

**From:** Philip Whittome  
**To:** Steve Carnaby  
**Cc:** Clerk@steeplebumpstead-PC.org; Johnson, Carolyn  
**Subject:** Re: Steeple Bumpstead Neighbourhood Plan - Examiner procedural letter and questions  
**Date:** 25 July 2024 13:31:46  
**Attachments:** image001.jpg  
21\_01624\_OUT-DECISION\_NOTICE-1909347.pdf  
Note from SB NP Steering Group to IPE July 2024.pdf

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Dear Mr. Carnaby,

The Steeple Bumpstead Parish Council Neighbourhood Plan Steering Group (the "Qualifying Body") has now considered the questions posed in Mr. Stebbing's letter.

Of these questions, questions 1 and 2 ask for a response only from BDC, so we have not addressed these further. Question 3 relates to Blois Business Park, and is addressed both to BDC and to ourselves. However, part of this question relates to what extent a potential extension to the Business Park was considered during the preparation of the adopted Braintree District Local Plan 2033; and we are assuming that this part of the question is addressed to BDC, so we will not be answering this. The part of question 3 which is clearly addressed to ourselves relates to our assessment of the land's potential for an extension to the existing Business Park; and our answer to this is set out in the attached Note as requested.

The Note also refers to a planning Decision made by BDC in May 2021; please also see this attached for your reference.

As set out in our Note, please do not hesitate to get in touch if there is anything further we can help you with.

Best regards,

Philip Whittome

## **Braintree District Council**

Town and Country Planning Act 1990 (as amended)

**Application No.:** 21/01624/OUT

**Date Received:** 19th May 2021

**APPLICANT:**

Mr Robert Argent  
C/o Agent

**AGENT:**

Mr David Barker  
Evolution Town Planning Ltd  
Opus House  
Elm Farm Park  
Thurston  
Bury St Edmunds  
IP31 3SH  
United Kingdom

**DESCRIPTION :**

Outline planning permission with all matters reserved apart from access, for two detached dwellings.

**LOCATION :**

Land North Of Blois Road Steeple Bumpstead Essex

**SUBMITTED PLANS :**

Location / Block Plan Plan Ref: 20030-01 Version: C  
Topographical Survey Plan Ref: AS1372-01  
Tree Plan

**DECISION :**

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

- 1 The proposed development would utilise land that is allocated for employment purposes without reasoned justification. The loss of employment land would be detrimental to a prosperous rural economy and would reduce the potential economic benefit of the land to the community. The proposal would therefore directly conflict with Policy RLP29 of the adopted Local Plan Review (2005) and emerging Policies LPP2 and LPP3 of the Section 2 Local Plan (2017).
- 2 The proposed development would introduce noise sensitive receptors into an area where noise is being generated at present. In the absence of sufficient information to assess the local noise environment and any mitigations necessary to limit exposure to noise across the application site, the proposal is likely to give rise to unacceptable living conditions to future residents, contrary to Policies RLP34 and RLP90 of the adopted Local Plan Review (2005) and emerging Policies LPP1 and LPP55 of the Section 2 Local Plan (2017).

**Policies:**

The Development Plan policies taken into account when deciding this application are listed below. The policies can be viewed in full at Causeway House or on the Council's

### **Planning Decision Notice**

Braintree District Local Development Framework Core Strategy 2011

CS7 Promoting Accessibility for All

Braintree District Local Plan Review 2005

RLP2	Town Development Boundaries and Village Envelopes
RLP3	Development within Town Development Boundaries and Village Envelopes
RLP4	Prevention of Town Cramming
RLP8	House Types
RLP10	Residential Density
RLP29	Business Parks
RLP31	Design and Layout of Business Parks
RLP34	Buffer Areas between Industry and Housing
RLP36	Industrial and Environmental Standards
RLP51	Cycle Parking
RLP56	Vehicle Parking
RLP62	Development Likely to Give Rise to Pollution or the Risk of Pollution
RLP80	Landscape Features and Habitats
RLP81	Trees, Woodland Grasslands and Hedgerows
RLP84	Protected Species
RLP90	Layout and Design of Development

Braintree District Shared Strategic Section 1 Local Plan (2021)

