

COGGESHALL NEIGHBOURHOOD PLAN

Report to Braintree District Council of the Independent Examination

By Independent Examiner, Tony Burton CBE BA MPhil (Town Planning) HonFRIBA FRSA

Tony Burton
tony@tonyburton.org.uk
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1. Executive Summary

1. I was appointed by Braintree District Council with the support of Coggeshall Parish Council to carry out the independent examination of the Coggeshall Neighbourhood Plan.

2. I undertook the examination by reviewing the Plan documents and written representations, and by making an unaccompanied visit to the Neighbourhood Area.

3. I consider the Plan to be an adequate expression of the community's views and ambitions for Coggeshall. It is based on an effective programme of public consultation which has informed a Vision to 2033 and eight Objectives. These are translated into 19 planning policies dealing with issues distinct to the locality. There is a commitment to monitoring and reviewing the Plan. The Plan is supported by a Consultation Statement, Basic Conditions Statement and full Strategic Environmental and Habitats Regulations Assessments. Supporting evidence is provided on most aspects of the Plan, including primary evidence produced during the Plan's preparation. There is good evidence of community support and the involvement of the local planning authority.

4. I have considered the 92 separate representations made on the submitted Plan and representations on the Strategic Environmental Assessment and Habitats Regulations Assessment and addressed them in this report as appropriate.

5. Subject to the recommended modifications set out in this report I conclude that the Coggeshall Neighbourhood Plan meets all the necessary legal requirements, including satisfying the Basic Conditions. I make a small number of additional recommendations.

6. I recommend that the modified Plan should proceed to Referendum and that this should be held within the Neighbourhood Area.

2. Introduction

7. This report sets out the findings of my independent examination of the Coggeshall Neighbourhood Plan. The Plan was submitted to Braintree District Council by Coggeshall Parish Council as the Qualifying Body.

8. I was appointed as the independent examiner of the Coggeshall Neighbourhood Plan by Braintree District Council with the agreement of Coggeshall Parish Council.

9. I am independent of both Coggeshall Parish Council and Braintree District Council. I do not have any interest in any land that may be affected by the Plan. I possess the appropriate qualifications and experience to undertake this role.

10. My role is to examine the Neighbourhood Plan and recommend whether it should proceed to referendum. A recommendation to proceed is predicated on the Plan meeting all legal requirements as submitted or in a modified form, and on the Plan addressing the required modifications recommended in this report.

11. As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
- contribute to the achievement of sustainable development; and
- be in general conformity with the strategic policies of the development plan in the area; and
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations, including the Conservation of Habitats and Species Regulations 2017.

12. I am also required to make a number of other checks under paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990.

13. In undertaking this examination I have considered the following documents as the most significant in arriving at my recommendations:

- the submitted Coggeshall Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- Strategic Environmental Assessment and Habitats Regulations Assessment reports
- relevant parts of the development plan for Braintree comprising Local Plan Review (2005) and the Core Strategy (2011) and the emerging Publication Draft Local Plan (2017)
- representations made on the submitted neighbourhood plan
- relevant material held on the Coggeshall Parish Council and Braintree District Council websites
- National Planning Policy Framework (2019)
- Planning Practice Guidance
- relevant Ministerial Statements

14. The Coggeshall Neighbourhood Plan was submitted in June 2020 and the National Planning Policy Framework (February 2019) applies for the purposes of my examination.

15. Having considered the documents provided and the representations on the submitted Plan, including the request from Pigeon Land Ltd, I was satisfied that the examination could be undertaken by written representations without the need for a public hearing and was mindful of support for this in the context of current Government guidance on social distancing.

16. I carried out an unaccompanied visit to the Neighbourhood Area on a weekday during September and in accordance with Government guidance that *“Where site visits are required or necessary, they should be undertaken in line with the Government’s guidance on*

social distancing and safety requirements” (Written Ministerial Statement, Virtual working and planning – Responding to Covid-19 Restrictions, 13 May 2020). I visited the main locations addressed in the Plan, including the identified sites, Green Buffers, Local Green Spaces, Open Spaces, Green Amenity Areas, Flood Management Areas, Character Areas, protected views, Tranquil Areas, Dark Sky Areas and much of the identified green and blue infrastructure.

17. Throughout this report my recommended modifications are bulleted. Where modifications to policies are recommended they are highlighted in **bold** print with new wording in “speech marks”. Modifications are also recommended to some parts of the supporting text. These recommended modifications are numbered from M1 and are necessary for the Plan to meet the Basic Conditions. A number of modifications are not essential for the Plan to meet the Basic Conditions and these are indicated by [square brackets]. These optional modifications are numbered from OM1.

18. Producing the Coggeshall Neighbourhood Plan has clearly involved significant effort over many years led by the Neighbourhood Plan Sub-Committee. It is informed by significant community involvement. There is evidence of collaboration with Braintree District Council and this will continue to be important in ensuring delivery of the Plan. The evident commitment of all those who have worked so hard over such a long period of time to prepare the Plan is to be commended and I would like to thank all those at Braintree District Council and Coggeshall Parish Council who have supported this examination process.

3. Compliance with matters other than the Basic Conditions

19. I am required to check compliance of the Plan with a number of matters.

Qualifying body

20. The neighbourhood plan has been prepared by a suitable Qualifying Body – Coggeshall Parish Council – which being a parish council is the only organisation that can prepare a neighbourhood plan for the area.

Neighbourhood Area

21. I am satisfied that the Plan relates to the development and use of land for a designated neighbourhood area which comprises the area of Coggeshall Parish Council and was agreed by Braintree District Council in October 2015.

22. A map of the neighbourhood area is included in the Plan as Figure 1. Although details of the neighbourhood area are available online the map provided with the Plan is not of sufficient quality that the detailed location of the boundary can be determined.

- OM1 - [Provide a link to a suitable map which depicts the boundary of the neighbourhood area at an appropriate scale]

Land use issues

23. I am satisfied that the Plan's policies relate to relevant land use planning issues.

Plan period

24. The period of the neighbourhood plan from 2019 to 2033 is referenced only in paragraph 1.0.5. This aligns with the development plan for Braintree. It would be helpful if the Plan period were more prominent.

- OM2 – [Confirm the period of the Plan on the front cover as 2019-2033]

Excluded development

25. I am satisfied that the neighbourhood plan makes no provisions for excluded development (such as national infrastructure, minerals extraction or waste).

4. Consultation

26. I have reviewed the Consultation Statement, its Appendices and relevant information provided on the Coggeshall Neighbourhood Plan website. This provides a clear record of the extensive consultation process undertaken in preparing the Plan since 2015.

27. Public consultation on the neighbourhood plan was achieved through a range of techniques including a website, public meetings, leaflet drops, roadshows, surveys, social media and participation in festivals and other celebrations. Participation levels have been good and the Plan has directly engaged hundreds of people. A questionnaire distributed to every address generated over 600 responses from households and 37 from businesses. The consultation process included a specific business survey which generated 33 responses from 85 businesses.

28. The Plan was subject to Regulation 14 consultation in 2019 and promoted through various channels, including social media and a consultation questionnaire to every household which was also made available online and at various locations throughout the neighbourhood area. Printed copies of the draft plan were made available at various locations, including Coggeshall Library, local schools and Coggeshall Parish Council. Key stakeholders were contacted directly by email and the consultation was supported by a public meeting.

29. There is evidence of the consultation including the required statutory and other consultees. 300 responses were received and there is good evidence of sound analysis of the responses and subsequent amendments being made to the Plan. The Plan has also been supported by additional evidence, including a Housing Strategy Report.

30. 92 separate representations have been made on the submitted Plan including from individuals, statutory bodies, landowners, community organisations, voluntary groups and the local authority. This is a significant number and all the representations have been

considered and are addressed as appropriate in this report. There is a good degree of support for the Plan.

31. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan over a long period of time. The Plan has been subject to wide public consultation at different stages in its development. The participation rates have been good. The process has allowed community input to shape the Plan as it has developed and as proposals have been firmed up. Local businesses and the local planning authority have been engaged throughout the process.

5. General comments on the Plan's presentation

Vision Statement and Objectives

32. I have reviewed the short Vision Statement and the eight “*super objectives*” which inform the 19 Policies in the Plan. The Vision seeks to weave past, present and future development and change together in ways that support positive environmental and community outcomes. The approach reflects the feedback received through consultation and is supportive of sustainable development. This is also true of the “*super objectives*” provided in paragraph 3.0.2. Section 4 of the Plan also references Objectives and cross references the “*super objectives*” albeit incorrectly to Section 2 rather than Section 3. There are no other objectives in Section 4 or elsewhere in the Plan which makes the title of Section 4 confusing.

- OM3 – [Retitle Section 4 “Neighbourhood Plan Policies” and replace the second sentence of paragraph 4.0.1 with “The objectives can be found in paragraph 3.0.2”. Replace references to “*super objectives*” with “objectives”]

33. The policies are distinguished from the rest of the Plan by the use of purple tinted boxes and “*Policy*” in the title. I am satisfied they are clearly differentiated from other aspects of the Plan.

Other issues

34. The evidence base for the Plan is provided online and in references throughout the Plan's documentation. I comment on its adequacy in relation to individual policies where relevant.

