determination of the planning application at a local level.
- 4.4 The below policies are those considered the most relevant to the Lodge Farm site as a whole in respect of the overall Outline planning application subject to this Section 73 submission. Those that are considered relevant to the proposals forming this application have been explored in more detail at Section 5.0 of this report.

### **Braintree District Local Development Framework Core Strategy 2011**

- CS1: Housing Provision and Delivery
- CS2: Affordable Housing
- CS4: Provision of Employment
- CS5: The Countryside
- CS6: Retailing and Town Centre Regeneration
- CS7: Promoting Accessibility for All
- CS8: Natural Environment and Biodiversity
- CS9: Built and Historic Environment
- CS10: Provision for Open Space, Sport and Recreation
- CS11: Infrastructure Services and Facilities

### **Braintree District Local Plan Review 2005**

- RLP2 Town Development Boundaries and Village Envelopes
- RLP3: Development within Town Development Boundaries and Village Envelopes
- RLP4: Prevention of Town Cramming
- RLP7: Housing and Mixed Use Sites
- RLP8: House Types
- RLP9: Design and Layout of Housing and Mixed Use Areas
- RLP10: Residential Density
- RLP22: Accessible Housing and Lifetime Housing
- RLP27: Location of Employment Land
- RLP30: Diversity of Industrial and Commercial Premises
- RLP31: Design and Layout of Business Parks
- RLP36: Industrial and Environmental Standards
- RLP38: Conversion of Rural Buildings

- RLP49: Pedestrian Networks
- RLP50: Cycleways
- RLP51: Cycle Parking
- RLP52: Public Transport
- RLP53: Generators of Travel Demand
- RLP54: Transport Assessments
- RLP56: Vehicle Parking
- RLP65: External Lighting
- RLP69: Sustainable Urban Drainage
- RLP70: Water Efficiency
- RLP71: Water Supply, Sewerage & Drainage
- RLP72: Water Quality
- RLP74: Provision of Space for Recycling
- RLP77: Energy Efficiency
- RLP80: Landscape Features and Habitats
- RLP81: Trees, Woodland Grasslands and Hedgerows
- RLP90: Layout and Design of Development
- RLP91: Site Appraisal
- RLP92: Accessibility
- RLP93: Public Realm
- RLP94: Public Art
- RLP105: Archaeological Evaluation
- RLP106: Archaeological Excavation and Monitoring
- RLP138: Provision of Open Space in New Housing Developments
- RLP164: Environmental Impact Assessment

### **Braintree District Publication Draft Local Plan 2017 (Emerging Local Plan)**

- 4.5 The Council are currently in the process of consulting on main modifications to the stage 1 of their emerging Local Plan, which seeks to set out the strategic policies for the emerging Local Plan. If approved, the Council then intend to move onto stage 2 of the Local Plan, which will address the more detailed policies. Stage 2 of the Local Plan will be subject to an Examination in Public in due course, likely to be within 2021. Whilst the Local Plan is progressing, the weight that can be given to policies within the emerging Local Plan is limited at the time of writing.

### **National Planning Policy Framework**

- 4.6 The revised National Planning Policy Framework (NPPF) was published in July 2018 and updated in February 2019. It represents the most up to date central government planning policy guidance and, as such, is a material consideration for the determination of planning applications.

### **Other Material Planning Considerations**

- 4.7 The following documents are also considered to be of relevance to the determination of the application:



- Open Space SPD November 2009
- Essex Design Guide Guidance 2005

## **5.0 STATEMENT OF COMMUNITY INVOLVEMENT**

- 5.1 Braintree District Council adopted their Statement of Community Involvement in 2013. This document sets out the expectations of developers when engaging with the local community.
- 5.2 Redrow Homes have taken a positive approach to community engagement over a number of years, which has included an open and continuous dialogue with key stakeholders and the local community.
- 5.3 Prior to the submission of this Variation of Condition application, a zoom meeting was held with members of Witham Town Council on 9<sup>th</sup> September 2020. At the meeting, a presentation was provided to Witham Town Council from representatives from both Redrow and Strutt & Parker (please refer to Appendix A for a copy of the presentation). The presentation provided an overview of progress on the application site to date and set out the rationale for the proposed changes to the Parameter Plans proposed as part of this Section73 application. An update was also provided in respect of the proposed Phase 3b and phase 4 Reserved Matters application future submission.
- 5.4 The feedback provided from the Town Council at the meeting, was generally very positive. One of the key concerns raised by members at the meeting, related to the school drop- off zone being removed from the site and this could result in additional parking on the public highway. Members were also concerned regarding children with disabilities being able to access the school. In response, it was clarified that some visitor parking would still be maintained along the primary road and that DDA parking would be provided within the school site.
- 5.5 It was also clarified that the scheme would provide cycle improvements along Allectus Way, which have been secured under the original Section106 Agreement.

## 6.0 PLANNING ASSESSMENT

- 6.1 This section of the report provides a Planning Assessment of the proposed amendments to the indicative masterplan and parameter plans and whether the proposed amendments are considered to accord with Local and National planning policy and guidance. An assessment of each of the amendments to the parameter plans is assessed in turn.
- 6.2 When assessing the amendments to the parameter plans, it is important that they are considered within the context that a revised maximum quantum of 665 dwellings is proposed to be delivered on the site, which is a reduction of 85 dwellings against the approved Outline Consent as approved under application 15/00430/OUT as varied by 17/02176/VAR.

