

# Hatfield Peverel Neighbourhood Development Plan Development Boundary Review

November 2021

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[Date]



## Table of Contents

1. Introduction .....	2
Purpose of this report .....	2
Development boundaries .....	2
2. Methodology.....	4
3. Existing Development Boundary.....	5
Hatfield Peverel Development Boundary .....	5
Nounsley Development Boundary .....	6
4. New Development in the Area.....	8
Local Plan allocations.....	8
Planning applications .....	9
5. Proposed Development Boundary.....	11
Hatfield Peverel Development Boundary .....	12
Nounsley Development Boundary .....	14
6. Site allocations within the Neighbourhood Development Plan update .....	18
7. Conclusion.....	19
8. Appendices.....	20
Appendix 1: Braintree District Council Development Boundary Review (2015) .....	20
Appendix 2: Braintree District Council proposed amendments to the submitted Local Plan.....	21

# Hatfield Peverel Neighbourhood Development Plan Development Boundary Review

## 1. Introduction

### Purpose of this report

1. The Hatfield Peverel Neighbourhood Development Plan (NDP) was 'made' by Braintree District Council in March 2019. As the Plan is now over two years old, Hatfield Peverel Parish Council are updating the NDP and associated evidence base documents. To inform the update to the Plan, DAC Planning have been appointed to assess the existing development boundary of Hatfield Peverel and Nounsley to:
  - consider the appropriateness of the current development boundary to support decision making on relevant development proposals in the area;
  - identify any errors in the boundary, and where necessary recommend amendments to the boundary;
  - consider the impact of any changes through recent developments which could require amendments to the boundary; and
  - identify sections of the boundary which could be improved to provide more clarity to decision makers.
2. This report will present the results of the assessment undertaken by DAC Planning, and where necessary will recommend amendments to the development boundary to be incorporated into the update to the NDP. This report will form part of the NDP update evidence base.
3. This report presents the findings of a desk based assessment of the area, using a methodology based on the criteria for defining development boundaries outlined in Braintree District Council's Development Boundary Review<sup>1</sup>. The methodology is set out in Section 2 of this report, and the criteria from the Development Boundary Review is presented in Appendix 1.
4. A description of the existing development boundary, its key features, and the appropriateness of the existing boundary in supporting decision making on development proposals is outlined in Section 3. Section 4 presents recent development proposals and site allocations within the draft Braintree District Council Publication Local Plan Section 2 which affect the development boundaries in the Parish, and should therefore be considered within an updated development boundary for the area. Section 5 of this report considers in detail areas of the existing development boundary which could be updated and improved, setting out recommendations for proposed amendments to the development boundary.

### Development boundaries

5. A development boundary (also often referred to as a settlement boundary) is a line drawn around an area of existing development usually comprising a settlement on a Local Plan Policies Map, used to define an area where policies related to that area would apply. Development boundaries are often used to identify the Councils preference for the location of new development proposals. Proposals for development outside of development boundaries would often constitute

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<sup>1</sup> Development Boundary Review, Braintree District Council, 2015

development in the open countryside, which would be subject to significantly more policy restrictions. Development boundaries therefore help maintain a distinction between built up areas and the countryside.

6. The Braintree District Publication Local Plan Section 2 (BDLP) defines a development boundary as *'the designated boundary surrounding a built-up area within which there is a presumption in favour of development subject to the detailed policies in the plan'*. BDLP Policy LPP 1 Development Boundaries states that development is generally acceptable within development boundaries subject to meeting identified criteria, and development outside of development boundaries is strictly limited to uses protecting the intrinsic character and beauty of the countryside.
7. Development boundaries are reviewed regularly, and Paragraph 16 of the BDLP states that development boundaries will be revised through the Local Plan and Neighbourhood Plans.

## 2. Methodology

8. The review of the development boundary consisted of a desktop assessment undertaken in two parts:
  - i. An assessment of the built form and natural landscape features which form an identifiable and defensible development boundary, using Google Street View and available maps.
  - ii. An assessment of site allocations in the BDLP, and planning approvals from the last 6 years relating to developments of 5 or more dwellings. These thresholds have been selected to account for permissions since the last boundary review in 2015, and to identify developments of a size and scale which would result in a notable alteration to the development boundary.
9. The assessment sought to identify any errors in the boundary, considered the impact of recent developments which could require amendments to the boundary, and identified sections of the boundary which could be improved to provide clarity to decision makers.
10. The assessment draws on the criteria outlined in Part 3 of BDC's Development Boundary Review (see Appendix 1). Key principles proposed in the Development Boundary Review document which have been used for the Development Boundary Review are as follows:
  - Development boundaries should follow clearly defined physical features (built or natural).
  - Where dwellings have large gardens, the development boundary may follow built development rather than physical features.
  - Isolated development, agricultural buildings, freestanding dwellings in open landscapes, curtilages which are functionally separate from the dwelling and listed buildings with important landscape settings on the edge of a developed area are excluded from the development boundary.
  - Proposed Local Plan allocations and community facilities are included in the development boundary.

