

Our ref:  
Your ref:

Ask for:  
Dial:  
Ext:

Date: 29<sup>th</sup> January 2024

Sustainable Development  
Causeway House  
Braintree  
Essex CM7 9HB  
Tel: 01376 552525

**[www.braintree.gov.uk](http://www.braintree.gov.uk)**

Via email only

Dear Mr Burns,

Thank you for your letter dated 18<sup>th</sup> January 2024. The Council notes that this letter requires a response within seven working days. The consideration around an SDO is complex and this timescale is, the Council believes, extremely limited and fails to ensure there is a meaningful engagement with the Council on the issue. Furthermore, it does not allow adequate time for the Council to provide any comments to you on an SDO for development of this scale at Wethersfield Airbase.

Despite asking on numerous occasions, the Council has not been provided with any detail about the SDO process and therefore is unsure if this is the only opportunity we will be given to input into the process. In the absence of any information about the SDO process, the Council has little option but to treat this as its only opportunity to provide comments. The Council therefore considers that seven working days is an unjustifiably tight timescale to coordinate a response to proposals of such a large scale but has nevertheless endeavoured to do so. We expect to have the opportunity to add further comments throughout the SDO process, including on the information that we request to be made available within this letter.

The correspondence from the Home Office states that it will continue to engage with statutory bodies throughout the development process. We request that you publish or otherwise make available a list of the bodies who have been engaged in the process to date as well as those that will be engaged, the nature of the engagement and the responses that they have provided. We would expect any additional information that is being shared with these statutory bodies to also be shared with this Council, as the local planning authority.

The Council understands that no opportunity for comments, as limited as this is, has been provided to the local community, Parish Councils and community groups who will be most impacted by the proposals. These groups have given up huge amounts of their own personal time to seek to understand and

engage with the Home Office on these proposals, and their input to the SDO development should be permitted and enabled.

By not using the local planning system, and by making a deliberate choice to neither consult with or engage throughout the process of identifying Wethersfield for use as an asylum centre, the Home Office has repeatedly bypassed the local community, residents and stakeholders, depriving them of the opportunity to engage positively and express valid concerns to be addressed.

Whilst we note there is no statutory duty for the Home Office to consult on proposals that are the subject of an SDO, the involvement of local residents in planning for their communities is clear within national guidance. The NPPF recognises the importance of this in paragraph 40 which states that an LPA should;

*encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.*

The NPPG in a now-revoked section also highlighted the importance of consultation on planning matters:

*It is important that local planning authorities identify and consider all relevant planning issues associated with a proposed development. Consultees may be able to offer particular insights or detailed information which is relevant to the consideration of the application.*

This feeling of being 'done to' therefore runs against the spirit of national planning policy and is having a detrimental impact on community relations. We ask that the community is immediately given an opportunity to formally engage in this process.

The request for comment has come with a very minimal description of the proposed development, providing only a red line boundary of the site, plus a link to a previously published 5-page briefing note on the site. This does not provide the Council or any other stakeholder with sufficient information on which to provide a useful response, nor does it provide any assurance that the rules in relation to Habitats Regulations, or Environmental impacts are being addressed appropriately.

Development on the site for a 1-year period, secured under class Q, included an Environmental Impact Assessment (EIA) request for screening direction which was made to the Secretary of State. This concluded that the development under class Q was not an EIA development. Much of the published justification for the limited impacts was due to the temporary 1-year use of the site. The Council expects that a request for a screening direction is currently being prepared or has already been sought in relation to the proposed SDO. Part 2, paragraph 6 of the EIA Regulations 2017 identifies the

information which is required to be submitted as part of a screening request. The Council asks that it is provided with copies of the information that is being prepared as part of this process in order to help its response to the SDO and make representations as appropriate to the Planning Casework Unit (we note that whilst no formal request for comments was made by PCU in their determination of the previous screening opinion on the site, it did take into account correspondence it had received from a local interest group). The Council would also expect to be notified and provided with the outcome of any screening request process once concluded. However, until this has been completed, the Council cannot comment fully on the environmental impacts arising from the proposed development apart from to note that, typically, development of this scale has required an Environmental Statement, which would need to be considered in advance of the SDO.

The Council understands that other documentation and evidence as to the impacts of the development on the site and the surroundings have been prepared. The Council remains of the view, expressed previously, that, in not providing this information publicly and allowing the Council, other key stakeholders and local residents the opportunity to consider and respond to that evidence, this constitutes a key failure of this process.

Without any information or documentation on the proposals for development the Council can only raise the following points in broad terms, based on the local policy and our experience during the first year of site operations.

Wethersfield Airfield sits approximately 9 miles from Braintree town by road and 1.7 miles from the nearest village of Wethersfield, which is a third tier village within the Council's hierarchy, the lowest category of settlement. The Local Plan notes that these are *'the smallest villages in the District and lack most of the facilities required to meet day to day needs. They often have very poor public transport links and travel by private vehicle is usually required. When considering the tests of sustainable development, these will not normally be met by development within a third tier village'* The whole Parish of Wethersfield has a population of 1,298 according to the most recent census data. The SDO proposes to locate up to 1,700 men on the site between the age of 18-65.