### Public Open Space

- 6.3 Within the currently adopted Core Strategy 2011, the requirements for Public Open Space standards are set out within Policy CS10 – Provision for Open Space, Sport and Recreation. The Policy text is set out below:

*The Council will ensure that there is a good provision of high quality and accessible green space, including allotments and publicly accessible natural green space, to meet a wide range of recreation, outdoor sport and amenity needs in District by:*

- *Retaining existing sports facilities, green spaces, allotments, and open space used for amenity, recreation or sport unless:*
  - *they are no longer required to meet identified needs in the long term (through the Braintree Green Spaces Strategy);*
  - *alternative replacement provision of equal or greater community benefit is provided elsewhere as part of the development;*
  - *There is an identified surplus in an open space, or sports or recreational facility, in which case development of part of the site may be allowed to secure the re-use of the remainder, to meet an identified deficit in another type of open space, or sport or recreational facility.*
  - *The use can be shown not to be economically viable.*
- *Requiring new development to make appropriate provision (taking into consideration surpluses and deficiencies and condition of the different open space typologies within the vicinity of the site) for publicly accessible green space or improvement of existing accessible green space in accordance with the following standards.*

*Hectares per thousand people*

<i>Parks &amp; Gardens</i>	<i>1.2 Ha in the main towns and key service villages</i>
<i>Outdoor Sports Provision</i>	<i>2.0 Ha</i>

<i>Amenity Greenspaces</i>	<i>0.8 Ha</i>
<i>Provision for Children and Young People</i>	<i>0.2 Ha</i>
<i>Total</i>	<i>4.2 Ha</i>

- 6.4 A Section 106 Agreement was prepared at the time of the approval of the outline planning application in May 2016, and requires on-site open space to comprise 7.95 hectares and Allotment space comprising 0.41 hectares, therefore requiring a total of 8.36 hectares of Open Space and Allotments across the Lodge Farm development. This figure was based on the site delivering up to 750 dwellings. This figure was substantially in excess of the public open space requirements for the site, as set out within the adopted Core Strategy.
- 6.5 The Core Strategy goes on to reference that the Council will prepare a Supplementary Planning Document (SPD) to provide a detailed breakdown of Public Open Space figures. However, to date the Council have not prepared a new Public Open Space SPD and the adopted SPD on Public Open Space dates from 2009, which was prior to the adoption of the Core Strategy.
- 6.6 The Open Space SPD standards derive from the Braintree Local Plan Review (2005) and require a total of 2.63 hectares of Open Space per 1,000 people. The SPD helpfully provides an average occupancy rate per dwelling in Braintree District of 2.36 (2006) from The Braintree Strategic Housing Market Assessment 2007. This occupancy rate has also been used to inform Table 1 above as it is not clear that the Council has published any occupancy rates that are more up to date or form part of their Local Plan evidence base. The allotments are defined within a different category to the overall Public Open Space figures.
- 6.7 Table 1 and table 2 below shows the statutory requirement for public open space on the site based on the 2011 Core Strategy and the 2009 Open Space SPD.

**Table 1**

<b>Amount of Units</b>	<b>Core Strategy 2011</b>
640	6.34 Ha
650	6.44 Ha
660	6.54 Ha
670	6.64 Ha
680	6.74 Ha
690	6.83 Ha
700	6.93 Ha
710	7.03 Ha
720	7.13 Ha
730	7.23 Ha
740	7.33 Ha
750	7.43 Ha

**Table 2**

<b>Amount of Units</b>	<b>Open Space SPD 2009</b>
640	3.97 Ha
650	4.03 Ha
660	4.09 Ha
670	4.15 Ha
680	4.22 Ha
690	4.28 Ha
700	4.34 Ha
710	4.40 Ha
720	4.46 Ha
730	4.53 Ha
740	4.59 Ha
750	4.65 Ha

- 6.8 Accounting for the revised number of 665 dwellings, adopting the Core Strategy public open space requirement would give a requirement for 6.59 hectares of public open space to be provided on the site. Using the calculation set out within the Public Open Space SPD, this requirement would be 4.12 hectares. Therefore, the proposed 7.31 hectares of open space (excluding the allotments) is still significantly in excess of the policy requirements. In pro-rata terms, accounting for the reduction in 85 dwellings, it is also in accordance with the 7.95 hectares agreed on the original Outline application for 750 dwellings.
- 6.9 Further to this, within the emerging Local Plan, Policy LPP 53 – Provision for Open Space, Sport and Recreation, which can currently only be given limited weight, does not provide a breakdown on Public Open Space requirements.
- 6.10 In respect of the allotments, provision for space for the allotments is included within the total overall Public Open Space calculations as set out within policy CS10 of the adopted Core Strategy. In respect of the Open Space SPD, this requires allotments to be provided at the rate of 0.23 hectares per 1000 people. Based on the occupancy rate of 2.36 people per dwelling, this would equate to a requirement on Lodge Farm of 0.36 hectares, which is consistent with the allotment provision proposed as part of this application.
- 6.11 Therefore, it is considered that the proposed reduction in public open space within the site fully accords with adopted policy CS10 and the adopted Open Space Supplementary Planning Document (2009). As shown on the Landscape, Land Use and Illustrative Masterplan, the reduction in open space will only result in the loss of incidental areas of open space, and the key areas of public open space, which are designed around a central parkland, green corridors and Cedar Green will remain unchanged as a result of the proposals, and have, in the majority, already been approved under existing reserved matters applications. It is recommended that the deed of variation to the Section106 should include the updated Public Open Space requirements on the site, to deliver a minimum of 7.31 hectares of open space (excluding the allotments) and an additional area of 0.36 for the allotments.