### 3. Existing Development Boundary

11. Inset Maps 36 and 46 (see figures 1 and 2 below) of the Publication Draft (Regulation 19) Braintree District Local Plan (BDLP) present, for the purposes of this report and subject to potential further amendments through the BDLP examination process, the current development boundaries within the Parish for Hatfield Peverel and Nounsley.
12. BDC has presented the Local Plan examiner with proposed modifications to the submitted BDLP<sup>2</sup>, which include the modifications listed within Appendix 2 relating to the Hatfield Peverel development boundary. The modifications intend to present the Local Plan allocations surrounding Hatfield Peverel as part of the development boundary following recent planning approvals. The modifications would result in the Hatfield Peverel development boundary being consistent with the boundary presented in Figures 1 and 2 below, and are therefore accepted as the current development boundaries for the purposes of this report.

#### Hatfield Peverel Development Boundary

13. The development boundary of Hatfield Peverel is divided into two areas by the A12. The northernmost area is adjacent to the railway line, and on east follows the rear boundaries of dwellings on Wentworth Close, Birkdale Rise, and Ferndown Way. On the south the boundary follows the A12 with the exception of an area of large rear gardens from dwellings on Station Road where the development boundary protrudes northwards, before continuing to follow the A12, Bury Lane, and then edge around the boundary of BDLP site allocations HATF313, HATF630 and HATF608.
14. The development boundary south of the A12 follows the A12 along its northern edge, on its eastern side is BDLP site allocation HATF317, before following the rear boundaries of properties on Woodham Drive and Maldon Road, running along Maldon Road, and then following the rear boundaries of properties on Green Close and Ulting Road. The southern boundary runs along the northern edge of the allotments before following Church Road until Crabb's Hill, where the boundary follows the edge of site allocation HATF314. On the remaining western edge the development boundary follows the rear boundaries of dwellings in Garden Field, and commercial and residential properties on the B1137.
15. Large sections of the Hatfield Peverel development boundary consist of transport routes, including the railway line, the A12, Bury Lane, Church Road, and Maldon Road. These are features of the built form which present a clear stoppage in the settlement pattern. The remaining sections of the development boundary are adjacent to the rear boundaries of properties and follow the boundaries of BDLP site allocations. Predominantly the development boundary follows the boundaries of properties as they appear on OS maps, with the exception of where there are large gardens and the boundary line has been drawn within close proximity to the building on the site (this approach is outlined in the BDC Development Boundary Review methodology, see Section 2 for further details). As viewed from the surrounding area, the rear boundaries of properties are

