

# **FEERING NEIGHBOURHOOD PLAN**

## **Report to Braintree District Council of the Independent Examination**

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

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# 1. Executive Summary

1. I was appointed by Braintree District Council with the support of Feering Parish Council to carry out the independent examination of the Feering 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 Feering. It is based on an effective programme of public consultation which has informed a Vision to 2033 supported by plan objectives. This is to be achieved through a set of 23 objectives and 12 planning policies largely dealing with issues distinct to the locality. The Plan also includes an Action Plan of local projects and initiatives. The Plan is supported by a Consultation Statement and Basic Conditions Statement and has been the subject of Strategic Environmental and Habitats Regulations Assessments. An Appropriate Assessment has been undertaken. There is supporting evidence provided and there is evidence of community support and the involvement of the local planning authority.
4. I have considered the 22 separate representations made on the submitted Plan. These are addressed in this report as appropriate.
5. Subject to the recommended modifications set out in this report I conclude that the Feering Neighbourhood Plan meets all the necessary legal requirements, including satisfying the Basic Conditions. I make a number of additional optional recommendations.
6. I recommend that the modified Plan should proceed to Referendum and that this should be held within the Neighbourhood Area of Feering parish.

## 2. Introduction

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

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

9. I am independent of both Feering 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 (as amended). 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. An additional Basic Condition was introduced by Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in 2018 that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. 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 Feering Neighbourhood Plan
- the Basic Conditions Statement
- the Consultation Statement
- Strategic Environmental and Habitats Regulations Assessments, including the Appropriate Assessment
- the relevant parts of the development plan comprising Local Plan Review (2005) and the Core Strategy (2011) which were in force during the Plan's preparation and the Local Plan 2013-2033 (Section 1) which was adopted in February 2021. The emerging Local Plan to 2033 (Section 2) was adopted during the examination
- representations made on the submitted neighbourhood plan
- relevant material held on the Feering Parish Council and Braintree District Council websites
- National Planning Policy Framework (2021)
- Planning Practice Guidance
- relevant Ministerial Statements

14. The Plan was largely prepared under an earlier version of the National Planning Policy Framework than that used for my examination but the consultation on the submitted Plan took place after the most recent NPPF's publication in July 2021.

15. No representations were received requesting a public hearing and having considered the documents provided and the representations on the submitted Plan I was satisfied that

the examination could be undertaken by written representations without the need for a hearing.

16. I carried out an unaccompanied visit to the Neighbourhood Area on a weekday during July. I visited the main locations addressed in the Plan, including the main development site, Local Green Spaces and the Conservation Area.

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”. Existing wording is in “*italics*”. 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 Feering Neighbourhood Plan has clearly involved significant effort over many years led by the Steering Group. The process began in 2014 following publication of a Parish Plan in 2012 and is informed by significant community involvement. There is evidence of collaboration with Braintree District Council and continuing this will be important in ensuring implementation of the Plan. The 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 Feering 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 – Feering 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 parish area of Feering Parish Council and was agreed by Braintree District Council on 30 March 2015.

22. The boundary of the neighbourhood area can be discerned from Figure 2 which references it as the “Map of Feering Parish”. This is not at a scale that allows the detailed boundary to be determined and no link is provided to where the boundary is available online.

- M1 – Provide a link to where the neighbourhood area boundary can be viewed at a larger 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 runs from 2020 to 2033 and the 2033 end date aligns with the period of the Braintree District Local Plan review. The period is shown on the cover and referenced in the Plan.

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 many appendices and relevant information provided on the Feering Neighbourhood Plan website. While the Consultation Statement submitted included some tracked changes and extensive highlighting it provides a clear record of the consultation process that has been undertaken since 2015 under the guidance of the Steering Group and Neighbourhood Plan Committee. I was provided with the final version of the Consultation Statement on request.

27. The public consultation process has been adequately open and transparent and participation levels have been good. A number of different engagement methods have been used, including a website, public meetings, workshops, stands at local events, online surveys, an exhibition and regular use of social media and the Feering Parish magazine. The process has included workshops and surveys supported by the Rural Community Council for Essex.

28. The work has included a Housing Needs Survey which received over 200 responses (27%) and a workshop at Feering primary school involving 61 pupils. A Community Survey was delivered to every home in the parish and all local businesses received emails inviting views. The Community Survey received over 620 responses. Braintree District Council has been engaged in the emerging Plan before formal consultation on the draft. There is evidence of strong support from the public for the approach presented in the Plan.

29. The Plan was subject to Regulation 14 consultation between 7 February 2020 and 29 March 2020. The end of this period coincided with the introduction of national COVID restrictions. The consultation included an exhibition and promotion through the Parish magazine, noticeboards, a banner and online. Consultation questionnaires were sent to every home and business. Printed copies of the draft plan were made available in the Feering Parish Council Office, Feering Community Centre, All Saints Church and other venues. There is evidence of the consultation including the required statutory and other

consultees. Over 100 responses were received and I consider an adequate process has been followed.

30. Details of the response to each of the representations are provided in Appendix 14 of the Consultation Statement and there is evidence of changes being made to the Plan.

31. 22 separate representations have been made on the submitted Plan including from individuals, statutory bodies, development interests, landowners and neighbouring district and parish councils. All the representations have been considered as part of the examination and are addressed as appropriate in this report.

32. I am satisfied with the evidence of the public consultation undertaken in preparing the Plan since 2015. The Plan has been subject to wide public consultation at different stages in its development. Participation rates have generally been good, including at the Regulation 14 consultation stage. The process has allowed community input to shape the Plan as it has developed and as proposals have been firmed up. Local businesses, development interests, significant landowners and the local planning authority have been engaged through the process.