### **School Lay-by**

- 6.12 Policy CS7 of the adopted Core Strategy states that the Council will work with partners to improve accessibility, to reduce congestion and reduce the impact of development upon climate change. Sustainable travel will be encouraged.
- 6.13 The removal of the school drop-off lay-by has been strongly encouraged by Essex County Council Education. It is considered that the removal of the lay-by and replacement with visitor parking bays along the primary road carriageway, achieves an appropriate balance between not seeking to promote the use of the motor car, but also ensuring that some limited drop-off parking is available, off of the public highway. In addition, the proposed small residential area to the north of the school seeks to make efficient use of the resultant land and it will boost housing provision on the site.

## **Secondary Road, Building Heights and Urban Design**

- 6.14 The proposed minor adjustments to the Secondary Road, Building Heights and Urban Design Parameter Plans have been undertaken in response to detailed pre-application discussions with Braintree District Council and Essex Highways on the layout for phase 3b and phase 4 which will shortly be submitted for approval under a reserved matters application. The creation of the amended secondary route, which dog-legs into phase 3b, has assisted with the creation of strong secondary route green corridors throughout phase 3b. It has also facilitated the provision for dwellings to have positive frontage with the open space to the south and south-west of phase 3b. Further detail will be set out within the reserved matters submission for phase 3b and phase 4.
- 6.15 The minor adjustments to the building heights, provide for a slightly larger area of 'up to 3 storey' dwellings along the northern boundary of the site. This is considered to be appropriate, given that Wood End Farm is now being delivered for residential development to the west of the site and that the apartment block to the west of phase 4, now provides a bookmark to the edge of Lodge Farm development, when viewed from Wood End Farm to the west. Minor adjustments have also been made to the proposed locations of the marker buildings, to reflect their proposed locations within the layout for phase 3 and phase 4.

## **Environmental Statement Addendum**

- 6.16 To support this planning application, a focused addendum to the Environmental Statement submitted as part of the original Outline planning application has been prepared. The Environmental Statement Addendum focused on three chapters, the scope of which was agreed with officers at Braintree District Council:
- Economic and Social Assessment;
  - Ecology Assessment; and
  - Landscape Assessment.
- 6.17 The economic and social assessment addendum concludes that the findings of the original Environmental Statement remain the same and that the proposed development would have a major beneficial effect on the area by providing new housing and opportunities for a significant number of jobs.
- 6.18 The addendums to the ecology and landscape chapters also identify that there will be no meaningful change to the environmental effects of the development, from those set out within the original assessment.

## 7.0 CONCLUSION

- 7.1 This Section73 application seeks planning permission to secure minor amendments to the parameter plans as approved under condition 4 of planning application 17/02176/VAR, in respect of public open space, removal of school lay-by area and minor adjustments to the secondary road hierarchy, building heights and urban design parameter plans.
- 7.2 The original Outline consent for the site (under application 15/00430/OUT), was granted on the basis of up to 750 dwellings being delivered on the site. the public open space provision secured as part of the Section106 agreement on the original consent (as varied), was worked out on the basis of the delivery of 750 dwellings on the site. Now that a number of phases have been delivered on the site, it has now become clear that the capacity of the site will be limited to a maximum of 665 dwellings, which is a reduction of 85 dwellings against the original consent.
- 7.3 As a result of the reduction in units, this Section73 application seeks a variation to the parameter plans approved to allow a reduction in open space to 7.31 hectares, with 0.36 hectares for the allotments. The proposed quantum of public open space is still significantly in excess of the policy requirements for public open space as set out within policy CS10 of the adopted Core Strategy and the Public Open Space SPD.
- 7.4 The removal of the school lay-by from the parameter plans, has been made in response to a request from Essex County Council. The amendment is considered to be in full accordance with policy CS7 of the adopted Core Strategy and seeks to reduce promotion of the motor car to drop-off children at the primary school.
- 7.5 The minor adjustments to the parameter plans in respect of secondary routes, building heights and marker buildings have all been made in response to detailed discussions with Braintree District Council on the reserved matters application for phases 3b and 4.
- 7.6 The above changes, have been subject to consideration as part of an addendum to the Environmental Statement, prepared as part of the original application. The addendum to the Environmental Statement concludes that there will be no significant changes to Environmental effects as a result of the proposed changes as part of this application.