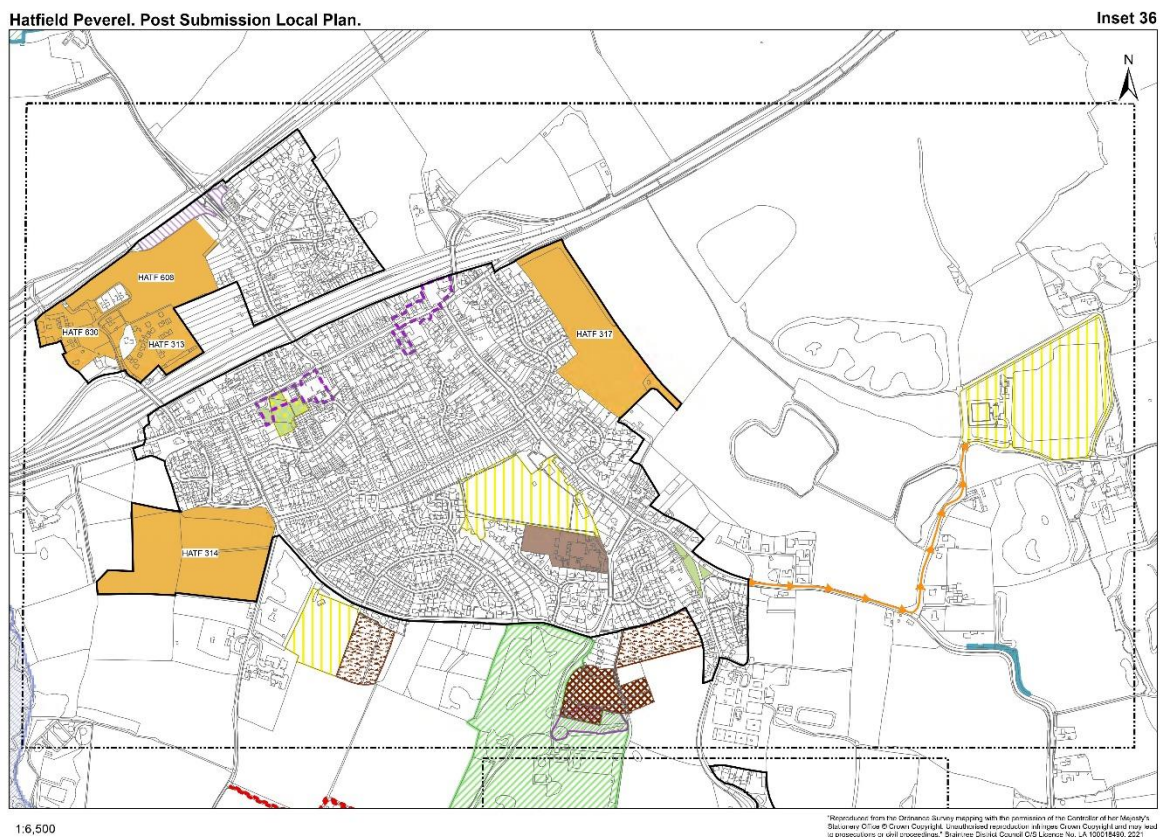
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<sup>2</sup> Further Suggested Changes to the Local Plan (May 2021), available at: [www.braintree.gov.uk/downloads/file/3160/sbdbdc008a-further-suggested-changes-to-the-local-plan-may-2021](http://www.braintree.gov.uk/downloads/file/3160/sbdbdc008a-further-suggested-changes-to-the-local-plan-may-2021)

identifiable through dense vegetation, hedges, and boundary fencing, identifying the edge of the settlement pattern and a change predominantly to open fields.

16. With the exception of the proposed minor amendments and updates presented in the following sections of this report, the current development boundary of Hatfield Peverel presents a sensible boundary which clearly identifies and follows the existing settlement pattern of the village and the boundaries of the BDLP site allocations.
17. Pockets of existing development on the outside edge of the boundary, for example properties south of Church Road and north of Maldon Road, represent either clusters of less than 10 dwellings, isolated and sporadic development detached from the main built up area, and/or agricultural buildings. As outlined in the methodology in Section 2, these types of existing developments would not be included within the development boundary.

**Figure 1: Hatfield Peverel Development Boundary Inset Map, as presented within the Submitted Braintree District Local Plan**