## 5. General comments on the Plan's presentation

### Vision and Objectives

33. The Plan includes a Vision for Feering Parish. This reflects the feedback received through consultation and is consistent with the themes, objectives and policies in the Plan. The overall approach combines a desire to look after the existing character, improve the local environment, address pollution and climate change, provide community facilities and incorporate considerately designed development. While the emphasis is on conservation, the Vision is consistent with sustainable development and this is re-enforced by the Plan's objectives which expand on the opportunities to accommodate new development. Addressing a number of representations on the Plan, including from Essex County Council, I am content with the objectives extending beyond land use planning issues. This is a normal role played by objectives in a neighbourhood plan with a view to them being achieved in multiple ways and not just through implementation of the planning policies.

### Other issues

34. The Plan has a clear and consistent format. On a detail the title of each of the Tables appears at the end rather than the beginning of each Table. As they can extend over several pages this means the purpose of the Table isn't immediately clear. It would also be more logical to include the details for "*Local Green Space identification and justification*" as an Appendix rather than a Table in an Appendix. This should be included in the Contents. It is also incorrectly identified as both Table 4 and Table 5 in the Appendix of the submitted Plan.

- OM1 – [Make recommended changes to improve the clarity of the Tables presented in the Plan]

35. The Local Plan context has continued to change during the Plan's preparation, including adoption of Section 2 of Braintree's Local Plan during the examination. If the Plan is successful at referendum then the made Plan should reference the most up to date position, including updating the numbering of policies referenced in the Local Plan. There are other updates required as referenced in a number of representations, including to community services available in the area and the progress made on the Essex Coast

Recreational disturbance Avoidance and Mitigation Strategy. These should be addressed as factual changes as appropriate.

- M2 – Update references to the Local Plan to reflect the most recent position
- OM2 – [Update the supporting text to address issues where the Plan is factually out of date raised in representations on the submitted Plan]

36. The Plan includes references to a number of documents which comprise the evidence base to support some but not all of the Plan’s policies. Some of these documents are included in Section 7 “References” but this does not include the entire evidence base. Links to the documents are not provided and the section of Feering Parish Council’s website on “Neighbourhood Plan Information” provides links to only some of the documents.

- OM3– [List all the evidence base documents used in the Plan in a renamed Section 8 and provide a link to an updated and renamed section on Feering Parish Council’s website which includes all documents as links where available. Rename Section 8 and the website page as “Evidence Base”]

## 6. Compliance with the Basic Conditions

### National planning policy

37. The Plan is required to “*have regard*” to national planning policies and advice. This is addressed in the Basic Conditions Statement which relates each of the Plan’s policies and objectives to the National Planning Policy Framework (NPPF) (February 2019). A new National Planning Policy Framework was published after the Basic Conditions Statement was prepared and before the examination. I do not consider the changes to national planning policy to be material in terms of the Plan’s ability to meet this Basic Condition.

38. The Basic Conditions Statement provides a table that tests compatibility of each of the Plan’s objectives with relevant sections of the National Planning Policy Framework and each of the Plan’s policies is also assessed in relation to relevant sections of the National Planning Policy Framework. This assessment is supported by a brief commentary. In every case the assessment is that the Policy “*has regard*” to national planning policy and no instances of conflict are identified.

39. Overall the analysis serves to demonstrate that regard has been given to national planning policy.

40. I address some issues with regard to national planning policy in my consideration of individual policies and recommend some modifications. These include 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.

41. Generally, I conclude that the Plan has regard to national planning policy and guidance but there are exceptions as set out in my comments below. These include the need for some policies to be more clearly expressed and/or evidenced or for duplication with other planning policies or the National Planning Policy Framework to be avoided.

42. I am satisfied that the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

#### Sustainable development

43. The Plan must *"contribute to the achievement of sustainable development"*. This is addressed in the Basic Conditions Statement by a brief assessment of how relevant Plan policies contribute to each of the economic, social and environmental dimensions of sustainable development. It identifies a positive contribution for every policy.

44. The assessment is broad brush and succinct in its approach and provides the bare minimum of information required to meet this Basic Condition. Nevertheless, it accords with my own assessment that the overall contribution of the Plan to sustainable development is positive.

#### Development plan

45. The Plan must be *"in general conformity with the strategic policies of the development plan"*. The Basic Conditions Statement addresses this by relating the relevant policies which have been identified as strategic by Braintree District Council to each of the neighbourhood plan policies and providing a brief commentary. This includes the strategic policies in Section 2 of Braintree's Local Plan which was not adopted until after the Plan was submitted. I do not consider the subsequent changes made to Section 2 of Braintree's Local Plan as adopted during the examination are significant for the purposes of assessing general

conformity other than in relation to the revised (and renumbered) Local Plan Policy LPP21. I address this relationship as part of the examination.

46. The assessment identifies a number of instances where a Plan policy goes beyond the strategic policies in the Local Plan and concludes that there are no policies which conflict with or depart from the strategic policies.

47. Braintree District Council made representations on the consultation draft Plan and when requested for a view on the submitted Plan it said *“subject to the comments submitted by Braintree District Council made at reg 16, we believe that the Neighbourhood Plan can be modified to be in general conformity with the strategic policies.”*

48. I address Braintree District Council’s where relevant as part of my consideration of general conformity in relation to each of the Plan’s policies. I am satisfied the Plan meets this Basic Condition other than where identified in my detailed comments and recommended modifications to the Plan policies.

#### Strategic Environmental Assessment

49. The Plan must be informed by a Strategic Environmental Assessment if it is likely to have significant environmental effects. Feering Parish Council submitted an Environment Report of the Strategic Environment Assessment undertaken of the Plan. This included assessment of *“reasonable alternatives”* for the masterplanning of the Strategic Growth Location identified in Policy LPP22 of Section 2 of Braintree’s Local Plan (subsequently renumbered as LPP21).

50. The Environment Report concludes that *“Overall, minor long-term positive effects are predicted in relation to all SEA themes”* and that the Plan *“provides an additional layer of policy provisions to the strategic allocation of the Local Plan and masterplanning of the site that will, on the whole, deliver positive effects in relation to SEA objectives”*. I am satisfied by the robustness of the approach taken.