SP1	Presumption in Favour of Sustainable Development
SP3	Spatial Strategy for North Essex
SP5	Employment
SP7	Place Shaping Principles

Braintree District Draft Section 2 Local Plan (2017)


LPP1	Development Boundaries
LPP2	Location of Employment Land
LPP3	Employment Policy Areas
LPP17	Housing Provision and Delivery
LPP37	Housing Type and Density
LPP44	Sustainable Transport
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development
LPP68	Protected Species, Priority Spaces and Priority Habitat
LPP71	Landscape Character and Features
LPP78	Flooding Risk and Surface Water Drainage

*The Local Planning Authority has acted positively and proactively in determining this application by identifying the areas of conflict with adopted Policy and National Planning*

**Planning Decision Notice**

*Guidance and discussing these with the applicant either at the pre-application stage or during the life of the application. However, as is clear from the reason(s) for refusal, the issues are so fundamental to the proposal that it would not be possible to negotiate a satisfactory way forward in this particular case.*

Dated: 5th October 2021

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

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

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## **Planning Decision Notice**

## Appeals to the Secretary of State

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

## Land Purchase

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

## Compensation

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

## Planning Decision Notice

**Steeple Bumpstead Parish Council**  
**Neighbourhood Plan Steering Group**



Mr. D. Stebbing,  
Examiner,  
Intelligent Plans and Examinations (IPE) Ltd,  
3 Princes Street,  
Bath BA1 1HL

24<sup>th</sup> July 2024

**INDEPENDENT EXAMINATION OF THE STEEPLE BUMPSTEAD NEIGHBOURHOOD DEVELOPMENT PLAN 2022-2033**

Dear Mr. Stebbing,

Many thanks for your letter dated 22 July 2024 in your capacity as the appointed Examiner of the emerging Steeple Bumpstead Neighbourhood Plan, which you have sent to us as the Steeple Bumpstead Parish Council Neighbourhood Plan Steering Group (the “Qualifying Body”) and to Braintree District Council (“BDC”).

In the Annex to your letter, you have posed three questions; but questions 1 and 2 ask for a response only from BDC, so we have not addressed these further.

Question 3 relates to Blois Business Park, and is addressed both to BDC and to ourselves. However, part of this question relates to what extent a potential extension to the Business Park was considered during the preparation of the adopted Braintree District Local Plan 2033 (adopted July 2022); and we are assuming that this part of the question is addressed to BDC, so we will not be answering this.

The part of question 3 which is clearly addressed to ourselves relates to our assessment of the land’s potential for an extension to the existing Business Park; and our answer to this is below.

As you are aware, the Steering Group has compiled an extensive set of documents as part of the evidence base for the Neighbourhood Plan, including technical evidence from planning consultants such as the Design Guidance and Codes compiled by AECOM Limited and adopted as part of the Plan, and the Landscape Character Assessment (plus two Appendices) compiled by Wynne-Williams Associates Limited and adopted as part of the Plan, all of which are set out for public view on the PC’s website at <https://www.steeplebumpstead-pc.org/neighbourhood-plan-1>.

However, I can confirm that none of these technical evidence reports specifically addressed the question of the land’s potential for an extension to the existing Business Park. I can also confirm that this specific question is not one which the Steering Group has formally considered in any of its deliberations to date.

That said, in response to your question we have now considered this issue and our summary view is as follows.

In 2021, Messrs. Argent (who own the Business Park as you have highlighted) applied for a change of use for one of the plots in the Blois Business Park from Industrial to Residential. Their reasoning as explained by Mr. Argent when he came to a PC meeting was that they did not think that there was sufficient demand

for industrial units, and changing to residential would be a better use of the plot. This application was refused by BDC – please see their formal decision letter attached. Based on this, the Steering Group do not really see why the current area of the Business Park needs to be expanded.

I hope that this answers your question, but please do not hesitate to get in touch if there is anything further we can help you with.

Yours sincerely,

*P. N. Whittome*

Philip Whittome  
Secretary  
Steeple Bumpstead Parish Council Neighbourhood Plan Steering Group

Cc Carolyn Johnson, Braintree District Council