35. The Plan includes a number of Maps and these are of varying quality in the printed Plan. They do not provide sufficiently accurate boundaries or locations for a number of Plan policies. The maps are not available separately online and are only in downloads of the Plan. It would be helpful if larger, high resolution copies were available, including as links. The need for high quality maps is also addressed in recommendations on individual policies where it is critical to their utility.

- OM4 – [Provide higher quality, larger scale maps as recommended and a link alongside each map to a high resolution, online version]

36. The Plan is clearly set out and presented with a clear table of contents and an appropriate hierarchy of headings. There is one error in the Contents.

- OM5 - [In the Contents:
 - Locate Figure 6 on both pages 54 and 55]

37. Despite the helpful inclusion of a short Glossary the use of acronyms or abbreviations in the Plan is not always clear, including “RAMS”

- OM6 – [Review the use of acronyms and abbreviations throughout the Plan to maximise clarity and include RAMS in the Glossary]

38. There are a number of drafting issues raised in representations on the Plan by Essex County Council, CPREssex, Braintree District Council and Peter Hutton.

- OM7 – [Make the following amendments to the Plan:
 - Paragraph 2.0.28 – insert “south west and southern boundary” after “The” in last sentence
 - Paragraph 2.0.29 – replace “WLP” with “Minerals Local Plan (MLP)”
 - Paragraph 4.1.20 – update the Plan’s information on the number of Alms Houses and any age-restrictions
 - Paragraph 4.9.5 – replace “ten” with “eleven”]

6. Compliance with the Basic Conditions

National planning policy

39. The Plan is required to “*have regard*” to national planning policies and advice. This is addressed in the Basic Conditions statement which relates the Plan’s policies to the National Planning Policy Framework (NPPF) (February 2019).

40. The Basic Conditions statement provides a table that tests compatibility of each of the Plan’s policies with relevant sections of the National Planning Policy Framework and Planning Practice Guidance. It concludes for each policy that it has regard to national planning policy and guidance.

41. There are some areas where the drafting of the Plan’s policies needs to be amended in order to meet the National Planning Policy Framework’s requirement for plans to provide a clear framework within which decisions on planning applications can be made. The policies should give a clear indication of “*how a decision maker should react to development proposals*” (paragraph 16). It is also important for the Plan to address the requirement expressed in national planning policy and Planning Practice Guidance that “*A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.*” (NPPG Paragraph: 041 Reference ID: 41-041-20140306). The Plan’s policies do not always meet these requirements and a number of recommended modifications are made as a result.

42. Generally, I conclude that the Plan has regard to national planning policy and guidance but there are exceptions set out in my comments below. These cover both conflicts with national planning policy and the need for some policies to be more clearly expressed and/or evidenced.

43. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommendations on the Plan policies.

Sustainable development

44. The Plan must “*contribute to the achievement of sustainable development*”. This is addressed in the Basic Conditions statement by a brief explanation of how each Plan policy contributes to sustainable development. This shows a positive contribution by all 19 policies and does not acknowledge the tensions between achieving economic, social and environmental outcomes. Nevertheless I consider the overall assessment that the Plan contributes to the achievement of sustainable development to be sound and I am satisfied that the Plan meets this Basic Condition.

Development plan

45. The Plan must be “*in general conformity with the strategic policies of the development plan*”.

46. The Basic Conditions Statement addresses this by assessing the conformity of each Plan policy against all relevant strategic policies in the development plan and making provision to identify any examples of non-conformity. This identifies some differences with the capacity of allocated sites in the emerging Local Plan and the requirements for self-build homes although these are not identified as strategic. These matters are addressed in relation to the individual policies below. No other conformity issues are identified in the assessment although it is noted that the Plan’s policies go beyond those in the emerging Local Plan in some areas. In the Plan due regard is had to relevant policies in the emerging Local Plan and these are identified in the supporting text for each policy.

47. Braintree District Council did not question conformity with the development plan.

48. I am satisfied the Plan meets this Basic Condition.

Strategic Environmental Assessment

49. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects. In May 2019 Braintree District Council stated that *“it is our view as competent authority that the Coggeshall Neighbourhood Plan is likely to require SEA and HRA as the Plan allocates sites for housing development, and is also within the zone of influence of European sites on the Essex coast”*. A full Strategic Environmental Assessment has been provided in support of the Plan. This concludes that *“Overall, the CNP [Coggeshall Neighbourhood Plan] appears to perform relatively well in relation to the SEA themes, and the assessment has not identified the potential for any significant negative effects in implementation”* (paragraph 10.1).

50. Environment Agency, Historic England and Natural England all informed the scope of the Strategic Environmental Assessment and did not disagree with this conclusion. Their views were additionally sought on the final SEA during the course of my Examination and no significant issues were raised. Historic England identified some issues with the SEA relating to the lack of Conservation Area Appraisals and evidence of the positive impact of development on the historic environment. Essex County Council sought inclusion of the Cook Field site (Policy 4) in the assessment of alternatives given the Local Plan evidence base has not yet been examined. I acknowledge that addressing these issues would be ideal but do not consider them a critical failing. I note that Essex County Council considers *“the identification and assessment of alternatives in the Plan’s SEA acts as an appraisal of both individual site options to the Cook Field site and as alternative growth scenarios in scale”* to be *“a robust approach”*.

51. Essex County Council also supports the additional measures identified in the Strategic Environmental Assessment to *“enhance local level policy protections”*. These have been considered by the Parish Council but the Plan has not been amended. The additional measures do not need to be addressed for the Plan to comply with the Basic Conditions.

52. I conclude that the Plan meets this Basic Condition.

Habitats Regulations Assessment

53. The Plan must be informed by a Habitats Regulations Assessment if it is likely to lead to significant negative effects on protected European sites. In May 2019 Braintree District Council stated that *“it is our view as competent authority that the Coggeshall Neighbourhood Plan is likely to require SEA and HRA as the Plan allocates sites for housing development, and is also within the zone of influence of European sites on the Essex coast”*. A full Habitats Regulations Assessment has been provided in support of the Plan.

54. This Assessment identifies the potential for five policies to result in a likely significant effect in combination with other development plan policies. Of the three potential pathways to causing likely significant effects water quality and air pollution were ruled out and an Appropriate Assessment was undertaken for the potential for recreational pressure in combination with other planning policies to result in a likely significant effect on any of four identified European designated sites.

55. The Appropriate Assessment recommended the Plan addresses the potential contribution of open space and green infrastructure to avoiding recreational pressures and supporting the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). Natural England raised this issue in its representations as it was not included in the submitted Plan. It was otherwise content with the Habitats Regulations Assessment. I address the recommendation in my proposed modifications relating to Policy 7 and Policy 11.

56. Subject to my proposed modifications I conclude that the Plan meets this Basic Condition.

Other European obligations

57. The Plan must be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations. The Basic Conditions Statement asserts that this is the case (with reference to the Human Rights Act 1988) and I am satisfied that the Plan has appropriate regard to the rights and freedoms guaranteed under the ECHR and to the

Equality Act 2010. No contrary evidence has been presented. There has been adequate opportunity for those with an interest in the Plan to make their views known and representations have been handled in an appropriate and transparent manner with changes made to the Plan.

58. I conclude that the Plan meets this Basic Condition.

7. Detailed comments on the Plan policies

59. This section of the report reviews and makes recommendations on each of the Plan's policies to ensure that they meet the Basic Conditions. I provide comments on all policies in order to give clarity on whether each meets the Basic Conditions. Some of the supporting text, Appendix lettering, policy numbering and Contents will need to be amended to take account of the recommended changes.

Residential Development

60. **Policy 1** – This identifies four housing sites, supports development of infill and brownfield land and establishes policy criteria to be met by all residential development.

61. The approach to determining overall housing requirements and identifying sites is supported by a detailed Housing Strategy Report. This should be made available online. An indicative figure of a minimum of between 344 (from a 2018 base) and 512 (from a 2011 base) dwellings for the neighbourhood area to 2033 has been provided by Braintree District Council dependent on the start period for the Plan. This is informed by an assessment of the considerations identified in national planning policy (NPPF, paragraph 66). The Plan incorrectly explains this requirement as being a range starting from 2011. A Housing Needs Analysis (not considered by Braintree District Council in arriving at the housing requirement) concluded that 170 homes are required 2015-2033 and a housing requirement of 159 homes 2011-2033 was calculated on the basis of the neighbourhood area taking a proportionate share of the objectively assessed housing need for Braintree District.

62. At the time the housing requirement was identified (May 2019) the Plan included site allocations with the capacity for 411 homes and Braintree District Council confirmed its view that *“the proposed minimum of 411 new homes would be acceptable as it is in accordance with the emerging Local Plan and recently granted planning permissions and within that range”*. The submitted Plan has site allocations with capacity for 385 homes and additional housing will come forward on windfall sites and Braintree District Council has indicated its support for this within the range it has specified. In addition to the site

allocations there is evidence that around 10 dwellings per annum come forward on windfall sites.

63. While I have considered representations from Sworders, Pigeon Land Ltd, E J Taylor and Sons Ltd and on behalf of Coggeshall Town Football Club concerned about whether housing requirements are being met and that uncertainties over the area's housing requirements would support a more flexible approach I am satisfied that the Plan is appropriate to meet future housing requirements. Where I recommend the deletion of site allocations this is because new homes have been provided on these sites that contribute to overall housing needs. I am also content that the way in which Braintree District Council has informed the Plan's housing requirements is consistent with national planning policy.