51. The views of the statutory bodies on the Environment Report were not apparent in the submitted documents although Historic England, Natural England and Environment Agency were invited to contribute to the Draft Scoping Report. On request I was provided with a copy of the consultation undertaken by Braintree District Council. Historic England *“concur with its conclusions that there are unlikely to be significant effects on designated heritage assets”* although it concluded the overall impact may be neutral rather than *“minor long-term positive”*. It also raised an issue about the lack of any reference to below ground archaeology. Natural England responded positively to the SEA’s suggestion for additional wording on financial contributions being sought from residential development although this relates more to the Habitats Regulations Assessment considered below. Policy 6 addresses the role of developer contributions towards mitigation measures identified in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS) and these considerations are also addressed in Local Plan Policy LPP64. Environment Agency did not respond. I am satisfied this feedback does not raise any issues for the examination.

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. Feering Parish Council published a Habitats Regulations Assessment, including both Screening and Appropriate Assessment relating to four internationally designated sites which could not be screened out. The Assessment concluded *“that the Plan document will not result in an adverse effect on the integrity of any international sites either alone or in combination”*. On being consulted Natural England said *“we can agree with the conclusions of the appropriate assessment”*.

54. Both conclusions are conditional on addressing the need for on- or off-site green space to be provided as part of developments of 20 or more dwellings to mitigate and avoid recreational disturbance of internationally designated sites. There is a proposal that this is addressed through additional supporting text or policy wording which addresses the eventuality of such development coming forward in the neighbourhood area on a windfall



site. I am, however, satisfied that Local Plan Policy LPP50 and Policy LPP64 will be material to any such development and that these address the relevant considerations. It is unnecessary to duplicate these provisions in the Plan. I do recommend a strengthening of Policy 6 in line with Natural England's representations.

55. I have considered whether the changes made to the submitted Plan since the Habitats Regulations Assessment are so significant as to require it to be revisited and concluded that the Assessment undertaken is adequate for the purpose.

56. I conclude that the Plan includes appropriate mitigation to meet this Basic Condition subject to the recommended modifications made in this report.

#### 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. No contrary evidence has been presented and there is good evidence of changes being made to the Plan during its preparation. I conclude that 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 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 make comments on all policies in order to provide clarity on whether each meets the Basic Conditions. Some of the supporting text, policy numbering, headings and the Contents will need to be amended to take account of the recommended modifications.

### Development of Site F1

60. **Policy 1** – This provides considerations for the development of the Strategic Growth Location identified in Local Plan Policy LPP21 and support for self-build plots.

61. **Policy 2** – This makes provision for masterplanning the development of the Strategic Growth Location, including identifying relevant considerations and place shaping principles.

62. The context for the policies is provided by adopted Local Plan Policy LPP21 providing for *“around 835 new homes”* and other facilities, including a primary school and nursery, community centre, open space and new connections. This is shown in both Figures 5 and 7. Policy LPP21 states *“Development will be required to follow any associated neighbourhood policies (e.g. design, housing mix and density) in the Feering Neighbourhood Plan if one is in place at the time of the Planning application.”* Contrary to Policy 1's title this is the only site allocated for development and the local detail is provided in Policy 2. I recommend that the two policies are combined into a single Policy guiding development of Site F1.

63. The Policy references a *“Neighbourhood Plan Proposals Map”* showing the site allocation. There is no Proposals Map provided. On request I was informed this was provided by Figure 7 although this only addresses the development site. The Plan includes other proposals.

64. The Policy refers to an allocation for *“up to 750 dwellings”* and *“4 hectares”* for employment use. Policy LPP21 is for *“around 835 new homes”* and *“appropriate employment generating uses”* without specifying an area. No evidence is presented for

varying the quantum of new housing or specifying an area of employment land and the differences reflect the evolution of Policy LPP21 through the Local Plan process.

65. I have considered a number of representations concerning the relationship between the neighbourhood plan and the Local Plan regarding the Strategic Growth Location. As representations from The Crown Estate make clear it is not the role of the neighbourhood plan to revisit a strategic site already allocated. It is clear that the intention of the Policy is not to question or depart from the strategic allocation but to provide more local considerations when accommodating the range and quantum of development identified in Policy LPP21. This is an appropriate role for the neighbourhood plan and one envisaged in Local Plan Policy LPP21.

66. I recommend Policy 1 is aligned with Policy LPP21 in a manner that supports its delivery. This will ensure the Plan meet the requirement of national planning policy that *“neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”* (paragraph 29, NPPF)

67. The Policy specifies employment uses within Use Classes E(g), B2 and B8 and sui generis uses. There are other appropriate employment uses and no evidence is provided as to why the site should only be used for those specified. The supporting text provides a clear rationale supporting any uses appropriate to a residential area which do not have significant traffic impacts.

68. The Policy’s support for *“self-build plots”* is consistent with national planning policy (paragraph 62, NPPF). This also includes custom-build. It is unclear whether the support for self-build is limited to the Strategic Growth location and there is no evidence provided as to why such support should be limited to this location. I recommend support for opportunities for people to build their own homes is addressed more generally as part of Policy 4.

69. The support for the use of an independent quality review panel is appropriate although the detail of the preferred arrangement should be provided in the supporting text.

This part of Policy 1 relates more to Policy 2 and is repeated in Policy 2, section D. This is addressed as part of my recommendation to combine the two policies.

70. The use of a masterplan to inform development of the site is consistent with national Planning Practice Guidance on *“Design: process and tools”*. The considerations to be addressed are provided in Policy 2 which is informed by public consultation and evidence gathered during the Plan’s preparation. It provides additional detail to Local Plan Policy LPP21 and supports its delivery. Braintree District Council has developed its masterplanning approach to use an Outline Parameter Plan, Design Code and Illustrative Masterplan and this is now part of the adopted Local Plan. Given it is the intention of Policy 1 and Policy 2 to support delivery of Local Plan Policy LPP21 I recommend that the approach taken to masterplanning is consistent with that of Braintree District Council. I acknowledge that The Crown Estate is concerned that the Policy does not introduce requirements beyond its scope for the production of a Supplementary Planning Document. Nevertheless, I am content with the support for a collaborative approach and public consultation which meets the standards required of a Supplementary Planning Document without requiring it to be adopted as one. The use of an independent design review process can also be supported without fettering the decision by Braintree District Council as to whether and how this is delivered.