## APPENDIX A



# Witham Town Council Update – Lodge Farm, Witham

Chris Gatland – Redrow Homes  
David Fletcher – Strutt & Parker

9<sup>th</sup> September 2020



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY



# Approved Illustrative Masterplan (2018)



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY



# Approved Phasing Plan (2018)



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY



# Site Photos – May 2020



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY

# Site Photos – May 2020



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY

# Site Photos – June 2020



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY

# Site Photos – July 2020



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY

 **REDROW**  
A BETTER WAY TO LIVE







# Proposed Phase 3b and 4 Layout (Sept 2020)



## Phase 3B and 4 Layout Plan

Project Witham Phase 3B/4  
 Client Redrow Homes  
 Date 28.07.2020  
 No. SK03 A  
 Scale nts



DEVELOPING THRIVING COMMUNITIES  
 BY VALUING PEOPLE AND  
 BUILDING RESPONSIBLY



# Proposed Phase 4 Allotment Layout Plan



**KEY:**

-  Amenity grass
-  Proposed birch trees around boundary
-  Proposed hedge
-  Proposed hoggin path
-  Proposed tarmac drop off road
-  Proposed communal fruit tree north of allotments
-  Proposed benches in hoggin paved communal area
-  Proposed allotment areas
-  Proposed compost/utility area behind hedge
-  Proposed informal communal area
-  Proposed sheds/water butts
-  Proposed green weldmesh fence
-  Proposed pedestrian gates

Rev: A      Date: 9-9-2020      Details: Access and layout amended

<b>Figure 1:</b> Landscape Strategy - Allotments				
Drawn by: LF	Date: July 2020	Scale: NTS	Rev: A	
Client: Redrow Homes		SES Strategic Southern Ecological Solutions Sudbury Stables Sudbury Road Downham, Essex CM11 1LB		
Site: Lodge Farm, Witham Phase 3 and 4		Tel: 01268 711021 team@ses-eco.co.uk		



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY

# Any Questions?



DEVELOPING THRIVING COMMUNITIES  
BY VALUING PEOPLE AND  
BUILDING RESPONSIBLY

# **Braintree District Housing Supply Review 2023**

## **Appendix 2P**

### **Phase 5 Lodge Farm Witham**

#### **Email exchange on planned submission of Reserved Matters**

## Email exchange confirming planned submission of Reserved Matters April 2024:

### Carpenter, Kathy

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**From:** FLETCHER David <David.Fletcher@StruttAndParker.com>  
**Sent:** 15 March 2024 11:44  
**To:** Carpenter, Kathy  
**Cc:** Wilde, Mathew; Chris Gatland - Redrow Homes Eastern (chris.gatland@redrow.co.uk)  
**Subject:** RE: [EXTERNAL] Phase 5 Lodge Farm

Hi Kathy,

All is good thank you, I hope all is good with you.

Yes, Mathew also got in touch yesterday. We are now targeting the end of April for the submission of Phase 5. To confirm it is very much the intention to continue to build out the site through to its completion.

Kind Regards

David

David Fletcher  
07826949603

**From:** Carpenter, Kathy <kathy.carpenter@braintree.gov.uk>  
**Sent:** 14 March 2024 18:14  
**To:** FLETCHER David <David.Fletcher@StruttAndParker.com>  
**Cc:** Wilde, Mathew <Mathew.Wilde@braintree.gov.uk>  
**Subject:** [EXTERNAL] Phase 5 Lodge Farm  
**Importance:** High

Dear David,

I hope this finds you well;

I understood from a previous exchange of emails that Redrow Homes were planning on the basis of a target of March 2024 for submission of Reserved Matters for Phase 5 of the Lodge Farm site in Witham – I realise that we are only part way through March, but I wanted to check with you to see if this is still the intention, and if not then what the revised position is?

It seems that Phase 3B/4, the preceding phase, is going well according to my monitoring of starts and completions – I had expected that the developer would wish to continue to build out the site and avoid a hiatus in the development?

I look forward to hearing from you,  
Thank you, and kind regards,

Kathryn Carpenter  
**Senior Planning Officer**  
Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB  
☎ 01376 31203 | [www.braintree.gov.uk](http://www.braintree.gov.uk) | ✉ [kathy.carpenter@braintree.gov.uk](mailto:kathy.carpenter@braintree.gov.uk)

# **Braintree District Housing Supply Review 2023**

## **Appendix 2Q**

### **Land Rear of Gilda Terrace Braintree**

#### **Completed pro-forma**

## Braintree District Council Planning Policy

### Housing Land Supply Review

#### Braintree District Housing Trajectory Questionnaire

The Council is subject to the Freedom of Information Act 2000 and Environmental Information Regulations 2004, and laws concerning the protection of personal information. If you consider that any of the information that you provide as part of your response is commercially sensitive or personal information, please identify it as such in Question 6a and please explain in question 6b how disclosure would be detrimental to your organisation. The Council cannot guarantee non-disclosure of this information, but will apply any relevant exemption where one is clearly engaged.

#### SITE SUMMARY (completion by BDC)

Site Reference:	TR117
Site:	Land Rear of Gilda Terrace Braintree
Ownership: (eg. Housebuilder, developer, landowner)	
Contact details	<a href="mailto:christopher.fry@crestnicholson.com">christopher.fry@crestnicholson.com</a> Crest Nicholson (Eastern) eastern@crestnicholson.com
Planning status: e.g. allocation, outline permission, detailed permission, resolution to grant planning permission)	Outline permission allowed on appeal 27.07.2021 (18/01065/OUT refers)
Braintree District Council assessment of progress towards delivery of this site based on our current knowledge:	Reserved Matters submitted 24.01.2023 (23/00191/REM). Full application submitted 01.12.2023 for footpath and cycleway link to the Flitch Way. Discharge of Conditions application 23/01599/DAC submitted 16.06.2023 for discharge of landscaping condition. Building Regulations Initial Notice submitted
To be completed by BDC following review of information provided by development representative:	
Total site capacity	119 (net 117)
Total completed at March 2023	0
Total outstanding at March 2023	119
Qualify for 5YS2028: Yes/No 5YS forecast 2023-2028:	

Continued overleaf: Pages 2-4 for completion by site development representative



## For completion by site development representative:

SECTION 1: CONFIRMATION OF SUMMARY SITE DETAILS		
1a	Please confirm if the site details set out by the Council above, including the Council's assessment, are correct. If not, please provide update details.	120 units net 118.