### Nounsley Development Boundary

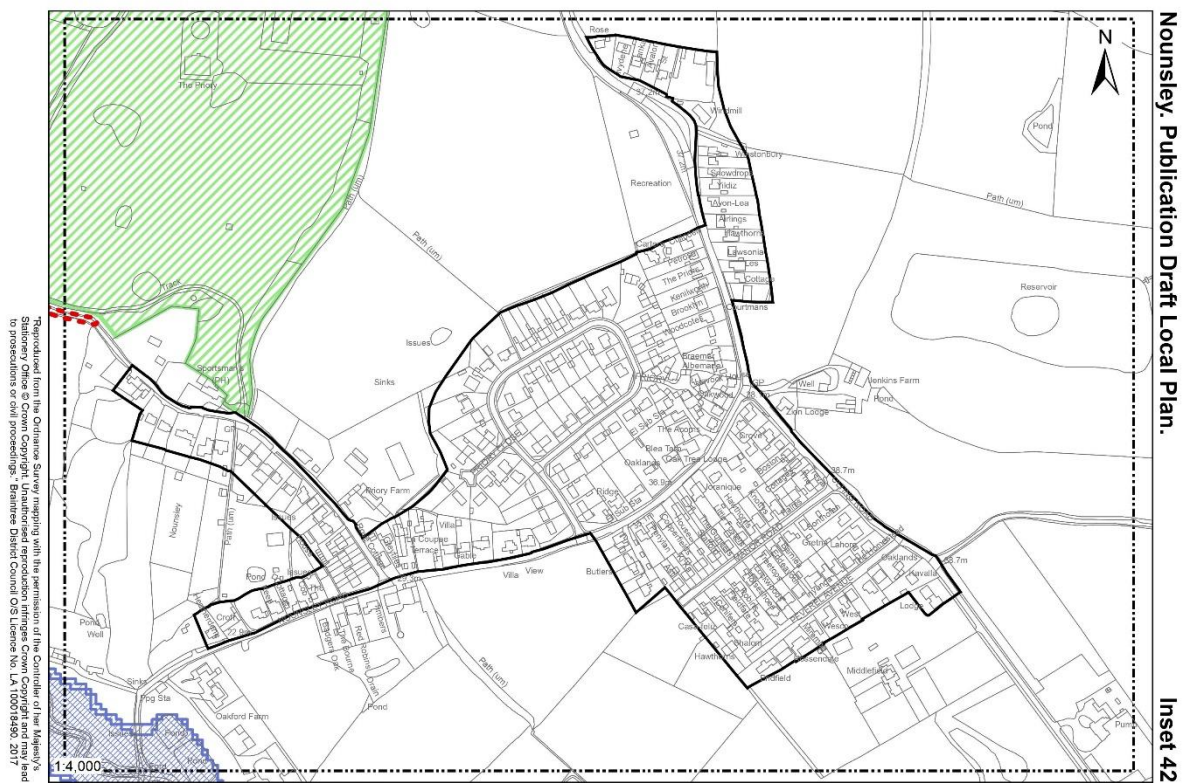
18. Starting from the northernmost point of Nounsley and going west, the development boundary around Nounsley is formed of property boundaries down Ulting Road, Priory Farm Road, Sportsmans Lane and Nounsley Road. The development boundary excludes fields, farm buildings at Priory Farm, isolated development along Sportsmans Lane, and the large rear gardens of properties on Sportsmans Lane. The southern development boundary then follows Nounsley Road until reaching the back gardens of dwellings perpendicular to Manor Road. The development



boundary follows property boundaries at the end of Peverel Avenue before turning onto Ulting Road, and following Ulting Road along the eastern boundary, incorporating dwellings to the east of the road forming the north eastern corner of the settlement. Agricultural buildings and isolated dwellings at Nounsley Corner to the east of Ulting Road are excluded from the development boundary.

19. The Nounsley development boundary is drawn tightly around the existing settlement, following clear and identifiable features consisting of roads and property boundaries. The exclusion of existing isolated development and agricultural buildings on the outside edge of the development boundary appears to present a consistent implementation of the BDC Development Boundary review methodology. Therefore, subject to the proposed minor amendments and updates presented in the following sections of this report, the current development boundary presents a sensible boundary which appropriately identifies and follows the existing settlement pattern of Nounsley.

**Figure 2: Nounsley Development Boundary Inset Map, as presented within the Submitted Braintree District Local Plan**





## 4. New Development in the Area

### Local Plan allocations

20. The BDC Draft Local Plan Section 2 allocates a total of 478 dwellings in Hatfield Peverel. As presented in Table 1 below, the actual planning approvals differ slightly in total dwellings, where 481 dwellings have been approved in relation to the allocated sites. The allocations are concentrated to the north of the A12 and on the eastern and western edges of Hatfield Peverel. The development allocations are included within the development boundaries in the BDLP Inset Maps (see Figures 1 and 2).

**Table 1: Local Plan allocations**

Local Plan allocation reference	No. dwellings allocated	Relevant planning applications	No. dwellings in application	Status
HATF313 Sorrells Field Bury Lane	45 dwellings	17/00973/FUL 19/01900/NMA	50 dwellings	Under construction
HATF630 Hatfield Bury Farm Bury Lane	51 dwellings	17/0341/OUT 19/01803/FUL 20/01606/DAC 20/01607/DAC 20/01608/DAC 21/00750/DAC 21/02837/VAR	46 dwellings	Approval August 2020, variation of Conditions pending consideration
HATF608 Former Arla Dairy Site	142 dwellings	16/02096/OUT 19/0494/REM	145 dwellings	Under construction
HATF317 Land north east of Gleneagles Way <sup>3</sup>	100 dwellings	16/2156/OUT 19/01710/DAC 20/00906/REM 20/00945/DAC 20/01058/DAC 20/01059/DAC 20/01060/DAC 21/02916/VAR	100 dwellings	Reserved matters approved February 2021 Removal of Condition 9, variation of Conditions 16 and 18 pending consideration
HATF314 Land south of Stonepath Drive <sup>4</sup>	140 dwellings	16/1813/OUT 20/00002/S106A 20/00004/S106A 20/01233/DAC 20/01329/VAR 20/01906/REM	140 dwellings	Approval May 2021