71. I have considered Braintree District Council’s representations that the infrastructure requirements identified in the Plan should align with those in Local Plan Policy LPP21. There is insufficient evidence presented as part of the Plan to support changes or additions to the infrastructure requirements in Policy LPP21 and the needs identified through the neighbourhood planning process in paragraph 5.2.6 are not carried through into the Plan’s policies. I recommend the policies are aligned and additional community identified needs, such as the cemetery expansion supported in representations from the Parish Church Council of All Saints’ Church and bespoke youth space, are addressed in the supporting text.

72. Section B ix. serves no useful purpose as flood risks will be managed by the Environment Agency in accordance with national policy and through the Local Plan.

73. My recommendations address some detailed issues with the Policy drafting. I share Braintree District Council's representations that *"imaginatively designed homes"* lacks sufficient clarity as a policy expectation and a reference to "beauty" would be consistent with national planning policy. It is inappropriate and unduly restrictive to specify a requirement to provide ecological reports less than three years old. The reference to CIEEM guidance can be provided in the supporting text. It is unnecessary to reference a need to comply with Policy 12 as planning applications must be considered against all relevant development plan policies. Any masterplan prepared as described would be a material planning consideration and this does not need to be included in the Policy. Policy 2 uses a mix of Roman numerals and numbers.

74. Policy 1 and Policy 2 do not meet the Basic Conditions.

- **M3 - Retitle and combine Policy 1 and Policy 2 as follows:**

**"Development of Site F1**

- A Development of Site F1 (Figure 7) as a Strategic Growth Location in accordance with Local Plan Policy LPP21 will be supported in accordance with an Outline Parameter Plan, Design Code and Illustrative Masterplan developed through a collaborative approach.**
- B The Outline Parameter Plan, Design Code and Illustrative Masterplan should:**
- I. Provide a strategic development framework which will define key development principles and strategic concepts to enable a co-ordinated approach to delivering the planned level of growth on Site F1 (excluding Phase 1);**
  - II. Be informed by a comprehensive assessment of the site and key opportunities and constraints;**
  - III. Develop an overarching vision and objectives for the creation of a high-quality development, outlining how the vision and objectives have been developed through collaborative working, including with the Parish Council and the local community;**

- IV. Explain how the identified vision and objectives for the site will be secured;
  - V. Outline how infrastructure requirements identified in Local Plan Policy LPP21 will be delivered and phased;
  - VI. Identify requirements for future planning applications associated with the site to ensure that if a phased approach is used there is an overall cohesive and sustainable plan that is responsive to the changing needs of the parish;
  - VII. Establish design codes which will guide the production of future planning applications informed by the Feering Village Assessment & Design Guide; and
  - VIII. Allow for small and medium business opportunities, appropriately located adjacent to Threshelfords Business Park and/or near an A12 junction, supported by sustainable transport links; such as public transport, safe walking and cycling
- C To incorporate appropriate ‘place shaping’ principles the Outline Parameter Plan, Design Code and Illustrative Masterplan should:**
- I. Establish key routes and linkages within the site and with the wider Parish and connecting to neighbouring parishes;
  - II. Maintain and enhance the important features, character and assets within the site and the wider Parish;
  - III. Conserve and, where appropriate, enhance landscapes, habitats and biodiversity, including connections to the wider green and blue infrastructure network;
  - IV. Establish a long-term plan for the stewardship of assets, incorporating the local community;
  - V. Provide high quality and beautiful homes with gardens or access to usable and accessible amenity space;
  - VI. Provide sustainable urban drainage solutions which are multi-functional and create areas of open space which can be used for recreation and deliver benefits for the built, natural and historic environment;

- VII. Ensure generous, well connected and biodiverse rich green and blue space provision as part of the Parish’s green and blue infrastructure network, supported by timely ecological reports;**
- VIII. Ensure a biodiversity net gain which is well connected to a range of multi-functional green and blue infrastructure and landscape;**
- IX. Ensure that development respects and where appropriate enhances the natural environment;**
- X. Provide for sustainable movement and access to local and strategic destinations including rail, bus, pedestrians, cycling and horse riding;**
- XI. Ensure positive integration with Feering village and the wider surrounds;**
- XII. Ensure appropriate varied density of development across the site which reflects and maintains the character of the surrounding area;**
- XIII. Establish an appropriate location for employment land which provides good access to surrounding transport networks and seeks to minimise through-traffic movement and avoids congestion within Feering village;**
- XIV. Establish an appropriate location for a new local centre which includes new community facilities and is accessible and well connected to both the new development and the existing village; and**
- XV. Ensure that new development provides or contributes towards appropriate public realm improvements.**

**D The production of the Outline Parameter Plan, Design Code and Illustrative Masterplan and subsequent planning applications informed by an independent quality review panel is supported.**

**E The production of the Outline Parameter Plan, Design Code and Illustrative Masterplan in a manner capable of being adopted as supplementary planning documents, including being subject to public consultation, is supported.”**

and make consequential changes to the supporting text.

- M4 – Update the supporting text to reflect the adopted Local Plan Policy LPP21 and Outline Parameter Plan, Design Code and Illustrative Masterplan approach and to include any additional community aspirations for infrastructure
- OM4 – [Provide examples and/or further detail on the operation of an independent quality review panel in the supporting text]

### Design

75. **Policy 3** – This establishes considerations and standards for a high quality of design in new development.

76. The Policy is supported by the *Village Assessment & Design Guide* prepared alongside the Plan which development proposals should “*take into account*”. The document will need updating following adoption of the Local Plan and modifications to the neighbourhood plan. This also provides an opportunity to address some of the issues raised about the Guide by Braintree District Council. The Guide is described as being “*Part 2*” of the Plan despite being a freestanding document which is not part of the development plan. I recommend that a clear distinction is made between the Plan and the Guide.