SECTION 2: AVAILABILITY:		
2a	Is the site currently available for development? Please indicate, is the site in the control of a developer, or a site promoter	It is in control of the developer no existing use but a pair of semi-detached properties need to be demolished to gain access.
2b	If not, why not? <i>e.g. is there an existing use on site?</i>	
2c	If the site is not available yet, when will it become available	
2d	Are you still undertaking site assessment work? If so, please give further details.	No.

SECTION 3: ACHIEVABILITY		
<i>(defined as having a realistic prospect that housing will be delivered on site within 5 years)</i>		
Are there current barriers delaying/preventing development? Please explain what they are and how/when they will be overcome.	The site to be fully developed out will be within the 5 year period.	

SECTION 4: DELIVERY TIMETABLE AND HOUSING TRAJECTORY		
4a	When do you estimate you will start works on site?	September 24
4b	If you have already started work on site, what stage is construction currently at?	No works started onsite
4c	When do you estimate you will deliver the first housing completions?	Early 2025
4d	When do you estimate you will complete development of the site?	3-4 years following start on site
4e	Please complete the Housing Trajectory Table (see final page) with details of forecast housing completions by year	
4f	Any additional comments you wish to make	

SECTION 5: DECLARATION		
I confirm that the information provided is correct to the best of my knowledge:	Name: Chris Fry	Signature:

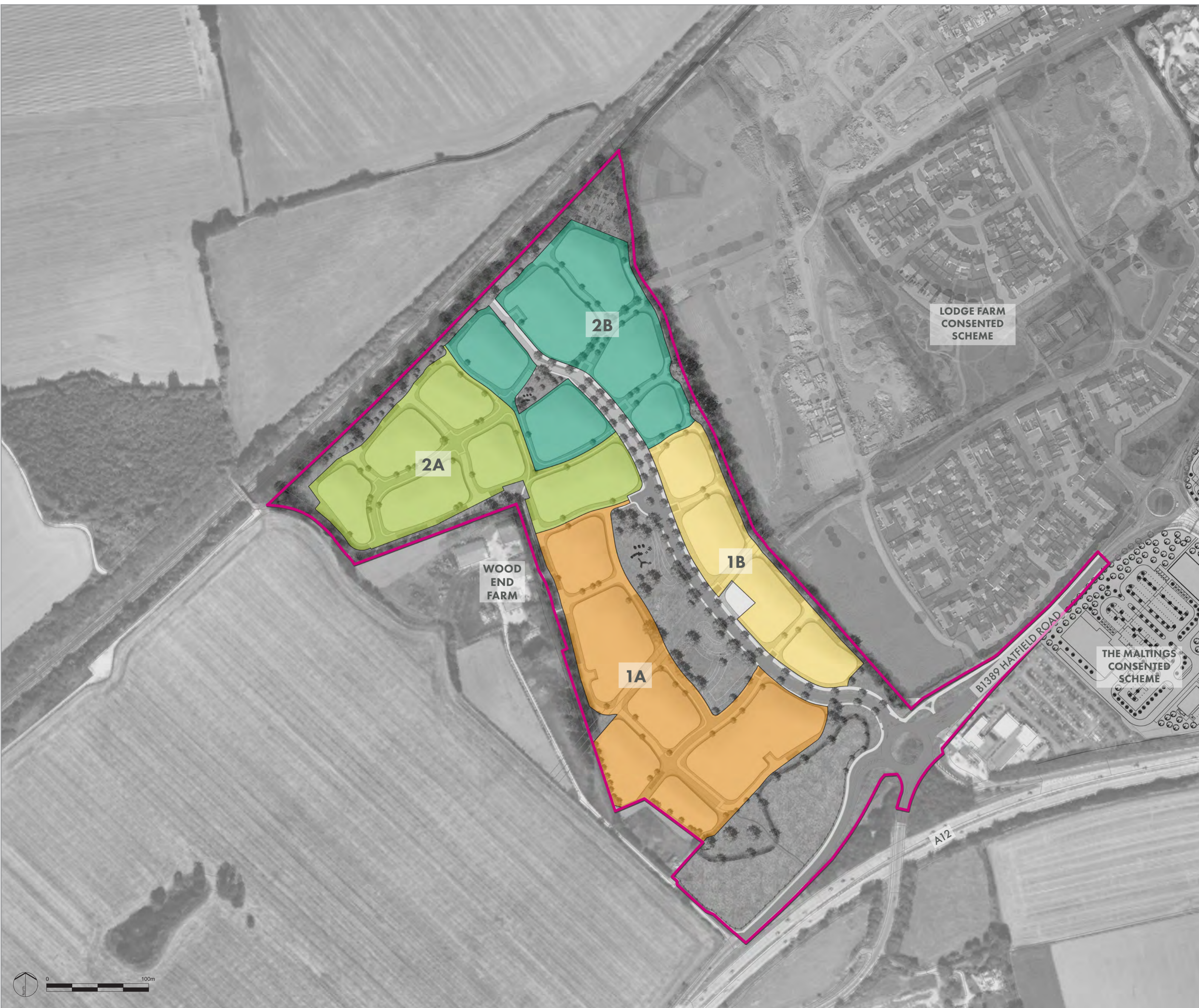
6: COMMERCIAL SENSITIVE INFORMATION		
6a	Have you provided any information that you would regard as commercially sensitive? If yes, please specify which answers this applies to.	4e.
6b	Please explain how disclosure of this information would be detrimental to your organisation.	Competitor analysis