64. The site identification process included an appraisal of different options and an assessment of each individual site. This was informed by the call for sites and related processes undertaken by Braintree District Council in developing its Local Plan which resulted in 16 sites being considered. These were reviewed against the criteria from Braintree's Strategic Housing Land Availability Assessments and more detailed assessment was then undertaken through Sustainability Appraisal. The Neighbourhood Plan Steering Committee undertook further assessment in relation to location, meeting local needs and providing for local infrastructure. The results of this assessment are clearly presented in the Housing Strategy Report with five of the sixteen sites giving an average result and the remainder assessed as poor.

65. The five sites have been further assessed against up to date information made available since that used for the Local Plan review, including their planning status in the light of planning applications for their development. At that time two sites had extant planning permission and part of a third also had an extant planning permission and was allocated in the emerging Local Plan. The remainder of this site is not considered appropriate for development. A fourth site is allocated in the emerging Local Plan and the final site has not been allocated due to impacts on landscape and rural character.

66. I have reviewed the representations from Pigeon Land Ltd that the Plan's approach is too dependent on the process for an emerging Plan which has not yet been examined. Nevertheless, subject to my consideration of the individual sites I am satisfied that the approach taken to appraising development options and identifying and assessing individual sites is sufficiently rigorous and appropriate. The emerging Local Plan has not yet been examined but the process through which sites have been considered is valid and relevant to the neighbourhood plan. Additional assessment has also been taken, including of alternatives.

67. The four site allocations are made through separate policies and Policy 1 provides context for these and establishes wider criteria for all residential development. Extant planning consents exist on the allocated sites and I have considered whether it is appropriate for them to be included in the Plan. I note Braintree District Council's support for this approach and recognise there are advantages in the Plan addressing the overall approach to meeting the neighbourhood area's housing requirement. Nevertheless, construction is so advanced at Tey Road that occupiers have moved in. Planning policy is by definition about the future and I do not consider it appropriate to include this site as an allocation in the Plan. This will require changes to the supporting text as well as deletion of the policy. It would still be appropriate to identify Tey Road as a recently permitted site if considered helpful and its development contributes to meeting the Plan's housing requirements. Construction is also well advanced at The Dutch Nursery and I have given consideration to whether it should also be removed as an allocation. Braintree District Council has highlighted that some of the homes are yet to be completed and that as an allocation the site could benefit from the provisions of national planning policy relating to development in conflict with a neighbourhood plan (paragraph 14, NPPF). I consider it unlikely that these provisions will be needed but am content for the site to remain as an allocation.

68. The Policy references housing needs as identified by "*up-to-date information and surveys*". This is a very general reference to the evidence that might be used in determining an application and it might embrace a wide range of information of varying quality. I share representations from Vistry Group and Braintree District Council that the Policy cannot

expect a housing needs survey to accompany each application or prescribe an expectation to meet the needs of first time buyers and older people, while recognising that these are evidenced needs which should be considered.

69. The Policy includes a requirement for new housing development to “*preserve or enhance*” the area. This is a requirement for Conservation Areas and so goes beyond national planning policy in being applied to the whole urban area within the Development Boundaries of the parish.

70. The Policy requires all proposals for residential development to identify the types of affordable housing being included. This is consistent with neither the Local Plan nor national planning policy which states “*provision of affordable housing should not be sought for residential developments that are not major developments*” (NPPF, paragraph 63). Braintree District Council also identifies this issue. The Policy then requires developments to be in accordance with the Local Plan and/or produce a viability assessment in accordance with the Government’s recommended approach. There is no purpose in a neighbourhood plan policy duplicating existing policy requirements and national planning policy states that plan policies should “*serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area*” (NPPF, paragraph 16).

71. There is a requirement to prioritise social housing for local residents and family members and for all applicants to satisfy Braintree District Council’s local connection criteria. This is a highly restrictive approach and there is limited evidence supporting such a significant departure from strategic and national planning policy. Further, the local connection criteria apply only to rural exceptions sites and the Policy serves only to duplicate the existing requirement in Local Plan Policy RLP6 in this regard.

72. The Policy establishes a threshold of five or more dwellings for consideration to meeting the local need for self-build houses. National planning policy supports an assessment of these needs but no justification is provided for this threshold and there was no additional evidence provided when requested.

73. The Plan and supporting text reference the “*Settlement Boundaries*” being in the Local Plan whereas the Local Plan uses the term “*Development Boundaries*”. There is only one Development Boundary in the neighbourhood area. There is duplication and inconsistency between the last paragraph and subsection 3 over the location of development which should be within the Development Boundary, on an allocated site or on a rural exceptions site. I agree with the representations from Greenstead Green and Halstead Parish Council that subsection 3 is too restrictive and that the Plan should identify the location of the Development Boundary. A boundary is shown but not referenced in Figure 1.

74. The Policy is overly prescriptive and goes beyond the necessary flexibility for planning policy required by stating what “*must*” or “*will*” be addressed by development proposals. National planning policy requires neighbourhood plans to be positive in approach and proportionate and for planning policies to avoid being inflexible. This issue recurs in other policies.

75. The Policy relates the consideration of development to “*Coggeshall Parish Council*”. Consideration of a planning policy is not specific to the organisation which prepares it and Braintree District Council is in any case the determining authority for planning applications.

76. For clarity the Policy should be amended so that all subsections apply to all development proposals through the addition of “*and*” at the end of the penultimate subsection. It should also reference the location of the sites in Figure 2. The clarity of Figure 2 also needs to be improved.

77. Policy 1 does not meet the Basic Conditions.

- **M1 – Amend Policy 1 to:**

- **Replace “*on the proposals maps*” with “*in Figure 2*” in paragraph 1**
- **Delete the bullet for Policy 2 in paragraph 1**
- **Delete “*Coggeshall Parish Council will support*” and insert “*will be supported*” after “*opportunities*” in paragraph 2**

- **Replace “*Settlement Boundaries*” with “Development Boundary” in paragraph 2**
 - **Insert “evidenced” before “needs” in line 2 and replace “up-to-date” to end with “the most up-to-date Housing Needs Assessment, including the needs of first time buyers and older people” in subsection 1**
 - **Replace “*Preserve*” with “Conserve” in subsection 2**
 - **Replace “*Settlement Boundaries*” with “the Development Boundary, on an allocated site or on a rural site released for affordable housing as an exception to normal policies” in subsection 3**
 - **Insert “, where appropriate,” after “*providing*” in the first line and delete all but the first sentence in subsection 4**
 - **Delete subsection 5**
 - **Replace subsection 6 with “Make provision to meet the identified need for self-build homes where appropriate”**
 - **Replace the bullet points at the end of all but the last of the numbered subsections with semicolons and add “; and” to end of subsection 7**
 - **Replace “*must*” with “should” after “*residential development*”**
 - **Delete the last paragraph**
- M2 – Replace “*The housing requirement*” with “An indicative housing figure” and at end insert “dependent on the base date” in paragraph 4.1.8
 - M3 – Make consequential changes to the supporting text and Figures
 - OM8 – [Provide a reference and online link to both the Housing Strategy Report (2019) prepared by DAC Planning and provide the correspondence referenced in Appendix 1 in this rather than a separate document and a direct link to the information referenced in Appendix 3]
 - OM9 – [Replace references to “*Settlement Boundaries*” with “the Development Boundary” in the supporting text]
 - OM10 – [Include a map showing the location of the Development Boundary (or clarify its inclusion in Figure 1) and provide a link to the Local Plan map]

Allocated Sites

78. **Policy 2** – This allocates land at Tey Road for residential development.

79. Development of this site is so advanced that homes are now occupied. It is not appropriate for inclusion as an allocated site.

80. Policy 2 does not meet the Basic Conditions.

- **M4 – Delete Policy 2**
- M5 – Make consequential changes to the supporting text and Figures

81. **Policy 3** - This allocates land at The Dutch Nursery for residential development.

82. I have considered the appropriateness of including The Dutch Nursery as a site allocation in relation to Policy 1 and concluded that despite development being well advanced there are merits in it being allocated through the Plan. The site lacks a red line boundary and appears after Cook Field in Figure 2 but before it as a Policy.

83. The Policy requires incorporation of a new “*Local Green Space*”. While it is appropriate for the Policy to identify the preferred location of green or open space on the development site it cannot prescribe its precise location as proposed in Figure 6 nor anticipate the creation of a Local Green Space which meets the criteria in paragraph 100 of the National Planning Policy Framework. These must be met by existing green space and do not apply to future green space. I deal with this issue further in relation to Policy 9. This does not mean that this land is not appropriate for consideration as Local Green Space at a future date.

84. The policy drafting is overly prescriptive in stating what “*must*” occur. For clarity the Policy should reference Figure 2. It is unnecessary for the Policy to address sustainable

urban drainage which is covered elsewhere in the Plan. I share the concerns expressed by representations from E J Taylor and Sons Ltd that it is not appropriate for the supporting text to specify that *“proposals for the site should seek to create the listed buildings of the future”*. This goes beyond the reasonable expectation of what can be achieved through a Plan although I recognise it is not included as planning policy.