77. The first part of Policy 3 is positively worded and appropriate to the need to secure high quality design. Not all considerations are relevant to all development proposals. Some relate only to residential development whereas the Policy relates to all types of development. Addressing representations from The Crown Estate it is also apparent that not all considerations are relevant to the development of Site F1 but a number are appropriate and these can be identified and addressed through the masterplanning and development management process.

78. The Policy is unduly restrictive in stating that all development “*must*” contribute toward an improved public realm. I agree with Essex County Council’s representations that development proposals should “*have regard to*” the Essex Parking Standards.



79. Section B specifies standards for BREEAM, Home Quality Mark and Secured by Design as well as supporting standards for nature and aspiring to the Livewell Developer Accreditation Scheme. These are all voluntary standards and there is no evidence presented as to why they should be required by planning policy due to specific circumstances within the neighbourhood area. National planning policy is that *“any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards”* (NPPF, paragraph 154) and the Plan can support but not require development to deliver higher voluntary standards.

80. I note Braintree District Council’s support for using the Lifetime Homes Standard to provide clarity but this is not consistent with Government policy for Part M (Access to and Use of Buildings) of the Building Regulations to set minimum access standards for all new buildings.

81. Section C introduces specific requirements for electric vehicle charging points in both residential and non-residential development. The issue of electric vehicle charging is not addressed in the supporting text and no evidence is provided for the requirements specified. On request I was informed by Feering Parish Council that *“This is based on the Essex Parking Standards where we have added the EV charging points to the parking standards to take account of the changing environmental issues.”* National planning policy is to address *“the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles”* when setting local parking standards. The Essex Parking Standards were published in 2009 and do not address electric vehicle charging. While it would be appropriate, therefore, to include requirements that constitute *“adequate provision”* this needs to be based on some evidence as to the proportion of parking spaces which should have charging infrastructure. Otherwise the Plan will not be adding to existing national policy.

82. The purpose of paragraph 5.3.3 of the supporting text setting out design requirements is unclear as such considerations should be included in the Policy if they are to be requirements. I share Braintree District Council’s concern that some of the requirements are didactic and constraining.

83. Policy 3 does not meet the Basic Conditions.

- **M5 – Amend Policy 3 to:**

- Insert “, as appropriate” after “*All development proposals should*”
- In Section A subsection iv. replace “*in accordance with*” with “have regard to”
- In Section A subsection x. replace “*must provide*” with “provides”
- Replace Section B with:  
“Development proposals which demonstrate achievement of the highest possible rating under the Home Quality Mark, ‘Livewell’ accreditation or BREEAM, as appropriate, will be supported. Development proposals should have regard to the Secured by Design initiative.”
- Replace Section C with:  
“Development proposals should make adequate provision for charging electric vehicles. Public charging points should be located in highly visible, accessible locations close to building entrances.”

- M6 – Delete references to the Village Assessment and Design Guide being “*Part 2*” of the Plan and update it following adoption of the Local Plan
- M7 – Amend paragraph 5.3.3 of the supporting text to express aspirations rather than requirements – e.g. replace “*requires new development to*” with “supports new developments which”

### Housing

84. **Policy 4** – This addresses the location and affordability of new housing.

85. In 2019 Braintree District Council provided an indicative requirement for 750 dwellings in the neighbourhood area and although this has now been surpassed by the adoption of the Local Plan it is agreed that the area’s housing requirements are met through the Strategic Growth Location addressed in Policies 1 and 2. No contrary view has been expressed.

86. The Policy is supported by a Housing Needs Assessment (2018) that concludes there is a need to increase provision of affordable/social rent and smaller 2-3 bedroom homes. There is also support for additional specialist housing for older people. These conclusions are supported by the public consultation outcomes.

87. Policy 4 seeks development proposals which demonstrate how they meet these needs for affordability and smaller homes. It is not, however, for applicants to *“outline current local housing needs”* but to demonstrate, where appropriate, how proposals meet identified needs. The requirement for affordable homes to be provided *“in accordance with the requirements set out within the Braintree Local Plan”* serves no useful purpose and duplicates existing development plan policy.

88. For clarity the reference to *“settlement boundaries”* should be consistent with that for *“development boundary”* as defined in the Local Plan. This should be referenced in the supporting text.

89. The Policy seeks affordable housing which is *“dispersed throughout new development”*. This is a potentially onerous requirement and an alternative arrangement of affordable homes may be appropriate and more suited to management needs. No evidence is provided as to why this expectation is included in the Policy and I share some of Braintree District Council’s concerns with the approach.

90. The Policy’s approach to providing affordable housing to those with a *“local connection”* on exceptions sites is broadly consistent with that operated by Braintree District Council although this will not be possible in all circumstances. The drafting is not clear whether both subsections apply in Section B.

91. There are grammatical issues with the structure of the Policy with subsections iv. and v. being drafted as freestanding statements.

92. I recommend that support for self-build and custom-build plots is addressed in this Policy given it relates to more than Site F1.

93. Policy 4 does not meet the Basic Conditions.

- **M8 – Amend Policy 4 to:**
  - **Replace “*settlement boundaries*” with “development boundaries” in two instances**
  - **In Section Aii. Replace the second sentence with “Development proposals should demonstrate how the proposed housing mix will assist in meeting identified local needs, including for affordable homes;”**
  - **In Section A delete subsections iii, iv and v**
  - **In Section B insert “and” at the end of subsection i.**
  - **In Section B insert “where possible” at the end of subsection ii.**
  - **Add a new Section C “Development proposals for self-build and custom-build homes will be supported where they assist in meeting identified local needs.”**
  
- **OM5 – [Update the supporting text following adoption of the Local Plan and make reference to Local Plan policy defining development boundaries in the neighbourhood area]**

#### Heritage assets and their settings

94. **Policy 5** – This sets out policy expectations for recognising and protecting heritage assets.