<sup>3</sup> Site added as an allocation through the Council's 'Further Suggested Changes to the Local Plan (May 2021)' as a result of an approved planning application, available at: [www.braintree.gov.uk/downloads/file/3160/sdbdc008a-further-suggested-changes-to-the-local-plan-may-2021](http://www.braintree.gov.uk/downloads/file/3160/sdbdc008a-further-suggested-changes-to-the-local-plan-may-2021)

<sup>4</sup> Site added as an allocation through the Council's 'Further Suggested Changes to the Local Plan (May 2021)' as a result of an approved planning application, available at: [www.braintree.gov.uk/downloads/file/3160/sdbdc008a-further-suggested-changes-to-the-local-plan-may-2021](http://www.braintree.gov.uk/downloads/file/3160/sdbdc008a-further-suggested-changes-to-the-local-plan-may-2021)

		20/02237/DAC 20/01988/DAC		
Total	478 dwellings		481 dwellings	

### Planning applications

21. In addition to the applications listed within Table 1, four planning applications for 5 or more dwellings affecting the Hatfield Peverel development boundary were submitted between 2015 to 2021.

**Table 2: Planning applications from the last 6 years (2015-2021) affecting the Hatfield Peverel development boundary**

Application Ref Number	Approval Date	Proposal	Dwellings	Recommendation
18/0851/FUL 19/1970/VAR 19/02037/DAC 20/00211/DAC	Appeal allowed May 2019, under construction	The Heathers, The Wheatsheaf The Green	7 dwellings	Redraw boundary to include new development, see Section 5 below
20/01465/FUL	Approval March 2021	Land to the rear of Heathers and Candletree, the Green	7 dwellings	Redraw boundary to include new development, see Section 5 below
20/01264/OUT	Pending decision	Land North of Maldon Road	110 dwellings	Planning application undetermined, no amendment recommended
21/02857/OUT	Pending decision	Small Acres Maldon Road	17 dwellings	Planning application undetermined, no amendment recommended
Total			141 dwellings	

22. Four planning applications for 5 or more dwellings, and two planning applications for hotels were submitted between 2015 to 2021 for land within the Hatfield Peverel development boundary. The planning applications set out in Table 3 do not affect the development boundary.

**Table 3: Planning applications from the last 6 years (2015-2021) within the Hatfield Peverel development boundary**

Application Ref Number	Approval Date	Proposal	Dwellings
15/01103/OUT, 19/01504/REM	Outline application approved 2016, reserved matters approved 2019	Cowards Garage (Universal Garage), The Street	9 dwellings
18/02020/OUT	Application refused 2019	Rickstones, The Street	3 dwellings
18/01853/OUT	Application refused 2019	Land south of Nounsley Road	10 dwellings