# **Braintree District Housing Supply Review 2023**

## **Appendix 2R**

### **Woodend Farm Witham**

#### **Phasing Strategy approved June 2023**



**LEGEND**

	SITE BOUNDARY
	PHASE 1A - APPROX. 140 HOMES
	PHASE 1B - APPROX. 60 HOMES
	PHASE 2A - APPROX. 100 HOMES
	PHASE 2B - APPROX. 100 HOMES

REV.	DESCRIPTION	APP.	DATE
02	Updated red line boundary	BS	12.10.22
01	Split phases into 1a, 1b, 2a, and 2b	BS	12.10.22



**PROJECT TITLE**  
WOOD END FARM RMA, WITHAM

**DRAWING TITLE**  
PHASING STRATEGY

**ISSUED BY** London      **T:** 020 7620 1453  
**DATE** OCT. 2022      **DRAWN** ID  
**SCALE@A2** 1:2,500      **CHECKED** BS  
**STATUS** DRAFT      **APPROVED** BS  
**DWG. NO.** D3226-FAB-00-XX-DR-Y-001

**Notes:**  
1. This drawing is the property of fabrik ltd. It must not be copied or reproduced without written consent.  
2. Onl gured dimensions are to be taken from this drawing. All contractors must visit site and be responsible for taking and checking all dimensions related to the works shown on this drawing.



# **Braintree District Housing Supply Review 2023**

## **Appendix 2S**

### **Land at Mount Hill Halstead**

#### **Completed proforma**

## Braintree District Council Planning Policy

### Housing Land Supply Review 2023

### Braintree District Housing Trajectory Questionnaire

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#### **SITE SUMMARY (completion by BDC)**

Site Reference:	TR123
Site:	Land at Mount Hill Halstead
Ownership: (eg. Housebuilder, developer, landowner)	Landowner – Under Promotion Agreement to Orchestra Land
Contact details	Orchestra (Mount Hill) Ltd, c/o Savills Mr James Firth Ceres Property  Email <a href="mailto:james.firth@ceresproperty.co.uk">james.firth@ceresproperty.co.uk</a>
Planning status: e.g. allocation, outline permission, detailed permission, resolution to grant planning permission)	Outline permission for up to 55 dwellings granted 14.04.2023. No further applications or pre app discussions yet re REM. Completed pro forma from applicant Orchestra Land indicates land is under option to them, not yet owned.
Braintree District Council assessment of progress towards delivery of this site based on our current knowledge:	
To be completed by BDC following review of information provided by development representative:	
Total site capacity	55
Total completed at March 2023	0
Total outstanding at March 2023	55
Qualify for 5YS2028: Yes/No	
5YS forecast 2023-2028:	

**Continued overleaf: Pages 2-4 for completion by site development representative**

## For completion by site development representative:

### SECTION 1: CONFIRMATION OF SUMMARY SITE DETAILS

1a	Please confirm if the site details set out by the Council above, including the Council's assessment, are correct. If not, please provide update details.	
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### SECTION 2: AVAILABILITY:

2a	Is the site currently available for development? Please indicate, is the site in the control of a developer, or a site promoter	Site under control of Orchestra Land as site promoter and currently being sold to developer / housebuilder. No existing constraints on the site and land is available for development.
2b	If not, why not? e.g. is there an existing use on site?	N/A
2c	If the site is not available yet, when will it become available	Available now
2d	Are you still undertaking site assessment work? If so, please give further details.	No
2e	If your site only has outline permission, when do you plan to submit a Reserved Matters application?	Reserved matters anticipated by end of 2024.
2f	If your site has outline permission and you have submitted or will be submitting a Full application rather than Reserved Matters, please explain briefly why	N/A

### SECTION 3: ACHIEVABILITY

(defined as having a realistic prospect that housing will be delivered on site within 5 years)

Are there current barriers delaying/preventing development? Please explain what they are and how/when they will be overcome.	No
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### SECTION 4: DELIVERY TIMETABLE AND HOUSING TRAJECTORY

4a	When do you estimate you will start works on site?	End of 2025.
4b	If you have already started work on site, what stage is construction currently at?	n/a
4c	When do you estimate you will deliver the first housing completions?	2026
4d	When do you estimate you will complete development of the site?	2028
4e	Please complete the Housing Trajectory Table (see final page) with details of forecast housing completions by year	<b>See final page</b>
4f	Any additional comments you wish to make	n/a

### SECTION 5: DECLARATION

I confirm that the information provided is correct to the best of my knowledge:	Name: J FIRTH	Signature: j firth
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(Continued ...)