85. Policy 3 does not meet the Basic Conditions.

- **M6 – Amend Policy 3 to:**
 - **Replace *“proposals map”* with *“Figure 2”* in subsection 1 and delete the reference to Figure 2 at the end of the Policy**
 - **Replace *“tenure”* with *“sizes”* in subsection 3**
 - **Replace *“Local Green Space”* with *“open space”* in subsection 4 [and amend the supporting text in paragraph 4.2.23]**
 - **Delete subsection 6**
 - **Replace *“must”* with *“should”* throughout**

- M7 – Provide a red line site boundary in Figure 2

- OM11 – [Replace *“seek to create the listed buildings of the future”* with *“be of high quality design”* in paragraph 4.2.21]

86. **Policy 4** - This allocates land at Cook Field for residential development.

87. The Cook Field site has been identified and allocated *“for around 15 homes”* through the site identification and assessment process supporting Policy 1. While I acknowledge the debate over the potential capacity of the site raised in representations from E J Taylor and Sons Ltd there is a rationale for the capacity proposed provided in Appendix D2. The Policy seeks a mix of house *“tenure”* which given the size of the site is inconsistent with national planning policy that allows for defined categories of home for sale to be provided as affordable homes. It would be consistent with Policy 1 to reference a mix of *“sizes”*.

88. The Policy requires incorporation of a new “*Local Green Space*”. I note the objections of E J Taylor and Sons Ltd to this on the grounds that the land does not meet the requirements for a Local Green Space. While it is appropriate for the Policy to identify the preferred location of green or open space on the development site it cannot prescribe its precise location as proposed in Figure 6 nor anticipate the creation of a Local Green Space which meets the criteria in paragraph 100 of the National Planning Policy Framework. These must be met by existing green space and do not apply to future green space. I deal with this issue further in relation to Policy 9. This does not mean that this land is not appropriate for consideration as Local Green Space at a future date.

89. The Policy prescribes that new homes must be set back 15m from the new Local Green Space. This distance is not supported by evidence and the Policy can achieve the objective of retaining “*cross-field views*” in a more flexible way.

90. I share the concerns expressed by representations from E J Taylor and Sons Ltd that it is not appropriate for the supporting text to specify that “*proposals for the site should seek to create the listed buildings of the future*”. This goes beyond the reasonable expectation of what can be achieved through a Plan although I recognise it is not included as planning policy.

91. The policy drafting is overly prescriptive in stating what “*must*” occur. The Policy also references other Plan policies. This is unnecessary given the need to avoid duplication and because all development plan policies are considered in determining a planning application. For clarity the Policy should reference Figure 2. It is unnecessary for the Policy to address sustainable urban drainage which is covered elsewhere in the Plan.

92. Policy 4 does not meet the Basic Conditions.

- **M8 – Amend Policy 4 to:**
 - **Replace “*proposals map*” with “**Figure 2**” in subsection 1 and delete the reference to **Figure 2** at the end of the Policy**
 - **Replace “*tenure*” with “**sizes**” in subsection 3**

- Replace “*Local Green Space*” with “open space” in subsection 4 [and amend the supporting text in paragraph 4.2.28]
 - Delete after “*cross-field views*” to the end in subsection 4
 - Replace “*Local Green Space by a minimum of 15m*” with “open space” and delete after “*cross-field views*” to the end in subsection 5
 - Replace “*PRoW*” with “public right of way” and delete after “*infrastructure*” to the end in subsection 7
 - Delete subsection 8
 - Replace “*must*” with “*should*” throughout
- OM12 –[Replace “*seek to create the listed buildings of the future*” with “be of high quality design” in paragraph 4.2.30]

93. **Policy 5** - This allocates land north of Colchester Road for residential development.

94. The land north of Colchester Road site has been identified through the site identification and assessment process supporting Policy 1. It is an appropriate allocation and the most significant in the neighbourhood area. The allocation for “*around 300 homes*” is consistent with the extant planning permission although this is not the case with all the detailed requirements of the Policy, such as the provision of a “*care home, sheltered housing or alms housing*”. Policy 5 does not have a bearing on the existing planning permission and this should be referenced in the supporting text. My recommended modifications address this and a number of other considerations raised by Vistry Group.

95. The Policy is unduly prescriptive in requiring the provision of “*cul-de-sacs and squares*” in the variety of road layouts being encouraged and this is a matter that may be addressed through masterplanning. This will also ensure alignment with the guidance on cul-de-sacs provided by the Manual for Streets, as emphasised by Historic England in its representations. The Policy cannot prescribe the process through which Braintree District Council appoints a review panel.

96. The Policy supports provision of 3% of homes as self-build plots but no evidence is provided to justify this threshold. It is presented as being *“a small percentage”* which contributes to more diverse building but this is not sufficient to justify such a precise threshold.

97. The Policy requires incorporation of a new *“Local Green Space”*. While it is appropriate for the Policy to identify the preferred location of green or open space on the development site it cannot prescribe its precise location as proposed in Figure 6 nor anticipate the creation of a Local Green Space which meets the criteria in paragraph 100 of the National Planning Policy Framework. These must be met by existing green space and do not apply to future green space. I deal with this issue further in relation to Policy 9.

98. I share Braintree District Council’s representation that some aspects of the Policy’s approach to managing pollution overlap with other policies and controls managed through non-planning legislation. I also share the view that the need for sustainable drainage systems is dealt with elsewhere in the Plan.

99. The Policy identifies a specific requirement for a *“‘pump’ cycle track or skateboard park”* but this is not supported by direct evidence and the Policy needs to be modified to ensure sufficient flexibility. Similarly, there is no direct evidence supporting provision of a *“care home, sheltered housing or alms housing”* as the only way to make provision for the housing needs of the elderly.

100. Changes to the Use Classes Order have been introduced during the course of this Examination. The B1 Use Class has become part of a wide E Use Class.

101. The policy drafting is overly prescriptive in stating what *“must”* and *“shall”* and *“will”* occur. The Policy references other Plan policies. This is unnecessary given the need to avoid duplication and because all development plan policies are considered in determining a planning application. For clarity the Policy should reference Figure 2.

102. Policy 5 does not meet the Basic Conditions.

- **M9 – Amend Policy 5 to:**
 - **Replace “*proposals map*” with “Figure 2” in subsection 1 and delete the reference to Figure 2 at the end of the Policy**
 - **Delete “*including cul-de-sacs and squares*” in subsection 3**
 - **Insert “Where there is an evidenced need” at the beginning of subsection 5 and replace “*will incorporate 3%*” with “should incorporate a meaningful proportion”**
 - **Replace “*a*” with “any” and delete “*in consultation with the Parish Council*” in subsection 10**
 - **Replace “*Local Green Space*” with “open space” in subsection 12**
 - **Delete subsection 13**
 - **Replace subsections 18 and 19 with “A high standard of mitigation measures for air pollution and noise”**
 - **Insert “including” before “*for protection*” in subsection 20**
 - **Add “or other active recreational facilities” after “*park*” in subsection 25**
 - **Add “or other appropriate form of housing provision” after “*alms housing*” in subsection 26**
 - **Delete “*B1*” in subsection 28**
 - **Replace “*must*”, “*shall*” and “*will*” with “should” throughout**

- **M10 – Acknowledge in the supporting text to Policy 5 the extant planning permission for housing development on the site and that this pre-dates the policy**

- **M11 – In Figure 2:**
 - **Re-number the allocated sites so they align with the order they are included in the Plan’s policies – e.g. The Dutch Nursery, Cook Field, Land north of Colchester Road**
 - **Replace “*Local Green Space*” with “Open Space” in the key**
 - **Replace “*Existing views*” with “Views to be retained” in the key to Site 4 land north of Colchester Road**

- Provide a red line boundary to Site 3 Dutch Nursery

Non-residential development

103. **Policy 6** – This establishes policy criteria for supporting local business and economic development.

104. The Policy is generally positively worded and encouraging of development. It is supported by some evidence of the prevalence of small and medium sized enterprises in the neighbourhood area. As drafted the Policy applies separate criteria to developments that support the local economy and those which provide new businesses and enhanced tourism and economic growth. This is a potentially confusing and unnecessary distinction and the Policy will apply to all economic development. There will be some criteria that are not applicable to some development proposals and the drafting should also be clear that all the criteria apply to all development proposals where this is appropriate.

105. The draft of two subsections is negatively worded in stating what impacts “*will not*” be supported and I share Essex County Council’s representations on this issue.

106. Changes to the Use Classes Order were introduced during the course of my Examination which combine Classes A and B1 into a new Use Class E (Commercial, business, and services) and require modifications to the Policy and its supporting text. This part of the Policy is restrictively worded in identifying when proposals “*will only be favourably considered*” and it is not appropriate for the Policy to require an assessment of the impact of the present use of a site. New criteria are introduced which should be separately numbered and it should be clear both apply.