95. The Policy is supported by limited evidence and is general in nature. Section A, Bv., C and D serve no useful purpose as they address matters already considered in the National Planning Policy Framework (Chapter 16). There are also inconsistencies in the approach which reduces the clarity of policies relating to heritage, including a need for greater clarity by referring to both “designated and undesignated” heritage assets.

96. I agree with Braintree District Council that the title of the Policy would be clearer as “Heritage assets and their settings”.

97. Policy 5 does not meet the Basic Conditions.

- **M9 – Amend Policy 5 to:**

- **Include a new title “Heritage assets and their settings” and to delete Sections A, Bv., C and D**
- **In the first line of Section B insert “designated and non-designated” before “heritage”**

#### Natural Environment and Green and Blue Infrastructure

98. **Policy 6** – This establishes policy considerations for identifying and protecting the natural environment, including green and blue infrastructure and Local Green Spaces.

99. The Policy is supported by mapped details of two existing Local Wildlife Sites (Figure 9) and existing green spaces intended to be designated as Local Green Spaces (Figure 10). Figure 10 erroneously includes details of the “*School and Community Centre*”. There is strong support for measures to protect nature and green spaces in the public consultation outcomes.

100. Evidence is provided that the case for designating 15 Local Green Spaces has been considered in a manner consistent with national planning policy requirements (paragraph 102, NPPF). I visited each of the Local Green Spaces and have considered representations on the proposals, including from Braintree District Council and The Crown Estate. Land ownership is not a relevant consideration when designating Local Green Space.

101. I concur with the assessment provided in the evidence base and support the proposed designations with some exceptions that do not meet the requirements of national planning policy:

- LGS5 St Martins cemetery and cemetery extension – the existing cemetery meets the requirements for Local Green Space designation but the proposed extension anticipates decisions not yet made and should be excluded
- LGS10 & LGS11 River Blackwater – these comprise “*an extensive tract of land*” in terms of national planning policy and includes areas of agricultural land which otherwise fail to meet the criteria. I note Feering Parish Council’s desire to retain some aspect of both proposed Local Green Spaces as a narrower corridor but this would be a significant change requiring further public consultation. It may be considered as part of a future review of the Plan
- LGS15 Domsey Brook - there is a lack of evidence for the wildlife interest of this land and very limited recreational benefit from rights of way passing across it. I note Feering Parish Council’s view that this proposal would support improved east/west connections but designation as a Local Green Space confers no additional right of access to the land

102. Further to representations from Braintree District Council I would be content with Local Green Space designations that may continue beyond the neighbourhood area if this were to be the case. It is an inevitable consequence of any planning boundary that other boundaries may not coincide and this is as true of a Local Plan as a neighbourhood plan.

103. Figure 10 does not include the boundary of each Local Green Space and this was provided as a hand annotated map on request. The Plan does not include an explicit policy designating the Local Green Spaces although this is implicit in their inclusion in Policy 6, Figure 10 and the supporting text and evidence. It is unfortunate that the Plan was not clearer in its designation of Local Green Spaces but I am satisfied that the intent was sufficiently apparent during the public consultation on the draft and submitted plans. It is essential that detailed boundaries for each of the designated Local Green Spaces are included at an appropriately large scale in the final Plan alongside a Policy which designates them. This may require the use of inset maps. Given the recommended deletion of some proposed Local Green Spaces their numbering has been changed where necessary in my recommended modification.

104. Section A is very general and the balance of decision making in the final sentence is not consistent with the National Planning Policy Framework. Section C is similarly not consistent with national planning policy and it concludes with a statement that serves no purpose in a planning policy.

105. The Policy refers inconsistently to different types of routes and networks. Figure 12 is correct in identifying footpaths, bridleways and byways and these combine to create the Public Rights of Way network. For clarity I recommend this term is used throughout the Plan and reference is made to Figure 12. This will also help to address some of the concerns of the Essex Bridleways Association regarding the lack of attention to equestrian users. There are additional routes used by cyclists and horse riders, including permissive routes and alongside roads which also need to be addressed and these should be identified in Figure 12. The use of acronyms – such as “PROW” and “SuDS” and references to “The Plan” should be avoided.

106. Natural England’s representations include a strengthening of the way the Plan addresses the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. It states that this is necessary to secure the mitigation required by the Habitats Regulations. I am content with the proposed change.

107. The Policy is unduly onerous in requiring all development proposals, regardless of their size or impact, in two character areas to demonstrate how they will protect and enhance their special features and overall character.

108. The management and maintenance arrangements associated with new development may need to be agreed with a number of parties and this does not need to be specified in the Policy. This also addresses representations from The Crown Estate.

109. Policy 6 does not meet the Basic Conditions.

- **M10 – Insert a new Policy:**

**“Local Green Spaces**

The following areas shown in Figure(s) ?? are designated as Local Green Spaces

<b>LGS1</b>	<b>Feering Churchyard</b>
<b>LGS2</b>	<b>Village Green</b>
<b>LGS3</b>	<b>Taylors, Coggeshall Road</b>
<b>LGS4</b>	<b>Allotments</b>
<b>LGS5</b>	<b>St Martins cemetery</b>
<b>LGS6</b>	<b>Playing Field, Rye Mill Lane</b>
<b>LGS7</b>	<b>Feering Marsh</b>
<b>LGS8</b>	<b>Kelvedon &amp; Feering Cricket Ground</b>
<b>LGS9</b>	<b>Cricket Ground extension</b>
<b>LGS10</b>	<b>Lady Meadow</b>
<b>LGS11</b>	<b>Bridge Meadow and “Packhorse” Bridge</b>
<b>LGS12</b>	<b>Bridge Meadow and Feering Hill Green”</b>