## 6: COMMERCIALY SENSITIVE INFORMATION

6a	Have you provided any information that you would regard as commercially sensitive? If yes, please specify which answers this applies to.	n/a
6b	Please explain how disclosure of this information would be detrimental to your organisation.	n/a

Please return **by no later than 31 July 2023** to:

e-mail to: [planningpolicy@braintree.gov.uk](mailto:planningpolicy@braintree.gov.uk)

#### 4e: HOUSING TRAJECTORY TABLE: FORECAST COMPLETIONS BY YEAR

Please complete the housing trajectory table below with details of your anticipated housing completions in future years:

**Please note: All years are based on financial years i.e. 1 April to 31 March. If you can only provide a forecast based on a different period, eg January to December by year, please make this clear in the response**

	2023-2024	2024-2025	2025-2026	2026-2027	2027/2028	
Current best estimate of <b>MARKET DWELLING COMPLETIONS</b>			12	13	12	
Current best estimate of <b>AFFORDABLE DWELLING COMPLETIONS</b>			7	10		
<b>= TOTAL DWELLINGS</b> (market + affordable)			19	23	12	
	2028-2029	2029-2030	2030-2031	2031-2032	2032-2033	Post 31.03.2033
Current best estimate of <b>MARKET DWELLING COMPLETIONS</b>						
Current best estimate of <b>AFFORDABLE DWELLING COMPLETIONS</b>						
<b>= TOTAL DWELLINGS</b> (market + affordable)						



Jan		Jan		Jan		Jan		Jan		Jan	
Feb		Feb		Feb		Feb		Feb		Feb	
Mar		Mar		Mar		Mar		Mar		Mar	
April		April		April		April		April		April	
May		May		May		May		May		May	
June		June		June		June		June		June	
July		July		July		July		July		July	
Aug		Aug		Aug		Aug		Aug		Aug	
Sept		Sept		Sept		Sept		Sept		Sept	
Oct		Oct		Oct		Oct		Oct		Oct	
Nov		Nov		Nov		Nov		Nov		Nov	
Dec		Dec		Dec		Dec		Dec		Dec	

Jan		Jan		Jan		Jan		Jan		Jan	
Feb		Feb		Feb		Feb		Feb		Feb	
Mar		Mar		Mar		Mar		Mar		Mar	
April		April		April		April		April		April	
May		May		May		May		May		May	
June		June		June		June		June		June	
July		July		July		July		July		July	
Aug		Aug		Aug		Aug		Aug		Aug	
Sept		Sept		Sept		Sept		Sept		Sept	
Oct		Oct		Oct		Oct		Oct		Oct	
Nov		Nov		Nov		Nov		Nov		Nov	
Dec		Dec		Dec		Dec		Dec		Dec	

Jan		Jan		Jan		Jan		Jan		Jan	
Feb		Feb		Feb		Feb		Feb		Feb	
Mar		Mar		Mar		Mar		Mar		Mar	
April		April		April		April		April		April	
May		May		May		May		May		May	
June		June		June		June		June		June	
July		July		July		July		July		July	
Aug		Aug		Aug		Aug		Aug		Aug	
Sept		Sept		Sept		Sept		Sept		Sept	
Oct		Oct		Oct		Oct		Oct		Oct	
Nov		Nov		Nov		Nov		Nov		Nov	
Dec		Dec		Dec		Dec		Dec		Dec	

**Appendix 3: Review of delivery rates on recent and current developments in Braintree District**

		Developer	Site capacity	Date of detailed consent	Date of first completions	Date site completed	Build out period (months)	Delivery rate per month	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
<b>Sites completed</b>														
Forest Road Witham (Phases 1, 2 and 3)	Greenfield site, urban location	Bellway Homes	443	Jul-16	Oct-17	Sep-22	60	7.4	71	43	85	108	105	
Oak Road Halstead	Greenfield site, urban location	Bloor Homes and David Wilson Homes	288	Jan 18/ May 18	Oct-18	Jun-21	33	8.7	50	136	82	20		
Land East of Sudbury Road Halstead	Greenfield site, urban location	Bellway Homes	218	Jun-19	Jun-20	Jul-23	38	5.7	66	76	59	17		
Meadow Rise London Road/Pods Brook Braintree	Greenfield site, urban location	Countryside	215	Oct-17	Jul-19	Jun-23	48	4.5	42	38	81	42	12	
Inworth Road Feering	Greenfield site, key village location	Bloor Homes	162	Jun-20	Feb-21	Jul-23	30	5.4	7	59	70	26		
Former Dairy Site Bury Lane Hatfield Peverel (final 2 plots completed 10 months after the rest - probably used as show homes for neighbouring site)	Brownfield site, key village location	Bellway Homes	145	Feb-20	Dec-20	Jan-24	38	3.8	14	78	51	2		
Rayne Gardens Braintree	Greenfield site, urban location	Redrow Homes	127	Apr-18	Feb-19	Mar-22	38	3.3	5	53	49	20		
Mill Lane Cressing	Greenfield site, rural location	Bellway Homes	118	Jan-18	Jan-19	Aug-21	32	3.7	19	57	40	2		
Portway Place Halstead	Urban brownfield site, redevelopment of employment site	Bellway Homes	103	Apr-16	Apr-18	Sep-19	18	5.7	57	28	18			
Land off Birkdale Rise/Gleneagles Way Hatfield Peverel	Greenfield site, key village location	David Wilson Homes	100	Feb-21	May-22	Jan-24	21	4.8	49	51				
Pollys Field Braintree	Greenfield site, urban location	Abbeyfield Society, sheltered	99	Aug-16	Jan-22	Jan-22	1	99.0	99					
Bakers Lane Black Notley/Braintree	Greenfield site, urban location	Crest Nicholson	96	Jan-17	Oct-17	Sep-19	24	4.0	35	48	13			
Harvard Place Earls Colne	Greenfield site, key village location	Bellway Homes	90	Sep-19	Dec-20	Jan-23	26	3.5	11	50	29			
Carier site East Street Braintree	Urban brownfield site, redevelopment of employment site	Myriad Homes	74	Nov-18	Feb-21	Jan-22	12	6.2	13	61				
Strawberry Fields Great Yeldham	Village brownfield site, redevelopment of employment site	Linden Homes	60	Apr-19	Jul-20	Jan-23	31	1.9	21	13	26			
Land West of Boars Tye Road Silver End	Greenfield site, village location	Keepmoat Homes	59	Dec-17	Dec-18	Sep-19	10	5.9	40	19				
Former Bramston Sports Centre site Bridge Street Witham	Urban brownfield site	Churchill Retirement living	58	Mar-20	Dec-22	Mar-23	4	14.5	58					
Station Road Earls Colne	Greenfield site, key village location	CALA Homes	56	May-19	Mar-20	Oct-21	20	2.8	1	41	14			
Monks Road Earls Colne	Greenfield site, key village location	Crest Nicholson	50	May-17	Jun-19	Feb-21	21	2.4	1	36	13			
Sorrrells Field Hatfield Peverel	Greenfield site, key village location	Countryside	50	Nov-18	Jan-21	Mar-22	15	3.3	3	47				
Land East of Boars Tye Road Silver End	Greenfield site, village location	Sanctuary Homes	50	Dec-19	Mar-22	Jul-22	5	10.0	7	43				
Former Dutch Nursery site Coggeshall	Brownfield site, key village location	Higgins Homes	48	Nov-19	May-21	May-22	13	3.7	41	7				