107. Policy 6 does not meet the Basic Conditions.

- **M12 – Amend Policy 6 to:**
 - **Insert “, as appropriate” after “where” in the second line**
 - **Replace “Will not detrimentally impact upon” with “Safeguard” in subsection 5**

- Replace “*Will not have a significant detrimental impact on*” with “Protect or enhance” in subsection 6
- Delete the two lines beginning “*New businesses*” between subsections 6 and 7
- Replace “*Supporting*” with “Support” in subsection 7
- Replace “*Seeking improvements to*” with “Improve” in subsection 8
- Replace “*Supporting*” with “Support” in subsection 9
- Delete “*(Class A uses)*” and “*(Class B uses)*” in the second section and insert “*(Class E uses)*” after “*business*”
- Delete “*only be*” before “*favourably*” in the second section
- Replace subsection 10 [renumbered as subsection 1] with “The proposed development is appropriate to the character and amenity of the adjacent area”
- Replace “*Class A or Class B*” with “Class E” in two instances in subsection 11 [renumbered as subsection 2]
- Delete references to Class A and Class B at the end of the Policy and make appropriate changes to paragraph 4.3.9 to explain Class E
- Renumber subsections 10 and 11 as subsections 1 and 2
- Insert “; and” after subsection 10 [renumbered as subsection 1]
- Replace the bullet points at the end of all but the last of the numbered subsections with semicolons and add “; and” to end of subsection 8

The Natural Environment

108. **Policy 7** – This establishes a policy requirement to protect and enhance biodiversity and habitats, identifies a range of green and blue infrastructure and introduces relevant policy criteria

109. There is evidence of the significance of the neighbourhood area for wildlife and its green and blue infrastructure. This is represented on two maps (Figures 3 and 4) for the whole neighbourhood area and for Coggeshall village. The quality of reproduction of these maps is poor and they serve as a diagrammatic indication of the location of a range of sites and links. It is difficult to distinguish between the tints for Local Green Spaces and Open

Space and the Local Green Spaces shown do not align with those in Figure 6. The same shortcomings are evident in Figure 8. It is unclear why the Green Buffers in Figure 5 and Green Amenity Areas in Figure 7 are not included while the Open Spaces in Figure 8 are included in Figures 3 and 4. The source references for all the sites and links shown in Figures 3 and 4 should be included.

110. In addition to showing existing sites and links Figures 3 and 4 identify a large number of *“Existing G&B infrastructure links”* and *“Proposed G & B infrastructure links”*. While the principle of such links is supported by the Essex Green Infrastructure Strategy and national planning policy (NPPF, paragraph 170) the Plan does not meet the requirement to provide evidence justifying the location of the proposed links.

111. Subsection 5 is selective in its list of assets and designations where an independent survey report will be required and there is no clarity over what comprises *“significant development”*. My recommended modifications address the impact rather than the scale of proposed development and the need for a less arbitrary approach.

112. The Policy is overly prescriptive in stating what *“must”* happen and when development *“will only be permitted”*. There are also considerations which will not be relevant to all planning applications. The requirement for all development proposals, however marginal their impact on habitats, to provide a habitat survey introduces an unjustified additional burden on applicants and such surveys should only be provided where appropriate because of a likely significant impact which is addressed earlier in the Policy. It is inappropriate to elevate the role of the local planning authority’s Ecological Adviser to planning policy and the reference to meeting the requirements of the Water Framework Directive goes beyond the scope of the Plan.

113. It is appropriate to require development to address the Building with Nature User Guide and I do not agree with Vistry Group’s representations that the Policy makes this a requirement or Braintree District Council’s that it would be appropriate for the contents to be included in policy. I consider the policy drafting should recognise this is a voluntary approach and relate it to planning applications rather than provide a general statement of

support. Essex County Council also encourages an updated reference to the *Essex Green Infrastructure Strategy* (2020).

114. Natural England encourages the contribution of green and blue infrastructure to the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) addressed in Policy 19 to be recognised. This is also an outstanding recommendation of the Habitats Regulations Assessment which Coggeshall Parish Council acknowledges was missed in finalising the Plan for submission. I do not consider there is a need to amend Policy 7 to repeat the requirement established in Policy 19 and the matter can be addressed in the supporting text. This modification also addresses the references to the role of open space in Natural England's representations.

115. Policy 7 does not meet the Basic Conditions.

- **M13 - Amend Policy 7 to:**
 - Replace "*must*" with "*should*" in four instances in subsections 1, 5 and 6
 - Replace "*will*" with "*should*" in subsection 2
 - Insert "*significant*" before "*negative*" in subsection 2
 - Replace "*will only be permitted where*" with "*should demonstrate*" and "*where*" with "*that*" in subsection 2
 - Add "*where appropriate*" to the end of subsection 3
 - Replace "*local biodiversity, habitat, wildlife or a Local Nature Reserve or protected species*" with "*habitats, species or wildlife sites*" in subsection 5
 - Delete "*Significant*" before "*development*" and insert "*significant*" before "*direct*" in subsection 5
 - Delete "*which is supported by Braintree District Council's Ecological Adviser*" in subsection 5
 - Insert "*significantly*" before "*impact*" in subsection 6
 - Delete "*in line with the Water Framework Directive*" in subsection 6
 - Delete subsection 7
 - Replace subsection 8 with "*Development proposals should have regard to the Building with Nature Standards where appropriate.*"

- M14 – Insert “Green and blue infrastructure can play an important role as an avoidance measure contributing towards the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). Contributions from development towards these measures in accordance with Policy 19 where appropriate.” into the supporting text
- M15 – Retitle Figures 3 and 4 as Green and Blue Infrastructure” and make them available at a higher definition and larger scale along with links to the sources of all sites and links depicted
- M16 - Remove the proposed green and blue infrastructure links from Figures 3 and 4 and align the presentation of Local Green Spaces with Policy 9
- OM13 – [Include the Plan’s proposals for Green Buffers and Green Amenity Areas in Figures 3 and 4]
- OM14 – [Reference the *Essex Green Infrastructure Strategy (2020)* in paragraph 4.4.3]

116. **Policy 8** - This designates four Green Buffers and establishes policy criteria for their development.

117. The neighbourhood area includes a number of separate settlements and the importance of these retaining their separate identity was an issue raised during public consultation. The Plan addresses this by defining four areas as Green Buffers and these are shown in Figure 5. The approach is seen to complement that in the Policy LPP 72 in the emerging Local Plan and this recognises the merit of providing Green Buffers to protect the setting of Coggeshall.

118. Each of the four Green Buffers is supported by an assessment (in Appendix F2 rather than E1) of their contribution to a range of criteria. These go beyond a role in protecting the setting and identity of settlements to include the ecological, amenity and landscape value. It is important that the grounds for designation relate to the purpose of the Policy and I

share concerns expressed in representations from Pigeon Land Ltd. I have discounted all but the first two criteria in the assessment. The assessment in Appendix F2 references four Green Buffers but assesses five and rejects one of them as qualifying for designation. As a result the numbering is unclear and this is reflected in the confusion of GB1 *Land north of West Street* with GB1 *Little Nuntys* in representations from Pigeon Land Ltd.

119. I visited each of the four Green Buffers and agree with the assessment provided. GB1, GB2 and GB4 play an especially important role in protecting the identity of separate settlements and GB3 also protects the setting of the village and safeguards open land between existing buildings on Colchester Road. GB3 has merit regardless of whether proposals for a new garden community at West Tey proceed. The boundaries proposed are logical and follow established features. The Policy is consistent with the emerging Local Plan and complements it. It is an approach which is wholly appropriate for a neighbourhood plan.

120. The Policy drafting should be directly related to the Policy's purpose, ensure all criteria are considered and avoid unnecessary duplication with other policies and being overly prescriptive.

121. Policy 8 does not meet the Basic Conditions.

- **M17 – Amend Policy 8 to:**
 - **Replace “must” with “should”**
 - **Replace subsection 1 with “Protect the identity and setting of existing settlements.”**
 - **Delete subsection 3**
 - **Replace subsection 5 with “be supported by evidence demonstrating that they will have the least detrimental impact and they do not significantly reduce the sensitive buffer between settlements or existing buildings where appropriate.”**
 - **Insert “; and” at the end of the penultimate subsection**

- M18 – Make Figure 5 available at a higher definition and larger scale
- OM15 – [Delete “*identified Green Buffers on the Proposals Map,*”]
- OM16 – [Replace reference to Appendix E1 with F2 in paragraph 4.4.27]
- OM17 – [Amend Appendix F2 to align the number of the Green Buffers with that in the assessment, for example by making the assessment of Little Nuntys GB5]

122. **Policy 9** – This designates four Local Green Spaces and establishes policy requirements for development.

123. The power to designate Local Green Spaces is one of the most significant available to neighbourhood planning. Each Local Green Space must meet the criteria set out in national planning policy and adopt the same policy approach to development management.

124. The proposals are supported by evidence in Appendix F3 (rather than E2). This reviews each of the proposed Local Green Spaces against each of the criteria and concludes that they meet the criteria for designation. A fifth location was assessed and rejected as not meeting the criteria.

125. I visited each of the Local Green Spaces. I agree with the assessment of LGS1 against the criteria for Local Green Space designation.

126. LGS2, LGS3 and LGS4 each relate to sites allocated for development and construction is well advanced on and around LGS3. Planning Practice Guidance states that “*Local Green Space designation will rarely be appropriate where the land has planning permission for development. Exceptions could be where the development would be compatible with the reasons for designation or where planning permission is no longer capable of being implemented*” (Paragraph: 008 Reference ID: 37-008-20140306).

127. LGS2 relates to an allocated site where there is no planning permission for development. There is no obvious boundary for the east edge of the proposed Local Green

Space which forms part of a continuous field across the remainder of the site allocation. A proposed area needs to meet the relevant criteria for Local Green Space at the time of designation and not in anticipation of a future development. There is no rationale for the boundary of LGS2 in the absence of development and the importance of protecting it as open space can be recognised in Policy 4, as in my recommended modification. The area can be considered for Local Green Space designation in a future development plan review.

