

Local Plans Programme Officer
Examination Office,
PO Box 12607,
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By email to: copseyandrea@gmail.com

13th July 2021

Re: Braintree District Council Local Plan Section Examination: Response to Counsel Opinion.

This letter is submitted in response to the Counsel Opinion provided on behalf Emery Planning advising The Williams Group, alongside brief comments relating to the further documents provided for the Inspector in relation to the Spatial Hierarchy.

Counsel Opinion

Gladman have reviewed the conclusions set out in the Counsel Opinion provided by The Williams Group in relation to the Sustainability Appraisal (SA), which are relevant to the representations that were presented in paragraphs 1.1 – 1.7 of our Matter 2 Hearing Statement.

In this respect, the Counsel's opinion describes how it is now deemed necessary to carry out further SA of the Council's proposed spatial strategy in light of the removal of the Braintree/Colchester Borders and West of Braintree Garden Communities from the Section 1 Local Plan. Furthermore, it explains why this should be carried out at a time when it is possible to give proper consideration to reasonable alternatives, as opposed to the main modifications stage. To achieve this, it recommends a short adjournment to the current Local Plan Examination to allow this additional SA work to be carried out.

Additionally, Gladman have reviewed the comments in paragraphs 4, 22, 23 and 24 of the Counsel Opinion. As discussed during the Examination hearings, we are concerned that there may have been a failure to fully disclose documents that have been relied on to justify the Plan's approach.



In this regard, Gladman reiterate our concerns relating the settlement hierarchy and the supporting assessment evidence. Firstly, beyond the Rural Services Study (2011) and referenced in their Matter 2 Statement, it appears that the Council did not provide all of the supporting evidence that informed the assessment of the settlement hierarchy within the examination library.

While the Council published further supporting evidence following the Matter 2 Hearing Session, Gladman are concerned that this still does not provide a robust assessment of the spatial hierarchy or the information which was referenced in Paragraph 2.3 of the Council's Hearing Statement.

The Braintree District Council Consultation Statement 2017 (SDBDC006) states on page 33 that "...Silver End was downgraded to a Secondary Village following a review of the Rural Services Survey". While on page 38 it notes that modifications to the spatial strategy including the change to the ranking of Silver End was considered in the Sub-Committee meeting on 28th November 2016.

Beyond noting consultee responses, the documents which were provided as part of the November 2016 meeting do not appear to provide robust evidence or justification for the settlement hierarchy and the change in rank of Silver End. The information referenced in the Council's Matter 2 Hearing Statement, specifically the individual consideration of settlements by officers and consultation with Parish Council's has not been provided.

Gladman welcome the opportunity to comment on the Counsel Opinion provided on behalf of the Williams Group.

Should the Inspectors wish to discuss any of the points raised in this letter further, please do not hesitate to contact me.

Yours faithfully,
Josh Plant

Assistant Planner
Gladman Developments