## 5. Proposed Development Boundary

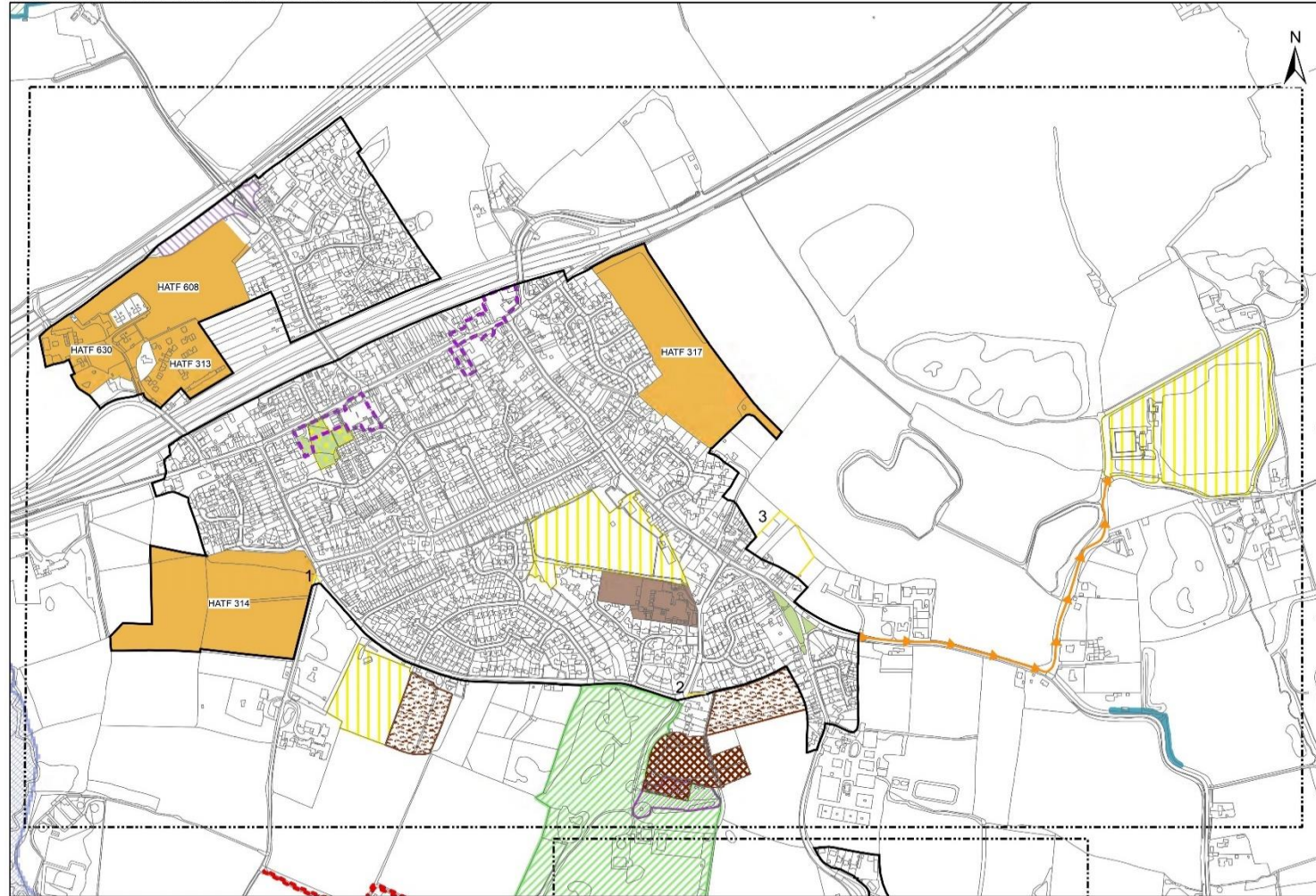
23. This section presents outcomes from the assessment of the existing development boundary and sets out the findings in two parts in Tables 4 and 5. The tables identify issues with the development boundaries for Hatfield Peverel and Nounsley and propose amendments to improve the boundaries. The maps indicate the existing boundaries in black and the proposed amendments are numbered and indicated in yellow.
24. The proposed amendments seek to improve the quality and clarity of the development boundary by ensuring the development boundary is situated along a clear identifiable and defensible boundary, such as a road, railway line, a property boundary, or a natural feature, and reflects the most recent development affecting the boundary. The amendments aim to avoid ambiguity and ensure a consistent and logical approach to the identification of the development boundary, thereby facilitating the work of decision makers when considering development proposals affecting the development boundary.

### Hatfield Peverel Development Boundary

**Figure 3: Proposed revisions to the Hatfield Peverel development boundary**

Hatfield Peverel. Post Submission Local Plan.