128. LGS3 forms part of an allocated site with planning consent where development has commenced. Significant parts of the proposed area do not currently meet the criteria for designation and some are being used to enable development of the site. While it is understood the proposed area is consistent with the area to be left undeveloped once the planning permission has been implemented, a proposal needs to meet the relevant criteria for Local Green Space at the time of designation and not in anticipation of a future development. The area can be considered for Local Green Space designation in a future development plan review.

129. LGS4 forms part of an allocated site with planning consent. There is no obvious boundary for much of the proposed Local Green Space which forms part of a continuous field across the remainder of the site allocation. While it is understood the proposed area is consistent with the area to be left undeveloped once the planning permission has been implemented a proposal needs to meet the relevant criteria for Local Green Space at the time of designation and not in anticipation of a future development. The importance of protecting it as open space can be recognised in Policy 5, as in my proposed modification. The area can be considered for Local Green Space designation in a future development plan review.

130. LGS2, LGS3 and LGS4 do not meet the criteria for Local Green Space designation and I recommend that they are deleted from the Plan. It may be appropriate for them to be considered for designation following the development of adjacent land or they could otherwise be protected as open land in the course of determining individual planning applications.

131. The second part of the Policy is not consistent with the development management approach in national planning policy which applies the same approach as to Green Belt.

132. Policy 9 does not meet the Basic Conditions.

- **M19 – Amend Policy 9 to read “The land at Vicarage Field identified in Figure 6 is designated as Local Green Space where inappropriate development shall not be permitted other than in very special circumstances.”**
- M20 – Make consequential changes to the supporting text and Figure 6 to remove the three other Local Green Space proposals
- OM18 – [Replace “E2” with “F3” in paragraph 4.4.37]

133. **Policy 10** - This designates six Green Amenity Areas and establishes policy requirements for development.

134. The Green Amenity Areas are identified as *“open spaces which are valued by the local community, providing an important part of the local green infrastructure network”*. The proposals are supported by evidence in Appendix F4 (rather than F3). This reviews each of the proposed Green Amenity Areas against wide ranging criteria covering their landscape, aesthetic, ecological, recreational, community and historic value and their role in addressing pollution, drought and flooding. A number of areas identified during consultation were not taken forward into a full assessment.

135. I visited each of the proposed areas and noted they are in very different uses, including as football and cricket grounds, arable fields, woodland and floodplain. There are differing levels of public access. I share the broad assessment of the value of the areas identified and their positive contribution to the neighbourhood area.

136. The policy drafting should be positively worded, consistent in the description of issues which the Policy seeks to address and avoid being overly prescriptive. Figure 7 needs

to be more clearly presented and the opportunity taken to align the boundary of GAA1 with existing features such as hedgerows paths, roads and rivers as identified by Braintree District Council. I have considered representations from Sworders and on behalf of Coggeshall Town Football Club for a more flexible approach but am satisfied the modified Policy is sufficiently flexible to accommodate a wide range of development proposals consistent with location in a Green Amenity Area. This would include improved recreational provision that respected the considerations in the Policy.

137. Policy 10 does not meet the Basic Conditions.

- **M21 – Amend Policy 10 to:**
 - Replace "*which would have a detrimental*" with "**should respect**"; insert "**, ecology, recreational assets**" after "*corridors*"; and delete "*will generally not be supported*" in subsection 2.
 - Replace "*must*" with "**should**" and delete part a. in subsection3
- M22 – Make Figure 7 available at a higher definition and larger scale and align the boundaries of GAA1 with existing features such as hedgerows paths, roads and rivers
- OM19 – [Replace "*F3*" with "*F4*" in paragraph 4.4.50]

138. **Policy 11** – This identifies areas of Open Space and establishes policy requirements for development affecting all open space and space standards in Government funded schools.

139. The Open Spaces are identified as contributing variously to the "*scale and integrity of the historic centre*" and the "*visual and ecological value*" of the neighbourhood area. The designations are seen to "*compensate for the significant lack of publicly accessible space in the village centre*" which is below the local authority standard.

140. The proposals are supported by evidence in Appendix F5 although this only provides details of open and recreational space standards for schools. The Appendix and paragraph

4.4.62 note that the Plan goes beyond Government educational space standards but there is no evidence provided for why the neighbourhood area should be an exception. There is also no case in planning policy for distinguishing between “Government funded” and other schools.

141. Unlike the evidence for Green Buffers, Local Green Space and Green Amenity Areas there are no criteria for designation and no assessment of how individual Open Spaces meet the criteria. A selection of Open Spaces is provided in a map in Figure 8 where they are identified as “Green Open Space”. Figure 8 also shows Local Green Space, Local Wildlife Sites, Woodland and River and water bodies. Only three of the four proposed areas of Local Green Space are depicted and it is unclear how these other areas relate to the Policy. Some of the Green Open Spaces are also designated as Green Amenity Areas (GAA2, GAA6). All of the Green Open Spaces are also included in Figure 4 and addressed by Policy 7. Figure 8 is poorly reproduced and lacks clarity due to its scale and the similarity of the colours used to depict different areas.

142. I visited most of the mapped areas of Open Space in the village and they clearly perform an important role within the built up area. I share the broad assessment of the value of the areas identified and their positive contribution to the neighbourhood area. This contribution is already recognised by Policy 7.

143 The policy drafting is negatively worded in stating what “will not be supported” and this is also identified by Braintree District Council

144. Overall, there is a lack of clarity in the presentation of the Policy and its relationship with other policies seeking to protect open space as part of the area’s green and blue infrastructure. It also goes beyond the scope of planning policy in setting additional open space standards that only apply to Government funded schools. I also share Essex County Council’s view that the space standards in schools are addressed by national standards set by the Department for Education. Policy 7 already addresses the considerations in Policy 11 relating to the landscape, recreational and wildlife contribution of the Open Spaces and the merits of increasing provision and enhancing connections. As a result I recommend a

significant modification to Policy 11 to address the remaining issue of open space provision within schools.

145. Policy 11 does not meet the Basic Conditions.

- **M23 – Retitle Policy 11 as “Open Space within schools” and replace it with “Development proposals which increase or improve the provision of open space within schools for recreation, social use or habitat will be supported”**
- M24 – Repurpose the supporting text for Policy 11, including the deletion or substantial amendment of Figure 8

146. **Policy 12** – This addresses the impact of development as the source of a range of different pollution, including designation of two Dark Sky and five Tranquil Areas.

147. The Policy is support by evidence in Appendix F6 (not E5).

148. A number of the issues raised by the Policy are strategic in intent. Planning Practice Guidance recognises air quality can be relevant to neighbourhood planning where there is evidence it is an issue (Planning Practice Guidance, paragraph 003 Reference ID: 32-003-20191101). Some evidence is provided to support this and the Plan’s intention is to seek to prevent an Air Quality Management Area being created by ensuring air quality remains good. The Policy does not directly address the “*dust and odour*” included in the subtitle.

149. Many of the issues of water quality, wastewater capacity and abstraction addressed in the Policy are either matters for the Environment Agency or strategic issues to be addressed in the Local Plan (NPPF, paragraph 20). The role of neighbourhood planning is identified in more limited terms as “*protecting and improving water bodies*” (Planning Practice Guidance, paragraph: 015 Reference ID: 34-015-20140306).

150. The two proposed Dark Sky Areas are supported by evidence from CPRE’s light pollution maps and cover the areas identified as being in the three categories displaying the

lowest levels of light pollution. These are mapped in Figure 9. There is support for addressing light pollution and dark landscapes in national planning policy and Planning Practice Guidance. While the boundaries of the proposed Dark Sky Areas are too imprecise to be a formal designation, I am content with the evidence provided and the Policy is appropriate. The issue of energy efficiency is not relevant to the protection of dark skies and the policy drafting is overly prescriptive.

151. The five proposed Tranquil Areas are supported by evidence which assesses them in terms of the issues identified in national planning policy (NPPF, paragraph 180). I visited each of the proposed Tranquil Areas and am content with the assessment. This includes an area of relative tranquillity within the built up area as a result of the sanctuary provided by the church grounds. I note the concern of Monks Wood that regular shoots are a cause of disturbance to one of the Tranquil Areas but do not consider this transitory impact to undermine its designation.

152. The Policy's approach to noise pollution more generally is too prescriptive in requiring all development which could make even a small increase in noise pollution to provide additional information. Its provisions for tree planting need to relate to development proposals in the area.

153. The policy drafting includes references to what the Plan supports which should be in the supporting text. It is also unduly prescriptive in stating what "*must*" or "*shall*" happen. The Policy overreaches in not supporting certain development proposals outside the parish boundary. The Plan can relate only to planning applications submitted within the neighbourhood area and the Policy should not include arrangements between the Parish Council and District Council relating to mitigation.

154. The Plan also sets expectations for development to meet a range of BREEAM standards. These are very specific and on some aspects a Very Good rating is supported while on others an Excellent rating is expected. There is no evidence supporting the application of such detailed standards to such a wide range of development.