**Appendix 3: Review of delivery rates on recent and current developments in Braintree District**

		Developer	Site capacity	Date of detailed consent	Date of first completions	Date site completed	Build out period (months)	Delivery rate per month	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Land South of Garden Field Western Road Silver End	Greenfield site, village location	Croudace Homes	45	Feb-21	Apr-22	Jan-23	10	4.5	44	1				
Braintree Road Great Bardfield	Greenfield site, rural location	Croudace Homes	37	Jun-18	Aug-19	Jun-20	11	3.4	33	4				
Victoria Place Braintree	Urban brownfield site, mixed use redevelopment	Keir construction	35	Apr-19	Mar-22	Jul-22	5	7.0	23	12				
Land off Hedingham Road Gosfield	Greenfield site, village location	Abbey Developments	35	May-21	Sep-22	Jan-24	17	2.1	18	17				
Nuns Walk Great Yeldham	Greenfield site, village location	Lawford Homes (permission granted to Countryside but in 2021 sold to Lawford Homes who amended plans)	33	Jan-20	Sep-22	Sep-23	13	2.5	13	20				
WJC Hospital site London Road Braintree	Urban brownfield site	Crest Nicholson	29	Sep-13	Nov-14	Jul-15	9	3.2	10	19				
<b>Sites still under construction</b>														
Lodge Farm SW Witham	Greenfield site, urban location	Redrow Homes	665	Sep-17	Jun-18	still under construction			95	88	47	60	47	53
Towerlands Park Panfield Lane Braintree	Greenfield site, urban location	Dandara	575	Apr-22	Apr-23	still under construction			110					
Western Road Silver End	Greenfield site, village location	Redrow Homes	350	Jun-19	Sep-20	still under construction			36	42	68	40		
Land North of Colchester Road Coggeshall	Greenfield site, key village location	Vistry	300	Aug-21	Jun-23	still under construction			73					
Station Field Kelvedon	Greenfield site, key village location	CALA Homes	238	Mar-21	Jan-22	still under construction			1	31	98			
Braintree Road Crossing	Greenfield site, village location	Countryside/Vistry	225	Sep-19	Dec-21	still under construction			10	51	20			
Land north of Conrad Road Witham	Greenfield site, urban location	Sanctuary Homes	150	Oct-20	Jan-23	still under construction			2	77				
Stonepath Drive Hatfield Peverel	Greenfield site, key village location	Bellway Homes	140	May-21	May-22	still under construction			58	42				
Broomhills Rayne Road Braintree	Urban brownfield site, redevelopment of employment site	Croudace Homes	81	Nov-20	Aug-22	still under construction			16	33				

**Appendix 3: Review of delivery rates on recent and current developments in Braintree District**

		Developer	Site capacity	Date of detailed consent	Date of first completions	Date site completed	Build out period (months)	Delivery rate per month	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Halstead Road Earls Colne	Greenfield site, key village location	Persimmon Homes	80	Feb-22	Feb-23	still under construction			16	33				
Gimsons Place Witham	Part brownfield but mainly greenfield site, urban location	Bellway Homes	78	Oct-20	Oct-22	still under construction			21	48				
Appletree Farm Cressing	Village brownfield site, redevelopment of employment site	Inland Homes	78	Feb-20	Dec-22	still under construction			15	22				
Land West of Mount Hill	Greenfield site, urban location	Eastlight Community Housing	71	May-21	Aug-23	still under construction			29					
Bury Farm Hatfield Peverel (developed alongside the Former Dairy site, above)	Part brownfield but mainly greenfield site, key village location	Bellway Homes	50	Aug-20	Jun-23	still under construction			29					