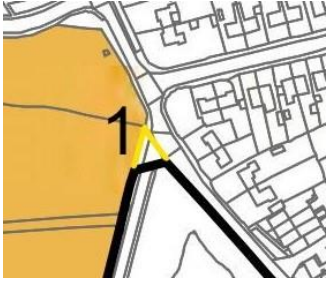

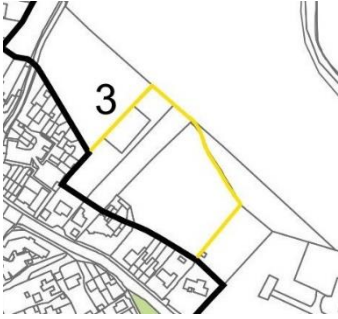
Inset 36



1:6,500

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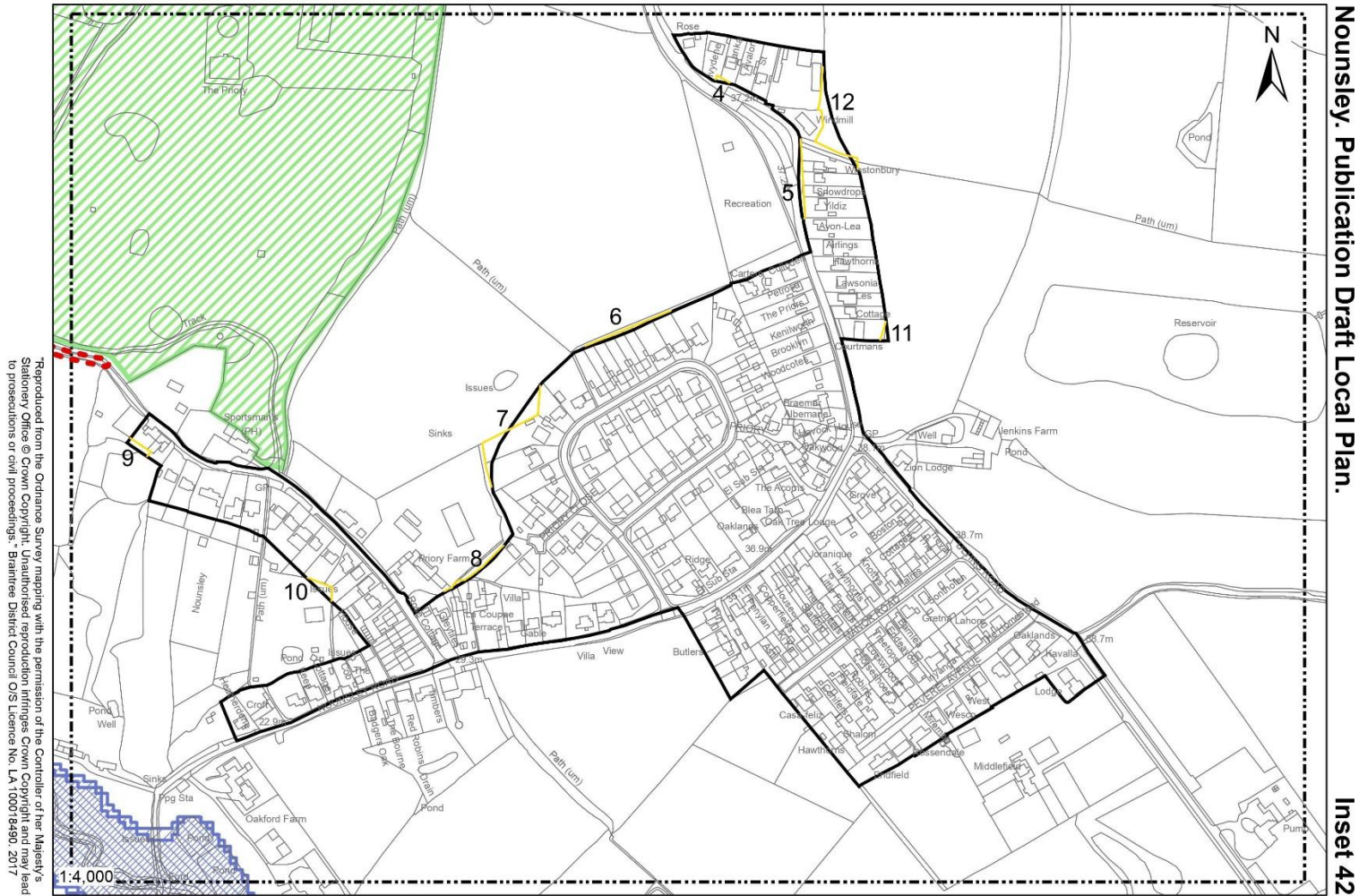
**Table 4: Recommendations for amendments to the Hatfield Peverel development boundary**

Reference number	Location	Development Boundary proposed amendment	Issue	Proposed amendment
1	Church Road		The development boundary is overdrawn to include a section of Church Road instead of following the boundary of development allocation HATF314.	Redraw boundary to follow boundary of HATF314.
2	Church Road		The development boundary is overdrawn and does not follow Church Road. Instead it cuts across a property boundary south of Church Road.	Redraw boundary along Church Road.
3	Wheatsheaf Pub		The development boundary is now out of date and should be updated to reflect approved planning applications 18/0851/FUL and 20/01465/FUL.	Redraw boundary to include new development.