- **M11 – Amend Policy 6 to:**

- **Replace “*The Plan supports development proposals*” with “Development proposals will be supported” at the beginning of Sections A and B**
- **Delete the final sentence of Section A**
- **In Section B iii. insert “walking, cycling & horse-riding networks, including Public Rights of Way (Figure 12)” after “*the*” and delete rest of sentence**
- **In Section B v. replace “*PROW network*” with “walking, cycling & horse-riding networks, including Public Rights of Way”**
- **In Section B vii. Replace “*SuDS*” with “sustainable urban drainage systems”**
- **Replace Section B viii. with “All new residential development will be required to make a financial contribution towards mitigation measures, in accordance with the adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document, to avoid adverse in-combination recreational disturbance effects on European Sites”**
- **Delete Section C**



- In Section D replace “*within*” with “which are likely to have a significant individual or cumulative impact on”
  - In Section E insert “agreed at the time of planning consent” after “*should be*” and delete rest of sentence
- M12 - Delete the “*School and Community Centre*” from Figure 10
  - M13 – Amend and retitle Figure 12 to provide a map of “Walking, cycling and horse-riding routes, including Public Rights of Way” that distinguishes the footpaths, bridleways and byways that form the Public Rights of Way network from other routes

### Flood Management

110. **Policy 7** – This seeks to avoid or reduce flood risk by complying with Local Plan policies.

111. The Policy is supported by very limited evidence. There is recognition of flooding as an issue in the public consultation outcomes.

112. As drafted the Policy serves no useful purpose as it relies on implementation of Local Plan flood risk policies “*as a minimum*”. There is no evidence provided as to why the measures in the Local Plan should be exceeded in the neighbourhood area. Nevertheless, the element of the Policy supporting natural flood management measures is appropriate. Their benefit, including for carbon saving, should be addressed in the supporting text.

113. Policy 7 does not meet the Basic Conditions.

- **M14 – Replace Policy 7 with:**  
**“The use of natural flood management techniques is supported wherever possible.”**

- OM6 – [Address the benefits of natural flood management measures in the supporting text, including any appropriate references]

### Community and Leisure Facilities

114. **Policy 8** – This establishes policy considerations for the expansion and protection of community and leisure facilities

115. The Policy seeks to amplify Local Plan policy to address the circumstances of the neighbourhood area. This is informed by consultation identifying a need for additional community facilities to meet both existing and future additional needs arising from the development of Site F1.

116. Section A is unduly onerous in requiring all development proposals to consider issues regarding community and leisure facilities regardless of their scale or impact. The Policy would read more clearly if Section A and B were combined and if Sections B iv. and B v. were redrafted so as not to be freestanding statements.

117. Section C seeks to protect existing facilities by requiring evidence that they are not economically viable and no longer required. Both considerations should not apply. A further missing consideration should be the provision of an equivalent alternative facility.

118. Footnote 30 refers erroneously to section 5.6 which deals with the natural environment and green and blue infrastructure.

119. Policy 8 does not meet the Basic Conditions.

- **M15 – Amend Policy 8 to:**
  - **Combine Sections A and B into a single Section with two sentences**
  - **Insert “Relevant” before “Development” at the beginning of Section A**
  - **In subsection iv. replace “There would be no” with “avoid”**
  - **In subsection v. insert “Provide” at beginning and delete “would be provided”**

- **Replace Section C with “Development proposals resulting in the loss of a locally valued community or leisure facility should be supported by evidence that:**
  - **The use is not economically viable; or**
  - **The facility is no longer required to meet the needs of the local community; or**
  - **An equivalent alternative facility will be provided in an appropriate location.”**
  
- OM7 – [Provide the correct reference in Footnote 30]

#### Moving around

120. **Policy 9** – This establishes policy considerations for new development relating to existing transport and Public Rights of Way networks and addressing their impact.

Additional considerations are established for employment uses.

121. The Policy is supported by limited evidence beyond a breakdown of the modal split for residents travel to work journeys. There is evidence from public consultation of future priorities for transport investment.

122. The Policy relates to all development proposals regardless of their scale or transport impacts. It is unduly onerous in requiring evidence of no impact on congestion from development. The provisions for employment uses also take no account of the scale of significance of their transport impact and I share the view expressed by The Crown Estate that to be consistent with national planning policy any impact on the highway network should be “severe” (paragraph 111, NPPF) before it is material to a decision to refuse permission.

123. I share the concern in representations from Barton Willmore Planning on behalf of L&Q Estates, Cirrus Land and G120 Land Ltd that Section A v. and Section A vi. duplicate each other. Section A iv. is also addressed in Section A ii. and Essex County Council notes

that the deletion of Section A iv. was agreed by Feering Parish Council in considering its earlier representations on the Plan.

124. Section A viii. seeks to require parking standards in accordance with the Plan's Objective D6. This Objective is not included at the beginning of the Policy section and no evidence is provided that it will not be delivered through application of the Essex Parking Standards. Section A viii is also duplicated in Section B v.

125. The drafting is inconsistent in its description of the component parts of the Public Rights of Way network. The drafting can also be improved to support a clearer sentence structure and to clarify that all the criteria in both Sections need to be considered.

126. Section B vi. lacks clarity in the way it references "*The plan*" and should be freestanding as it is not an additional consideration for employment generating development. I note the uncertainty over the investment required for a "*new and improved A120*" whilst recognising this may happen within the Plan period. There is a lack of evidence for broad based support for new and improved road infrastructure over and above that specifically identified.