155. Policy 12 does not meet the Basic Conditions.

- **M25 - Amend Policy 12 to:**
 - **Move the first paragraph into the supporting text**
 - **Combine the second and third paragraph by deleting “*will not be supported*” and “*Where there is potential for pollution to derive from new development*”**
 - **Delete “*dust and odour*” from the first subtitle**
 - **In subsection 1**
 - **Insert “significant” after “produce”**
 - **Replace “*will be required to undertake*” with “should be supported by”**
 - **Replace “*shall*” with “should” in two instances**
 - **Delete the last sentence**
 - **Replace “*must*” with “should” in subsections 2 and 3**
 - **Delete “*abstraction and temperature fluctuation*” from the second subtitle**
 - **Replace subsection 4 with “Development proposals should protect and, where possible, enhance water quality.”**
 - **Delete subsections 5, 6 and 7**
 - **Replace “*designated*” with “recognised” in subsection 8**
 - **Replace “*will*” with “should” and delete “*and where applicable incorporated energy-efficient forms of lighting*” in subsection 9**
 - **Replace “*an*” with “a significant” in subsection 11**
 - **Replace “*Tree planting throughout the Parish should be increased,*” with “Where appropriate development proposals should include tree planting” in subsection 11**
 - **Insert “have a significant adverse” before “*impact*” and replace “*will be required to*” with “should” in subsection 13**
 - **Delete subsection 14 and consider moving it to the supporting text**
 - **Delete subsection 15 and consider moving it to the supporting text**

- **Replace subsection 16 with “Development proposals which demonstrate achievement of the highest possible rating under the Home Quality Mark or BREEAM assessment, as appropriate, will be supported.”**
- OM20 – [Replace E5” with “F6” in paragraph 4.4.82]

156. **Policy 13** – This establishes policy criteria for development to reduce the potential for flooding and mitigate drought and identifies nine Flood Management Areas.

157. The Policy is supported by local evidence of flooding issues and Appendix F7 includes a rationale for each of the nine proposed Flood Management Areas which are shown in Figure 11. I visited a majority of the Flood Management Areas and they are each consistent with the assessment provided in Appendix F7. The Plan intends that each Flood Management Area would be brought forward with the agreement of landowners, including through developer contributions. The quality of Figure 11 is poor and it should be provided at a larger scale. While the boundary of each Flood Management Area is too imprecise to be a formal designation I am content with the overall approach and the role they are intended to play. This is an innovative and flexible local response to an acknowledged issue, although I agree with Braintree District Council that it should not exclude effective existing measures. I note the Environment Agency’s representations regarding the creation of a flood storage area upstream of Coggeshall via excavation to manage flooding. This is not a matter addressed in the Plan and separate consideration will be needed as to whether the creation of Flood Management Areas will have a meaningful impact on these proposals.

158. The broader policy approach repeats much of that already provided in national planning policy. The Policy introduces a requirement that *“at least 80% of hard external surface areas are permeable”* or run off is collected. The evidence for the 80% figure is limited beyond an assertion in Appendix F7 that it is *“both justified and achievable”*.

159. The Policy sets out a need for SUDs to be in accordance with the *“Coggeshall Village Design Statement”*. The *Coggeshall Village Design Guide* only makes one passing reference to SUDs and all development is subject to the design considerations in Policy 15 and Policy

16. Essex County Council has made representations that all SuDS schemes should be consistent with its SuDS Design Guide (2020) and while this need not be a matter to be included in the Policy it would be sensible to reference this in the supporting text. The drafting also needs to be clear that all considerations apply.

160. The Policy includes detailed provisions for development in each of the Flood Management Areas. These are described in different ways that results in some inconsistencies. A majority include a requirement for SUDs and there are detailed prescriptions for some including the type of water storage system to be used. Although I am content with the overall role of Flood Management Areas the detailed approach for each Area is too prescriptive.

161. I share Braintree District Council's reservations about the ability to prevent drought as proposed in the Policy title and recommend modifying this in line with the Policy's mitigation approach.

162. Policy 13 does not meet the Basic Conditions.

- **M26 – Amend Policy 13 to**
 - **Replace “*Prevention*” with “*Mitigation*” in title**
 - **Insert “effective existing or” before “*innovative*” in subsection 3**
 - **Replace “*at least 80% of*” with “*sufficient*” in subsection 4**
 - **Delete “, in accordance with guidance contained within the *Coggeshall Village Design Statement*” in subsection 6**
 - **At the end of subsection 6 insert “; and”**
 - **In the paragraph before FMA1 replace “*designated*” with “*identified*” and insert “where development proposals should demonstrate that flood risk will not be increased overall and that opportunities to reduce flood risk, for example, through the use of sustainable drainage systems and natural flood management, are taken” after “*Flood Management Areas*”**
 - **Delete the detailed wording under each of the proposed Flood Management Areas and move it to the supporting text**

- OM21 – [Add a reference to Essex County Council’s Sustainable Drainage Systems Design Guide (2020) in the supporting text and provide a link.]

Heritage

163. **Policy 14** – This introduces policy criteria for the protection of designated heritage assets.

164. Coggeshall has a remarkable inheritance of buildings and structures of historic importance. These make a very significant contribution to the village and there is evidence of strong public support for their continuing role in the public consultation.

165. Designated assets are of more than local importance and they are recognised in national planning policy and legislation. I have reviewed Policy 14 to ensure it does not create uncertainty by taking a significantly different approach. The Policy is positively worded and it is generally consistent with national planning policy except for the approach to the balance of considerations in subsections 4 and 7. These fail to distinguish between impacts that cause substantial harm and less than substantial harm. I share the view expressed by Pigeon Land Ltd that a more discerning approach is necessary to subsection 4 and with subsection 7 there is no need to amend the drafting to repeat national planning policy.

166. The Policy is supported by a map showing the designated heritage assets although this is unclear from the title and the quality of reproduction and scale is poor. The Policy references “*historic views*” and it is unclear how these relate to the “*protected views*” in Policy 16. The policy drafting needs to be clear that not all of the considerations will apply to all development proposals, for example where there is a potential impact on a listed building located well away from the Conservation Area.

167. I note that the supporting text references a range of non-designated heritage assets of local significance, including a Local List, but these are not addressed by the Policy. I note

Essex County Council also highlights the lack of attention to non-designated assets in its representations but there is no requirement for them to be addressed.

168. Policy 14 does not meet the Basic Conditions.

- **M27 – Amend Policy 14 to**
 - **Replace “*the historic*” with “any protected” in subsection 2 [and reference Protected Views in the supporting text]**
 - **Replace “*contribute*” with “causes substantial harm” in subsection 2**
 - **Delete subsection 7**
 - **Add “; and/or” at the end of the penultimate subsection**

- **M28 – Insert “Designated” before “*Heritage*” in the title of Figure 12 and make it available at a higher definition and larger scale**

Design

169. **Policy 15** – This introduces policy criteria relating to the design of new development, including the role of the Coggeshall Village Design Guide. It relates to development “*within the Built Environment*”.

170. The Policy is supported by the Coggeshall Village Design Guide. This is referenced as being available “*in due course*” but on request I was sent a copy and informed it was completed in December 2019, publicly available and had been subject to public consultation. The Guide is based around eight “*settlement character areas*” and four “*rural character areas*” and also includes examples of good practice. It is clearly presented and can play an important role in securing a high quality of design in the neighbourhood areas. I do not share concerns expressed by Vistry Group about the appropriateness of referencing the Village Design Guide and note that the Policy simply introduces a flexible requirement to “*have regard*” to its contents. Coggeshall Parish Council will wish to consider the feedback from Braintree District Council on some details in the Guide.

171. The five Settlement Character Areas within the settlement boundary do not align with the three “*Town Areas*” presented in the supporting evidence in Appendix H1. I visited each of the five Settlement Character Areas and am content with their definition. It would be helpful if the supporting evidence explained the relationship between the Character Areas and Town Areas. There is an error in the Village Design Guide which has two Settlement Character Areas number “7”. The Design Guide also needs to include maps showing the boundaries of Settlement Character Areas 6, 7 and 8 and also include these on the map of Rural Character Areas which currently wash over them.

172. Policy 15 for design within the “*built environment*” is complemented by Policy 16 relating to design within “*rural areas*”. This separation is not followed through into the policy wording. Policy 15 references the Design Guide which covers the whole parish and this is not mentioned in Policy 16. Policy 16 references Protected Views many of which are within the built area covered by Policy 15. It is also clear that Policy 15 is intended to relate to development within the settlement boundary and not the built environment more generally. I address the resulting lack of clarity caused by this overlap by recommending that the two policies be appropriately combined into a single policy for design management across the neighbourhood area as a whole.

173. The Policy includes a requirement for use of materials which “*preserves and enhances*” the character of the area and this would apply beyond the Conservation Area. The “*preserve or enhance*” requirement is specific to development within the Conservation Area.

174. The clarity of the Policy will be improved by reflecting Essex County Council’s representations to use the term “*superfast*” broadband.

175. It is apparent that not all the subsections would apply to all development and they should be considered only “*where appropriate*”. The policy drafting around prior consultation should also avoid being over specific.

176. Policy 15 does not meet the Basic Conditions.

177. **Policy 16** - This introduces policy criteria relating to the design of new development, including defining 19 Protected Views. It relates to development “*within Rural Areas*”.

178. As with Policy 15 there are overlaps with development inside and outside the settlement boundary and some similar issues with policy drafting which are addressed in my proposed modification to combine and amend both policies.

179. The Plan’s support for the Government’s 25 year Environment Plan is a matter to be addressed in the supporting text and this is also a more appropriate location to express a view on the type of planting and fencing that will not be supported.