1.7 miles from the village development boundaries lies the airfield. The airfield is allocated as countryside. The Local Plan sets out that; *'in order to protect the intrinsic beauty of the countryside, development here is normally restricted to that which supports countryside uses.'*

The Council has also recently approved a Neighbourhood Plan area to cover Wethersfield and Finchingfield (a neighbouring Parish). A proactive group of local residents is driving forward resident led proposals for the villages and for the airfield which will form a part of the Council's development plan, once adopted.

In the case of Wethersfield, this countryside location manifests itself in a distance of 9 miles from the main highway network of the A120 at Braintree, accessed only via minor country roads, passing through historic villages which are unused to high levels of traffic, extremely poor connectivity by the local bus network with infrequent services and railway station access only at Braintree. There is a lack of local walking and cycling facilities, as well as long distances and dark roads, which means this is unlikely to be a suitable alternative and could pose a danger to both road users and those trying to access the site by foot or bicycle.

The airbase is considered a non-designated heritage asset and has been found to be one of the best-preserved examples of WW2 airfields in England. Historic England has recently awarded Grade 2 listing to the Cold War Nuclear Bunker Stores and sidewinder air to air missile store, along with associated blast wall. The impact on the historic environment of the site, including archaeology must therefore be carefully assessed, particularly as the site area on the current SDO plan has been expanded to include a larger area as well as new areas within the Wethersfield site and the number of people on the site is expected to increase three-fold from those currently accommodated.

The Council has continually raised concerns about the ability of the site to provide safe and appropriate drinking water for use on the site and for the site to discharge water effectively and safely. Local landowners have previously indicated that raw sewage has leaked onto their land from the site, and work done when considering proposals for two large prisons on the site, identified that a new waste water treatment works would be required to ensure discharges into the local river network were at safe levels. If the proposal is to store sewerage on site, and then remove from the site and transport to a sewerage treatment works to process, it needs to be demonstrated that the facility has the capacity to deal with the additional flows, without detriment to the environment. In addition, the transport impacts arising from these additional movements to and from the site, need to be considered as part of the cumulative impact over the full operational phase of the development.

By virtue of its location within the countryside the site is rural in nature with much woodland, tree, vegetation, hedgerow and grassland habitats both within the site and in the surrounding area. This includes a Jubilee woodland which is located on the site. This forms an extensive habitat for local flora and fauna which should be protected from the impacts of the development, the increase in local population and lighting which is used on the site. The opportunities for Biodiversity Net Gain of at least 10% should be explored on site, and this should be done in consultation and partnership with the local community. In addition, concerns are raised in respect of the proposed installation of additional lighting on site, and the impact this could have on the night sky, neighbouring amenity, and existing habitats.

Since service users have been on the site the Council has received various noise complaints from nearby residents, which often relate to the leisure uses being undertaken on site. The Council welcomes the provision of indoor and outdoor recreation and leisure facilities on the site to ensure service users are able to maintain their own mental and physical health and wellbeing, but these must be managed so as to not cause a nuisance to the residents of nearby properties.

The briefing note sent out with the document includes the provision of on-site medical facilities for service users. This was also a key part of the assessment in the EIA screening regarding the impact of the development. The proposal needs to provide assurance that, working with local partners, sufficient on site medical facilities are available to treat a range of needs and conditions which are arising on the site, including appropriate processes and facilities in place to deal with those who need to be isolated.

The Council and local communities remain concerned about the potential contamination of the site, given the site's previous uses. Ground works which have, and may continue, to take place on the site and there could be an impact on human health, the environment and the water courses. We understand that work has been undertaken on this issue, but this has not been shared publicly.

Finally, the SDO notes that after a three-year operational period there will be a further 6 month decommissioning period. The Council, local residents and stakeholders will need to be involved in both the practicalities of how the decommissioning process will take place and also the state to which the base will be decommissioned to, and the possibility of community use or activities being able to make use of the site.

The Council is aware that there has been a notice placed across the site, which sets out that the site has been considered in accordance with the Crichel Down Rules. This indicates that the Ministry of Defence is in the process of considering transferring the site to another Government Department. The Council assumes this means that the Home Office is due to become the owner of the site. Whilst this will mean that the site will remain identified as Crown Land, the switch in ownership will have significant impacts on the Council in terms of its statutory obligations for key aspects of the site, which currently the Council does not hold as a result of the site being owned by the Ministry of Defence. Most notably this will impact the Council's regulatory obligations concerning contamination. Neither the letter, nor the Notice on site, provide the Council with information as to the nature of the transfer, and therefore we request that such information is provided as soon as possible, so that the Council is able to fully understand the impact of this and clarify the legally responsible body.

We look forward to your comments and the provision of the additional information and engagement which has been requested in this letter. Only through this engagement, can the Minister responsible for the decision on the

SDO have a full picture of the implications of the decision as to whether to use Wethersfield as an asylum centre.

Yours Sincerely

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

**Dan Gascoyne**  
**Chief Executive**  
**Braintree District Council**