127. Policy 9 does not meet the Basic Conditions.

- **M16 – Amend Policy 9 to:**
  - **At the beginning of Section A insert "as appropriate" after "should"**
  - **In Section A ii. Replace "*public rights of way, pedestrian, cycle, passenger transport and bridleway*" with "*walking, cycling & horse-riding networks, including Public Rights of Way, (Figure 12) and passenger transport*"**
  - **In Section A iii. replace "*detrimental impact*" with "*severe cumulative detrimental impacts*"**
  - **Delete Section A iv.**
  - **Replace Section A v. and vi. with "*Not have a severe detrimental impact on air quality and public health as a result of increased traffic flows and congestion*"**

- **Replace Section A viii with “Make provisions for parking which have regard to the Essex Parking Standards (2009) or subsequent amendments”**
  - **In Section A ix. delete “Where appropriate”**
  - **Delete “to” in Section A iii. A v. and A vi**
  - **Move “; and” from end Section A vi. to end Section A viii. and from end Section B iv. to end Section B v.**
  - **In the opening line of Section B delete “In addition to A” and insert “as appropriate” at end**
  - **Insert at the end of Section B ii. “when delivered”**
  - **Delete Section B v.**
  - **Delete Section B vi. and insert a new Section C:  
“Where new and improved infrastructure is provided it should make adequate provision for safe crossing points and corridors for wildlife and equestrian use.”**
- **OM8 – [Include Objective D6 under Section 5.9 and provide appropriate supporting text regarding how it can be delivered through application of agreed parking standards]**

### Business and Economy

128. **Policy 10** – This establishes policy considerations for employment generating development and the protection of employment uses.

129. The evidence base identifies the neighbourhood area has a higher proportion of self-employed than neighbouring areas and that existing major employment sites are at capacity.

130. Section A is enabling and supportive while also being very general in nature. The considerations are more appropriate as indicators of what will be supported than as policy criteria. This will help to address representations made by The Crown Estate as to the vagueness of the approach.

131. Whether a business is a “*Small and Medium Sized Enterprise*” is not directly a planning consideration although the size and nature of premises is material. There is a lack of evidence for the Policy not also considering larger enterprises and this can be addressed by recasting the policy to identify proposals which are offered support. There is a lack of any definition of “*environmentally friendly*” and “*carbon neutral*” which means the Policy is not “*clear and unambiguous*” (NPPG Paragraph: 041 Reference ID: 41-041-20140306). I recommend an alignment with national planning policy. It is unclear whether all the considerations apply.

132. Section B is negatively worded in stating what “*will be resisted*”. It does not address the possibility of alternative equivalent additional employment generating development being available elsewhere in an appropriate location.

133. Policy 10 does not meet the Basic Conditions.

- **M17 – Amend Policy 10 to:**
  - **In the first line of Section A replace “*should*” with “will be supported that”**
  - **Insert at beginning of Section A i. “Provide suitably sized and supported premises that will” and delete from “*e.g.*” to end**
  - **In Section A move “; *and*” from the end of subsection iii. to the end of subsection iv.**
  - **In Section A iv. replace “*significantly*” with “severe cumulative”**
  - **Replace Section A v. with “contribute to and enhance the natural and local environment and support the transition to a low carbon future.”**
  - **In the second line of Section B replace “*will be resisted unless*” with “should meet” and delete “*is met*”**
  - **In Section B insert a new subsection after subsection i. “Equivalent, alternative and additional provision is available elsewhere locally in an appropriate location.”**

## Developer Contributions to Community Infrastructure

134. **Policy 11** – This supports developer contributions where appropriate based on an understanding of the impact of development and prioritises an identified list Infrastructure Items.

135. The context for the Policy is that the Community Infrastructure Levy has not been introduced by Braintree District Council. The Policy and accompanying Table received strong support through public consultation.

136. Sections A and B of the Policy are broad in approach and can be delivered through different mechanisms, including use of s106 obligations.

137. Section C relates specifically to an identified list of priority infrastructure items in Table 3. There is a lack of evidence supporting the identification and prioritisation of the items in Table 3 and no indication as to their viability. The Policy is that they “*must*” be provided. Braintree District Council raises significant concerns stating that “*Many of the infrastructure items for site F1 is contradictory to S2LP Policy LPP22 and the Council's IDP. As written paragraph C is not appropriate in regards to National Policy and does not conform with Local Plan policy LPP82 [now LPP78], and is not compatible with the Council's viability tested IDP.*” I share the view that there is unnecessary overlap with Local Plan Policy LPP78 and there are inconsistencies with the infrastructure requirements for delivering Site F1. This is also highlighted by representations from The Crown Estate and inconsistent with the Plan’s overall intention to support delivery of Local Plan Policy LPP21. I conclude that Section C lacks sufficient evidence and raises general conformity issues with the Local Plan. The aspirations in Table 3 may be addressed through reference in the supporting text.

138. Policy 11 does not meet the Basic Conditions.

- **M18 – Amend Policy 11 to delete Section C**
- M19– Make consequential adjustments to the supporting text, including identifying Table 3 as a summary of desired not “*required*” local infrastructure projects.

## Climate Change and Sustainability

139. **Policy 12** – This establishes policy considerations for supporting development of renewable energy schemes, reducing light pollution, recycling water and providing sufficient information with which to assess development proposals.

140. The Policy is supported by relatively little evidence as to the climate change considerations specific to the neighbourhood area. The Parish Council has declared a climate emergency.

141. The Policy takes a supportive approach. Its expectations on information to be provided with development are desirable and not requirements and I consider this to be a sufficiently flexible approach. I share Essex County Council’s view in representations that development proposals may be accompanied by an “environment statement” rather than a “*sustainability appraisal*”.

142. It is not appropriate to include examples in the Policy and they should be provided in the supporting text. The Policy should be freestanding and not reference “*The plan*”.

143. Section A addresses a non-planning issue, support for funding, and not appropriate to planning policy. The planning considerations are addressed in Section B.

144. Section F is unspecific in its support for development that “*looks at ways*” of harvesting grey water.

145. Policy 12 does not meet the Basic Conditions.

- **M20 – Amend Policy 12 to:**
  - **Delete Section A**
  - **In Section C replace “*The plan supports development proposals*” with “**Development proposals are supported**”**
  - **Replace Section C i. with “an environment statement”**



- **Replace Section C iv. with “sustainable drainage systems which manage the risk of flooding”**
- **In Sections D, E and F replace “*The plan support developments*” with “Development proposals are supported”**
- **In Section F replace “*look at ways of harvesting*” with “incorporate”**

## **8. Recommendation and Referendum Area**

146. I am satisfied the Feering 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.