180. The definition of 19 Protected Views is supported by evidence in Appendix H2, including a methodology, criteria and individual descriptions. I visited a majority of the views, including PV13 and PV15 addressed in representations from Pigeon Land Ltd, and am content with the approach. The approach is proportionate to the level of protection afforded by the Policy. The depiction of the views in Figure 13 lack clarity due to the scale, and quality of the mapping and the colour selected. There is a need for clarity on the different lengths of the arrows used or they should all be of the same length.

181. The Protected Views are such a significant policy and one that goes beyond design management considerations that they should be presented as a separate Policy.

182. Policy 16 does not meet the Basic Conditions.

- **M29 – Combine Policy 15 and Policy 16 to read:**

“Design Management

Development proposals should have regard to the Coggeshall Village Design Guide and, where appropriate:

- 1. Contribute positively to the character, setting and appearance of the surrounding area;**
- 2. Be of a scale and size which reflects the rural character and appearance of**

villages and hamlets in the area;

3. Ensure that the design and detail reflects and responds positively to the scale, design, density, layout and historic character of existing development in the surrounding area;
4. Ensure that there is an appropriate use of materials which respects the character of the area;
5. Incorporate tree planting and vegetation which is predominantly native and consistent with flora in the surrounding area;
6. Protect, enhance, and plant new and locally prevalent species of native hedgerows and trees as boundary treatments to mitigate the visual impact of development;
7. Protect, enhance and plant new and locally prevalent species of rich grassland;
8. Promote management practices of woodlands and hedgerows which contribute to rural landscape character;
9. Include shared open spaces and shared amenities that will help to develop a sense of community;
10. Provide a mix of house types, including affordable houses, to foster a diverse community;
11. Support the needs of home-working, including by providing convertible spaces and enabling connectivity to superfast broadband;
12. Incorporate sustainable design features which promote energy conservation and efficiency and support renewable energy and low carbon energy generation;
13. Encourage the use of sustainable modes of transportation, including through good pedestrian and cycle access, and support access to public transport facilities within the Parish;
14. Avoid significant harm to neighbouring residential amenity;
15. Avoid excessive or incongruous signage that negatively impacts upon local character and/or the atmosphere of the rural environment;
16. Avoid external lighting which, through aesthetic appearance or excessive illumination, negatively impacts upon the rural character of the Parish; and

17. Be informed by early consultation with the local community.

Where development proposals have the potential to have a significant adverse impact on local character they should be supported by:

- 1. An assessment that demonstrates how the proposal will impact on the character and appearance of the area, including the unique identity of Coggeshall Village and/or the rural landscape, and what measures have been taken to avoid or minimise adverse impacts; and**
 - 2. Evidence demonstrating how the proposed design has regard to guidance within the Coggeshall Village Design Guide, Building for Life 12, and the Essex Design Guide (or successor documents).**
- M30 – Introduce a new Policy 16 “Protected Views” which reads as follows:
“Development proposals that protect and/or enhance the following Protected Views (PVs) identified on Figure 11 will be supported:**
 - PV1 Colchester Road: SW.**
 - PV2 Cook Field: N&S.**
 - PV3 Abbey Mill: N&S.**
 - PV4 Mill Race: S.**
 - PV5 Essex Way (East): N.**
 - PV6 West Street, Co-op: S.**
 - PV7 Market Hill: NE & SW.**
 - PV8 Long Bridge, Bridge St: E&W.**
 - PV9 Essex Way (West): N.**
 - PV10 Essex Way (West): E.**
 - PV11 Essex Way (West): SW.**
 - PV12 Blackwater river corridor: W.**
 - PV13 Public footpath: S.**
 - PV14 West Street: S.**
 - PV15 Public footpath north-west of the village: N.**
 - PV16 Vicarage Field: N.**
 - PV17 Marks Hall Rd: SW NW.**

PV18 Public footpath near Holfield Grange: S.

PV19 Public footpath near Cuthedge Lane: NW.

Where development proposals have the potential to have a significant adverse impact upon one or more Protected Views they should be supported by a visual impact assessment.”

- M31 – Make consequential changes to the supporting text for Policy 15 and Policy 16 and elsewhere in the Plan and supporting evidence. This should include direct reference to the assessment of each Protected View in Appendix H2 and update reference to the Village Design Guide in paragraph 4.6.7.
- M32 – Make the necessary corrections and alterations to the Village Design Guide

Transport and Accessibility

183. **Policy 17** – This introduces a range of policy criteria supporting sustainable transport modes and the impacts of travel and transport.

184. There is limited evidence of the scale and nature of transport and traffic issues in the neighbourhood area. The Policy includes considerations relating to Green Lanes and community bus provision which go beyond the scope of planning policy. The Policy also includes unnecessary references to Essex County Council policies and a rigid approach to compliance with parking standards published in 2009. It overlaps with Policy 7 in the protection of wildlife corridors.

185. I agree with the representations from Essex Bridleways Association that the Policy should include a wider range of users. I agree with Braintree District Council that on-street parking controls are largely matters for the Highways Authority.

186. The Policy applies additional criteria to developments of “*over 5 dwellings*”. There is no justification provided for this choice of threshold or why it only applies to residential development.

187. Policy 17 does not meet the Basic Conditions.

- **M33 – Amend Policy 17 to:**
 - Insert “where appropriate” after “*should*” in the first line
 - Delete “*where appropriate*” and from “*destinations*” to end in subsection 1
 - Combine the paragraph between subsections 3 and 4 with subsections 4 and 5 to read “Safeguarding the character, appearance, setting and utility of existing Public Rights of Way and promoting enhancements to the network which support the ability of pedestrians, cyclists and horse riders to use and enjoy them safely.”
 - Delete subsection 6
 - Replace “*Proposals for developments consisting of over 5 dwellings should*” with “Major development proposals should, where appropriate:” and renumber the subsequent subsections from 1.
 - Replace “*to*” with “*of*” in subsection 7. [amended to 1.]
 - Replace “*Comply with*” with “Have regard to” in subsection 8. [amended to 2.]
 - Replace “*Incorporate*” with “Support” in subsection 9
 - Delete subsection 11
 - Delete the paragraph beginning “*Green lanes*”

Infrastructure and Developer Contributions

188. **Policy 18** – This identifies priorities for the use of developer contributions.

189. The Policy identifies priorities drawn from infrastructure needs in the Plan – known as Infrastructure Policy Projects and assessed as deliverable - and a range of additional projects identified in an “*Action Plan*” – known as Action Plan Projects and considered desirable in the future. The Action Plan was not provided with the submitted Plan but the projects identified are supported by evidence in Appendix J. The Policy additionally seeks contributions to meet education and healthcare needs but these comprise strategic infrastructure which is outside the scope of the Plan.

190. The identification of the Action Plan Projects is largely outside the scope of this Examination and I am content that they are relevant and appropriate. The infrastructure projects are consequential on my proposed modifications, including where policies have been deleted.

191. The Policy recognises that contributions need to be both appropriate and proportionate and I am content that the Policy is not unduly prescriptive in its general approach. Any obligations will need to pass the test established in Planning Practice Guidance (NPPG Paragraph: 002 Reference ID: 23b-002-20190901) and the supporting text recognises that the Community Infrastructure Levy has not been introduced by Braintree District Council. The Policy also identifies circumstances where development proposals will not be supported. Such a negative approach is not appropriate to a Plan and the circumstances relate to matters of national policy.

192. I agree with the representations from Essex Bridleways Association that the Policy should include a wider range of users.

193. Policy 18 does not meet the Basic Conditions.

- **M34 – Amend Policy 18 to:**
 - **Update policy references in subsections 1 – 5 consequential on my proposed modifications to the Plan**
 - **Insert “, horse riders” after “pedestrian” in subsection 13**
 - **Delete the last paragraph beginning “Relevant development proposals” and ending “financially inviable”**

- **M35 – Provide a direct link to the Action Plan**

RAMS

194. **Policy 19** – This addresses the need for financial contributions contributing toward mitigating measures in the Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

195. I have been advised by Braintree District Council that RAMS has been adopted as a Supplementary Planning Document. The Plan notes that RAMS is a “*strategic solution*” and that it provides “*strategic scale mitigation*”. As a result the responsibility for delivery through planning decisions lies largely in the strategic policies of the Local Plan.

196. The Policy needs to be updated to reflect the status of the RAMS SPD and to avoid inappropriate detail for what is a strategic matter. The Policy deals with developer contributions along with Policy 18 and so can be combined into a single policy.

197. As drafted the Policy relates only to “*mitigation*” and not “*avoidance*” measures. As Natural England has identified, these are also important and they are addressed in the supporting text to Policy 7.

198. Policy 19 does not meet the Basic Conditions.

- **M36 – Amend Policy 19 to:**
 - Insert “*avoidance and*” before “*mitigation*” in the second line
 - Delete from after “*(RAMS)*” in subsection 1 to the end “*(SPD)*”
- **M37 – Update the supporting text to address the adoption of RAMS as a supplementary planning document**
- OM22 – [Combine Policy 19 with Policy 18 under the section titled “*Infrastructure and Developer Contributions*”]

8. Recommendation and Referendum Area

199. I am satisfied the Coggeshall Neighbourhood Plan meets the Basic Conditions and other requirements subject to the modifications recommended in this report and that it can proceed to a referendum. I have received no information to suggest other than that I recommend the referendum area matches that of the Neighbourhood Area.