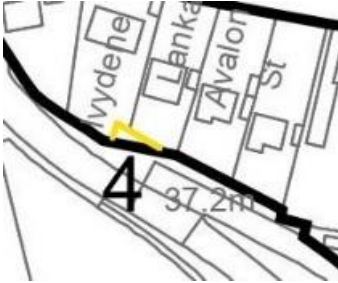

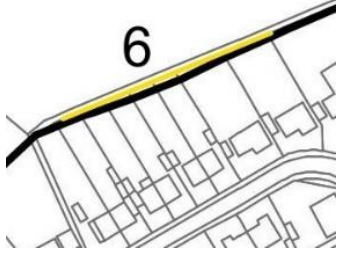
Nounsley Development Boundary

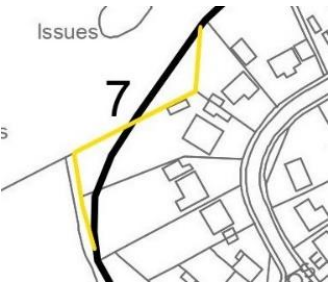
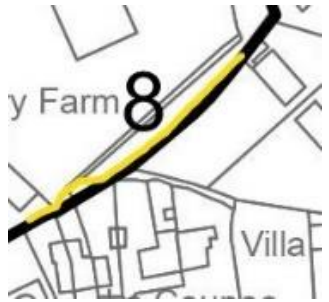
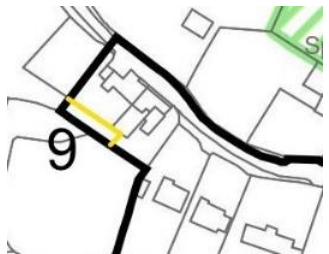
Figure 4: Proposed revisions to the Nounsley development boundary

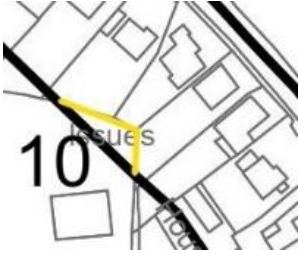
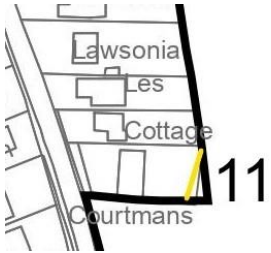
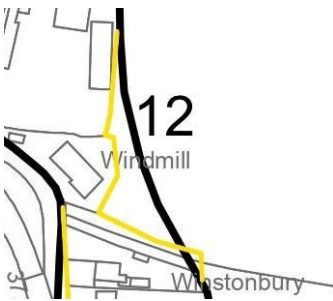


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**Table 5: Recommendations for amendments to the Nounsley development boundary**

Reference number	Location	Development Boundary proposed amendment	Issue	Proposed amendment
4	Ulting Road		The development boundary is overdrawn beyond property boundaries and includes part of Ulting Road.	Redraw boundary to follow property boundary.
5	Ulting Road		The development boundary is overdrawn beyond property boundaries and includes part of Ulting Road.	Redraw boundary to follow property boundaries.
6	Priory Farm Road		The development boundary excludes an arbitrary section of back gardens.	Redraw boundary to follow property boundaries.

7	Priory Farm Road		The development boundary is overdrawn and includes farmland.	Redraw boundary to exclude farmland and follow property boundary.
8	Priory Close		The development boundary excludes an arbitrary section of back gardens.	Redraw boundary to follow property boundaries.
9	Sportsmans Lane		The development boundary is overdrawn and includes part of a field.	Redraw boundary to follow property boundary and exclude field.

10	Sportsmans Lane		The development boundary is overdrawn and includes land from a separate property excluded from the development boundary.	Redraw boundary to follow property boundary and exclude land from separate property.
11	Ulting Road		The development boundary is overdrawn and does not follow the property boundary.	Redraw boundary to follow property boundary.
12	Ulting Road		The development boundary is overdrawn and includes part of a field.	Redraw boundary to follow property boundaries.

## 6. Site allocations within the Neighbourhood Development Plan update

25. The Hatfield Peverel Neighbourhood Plan is required to meet the indicative housing target identified by Braintree District Council of 492 to 656 dwellings. This target was set for the current NDP, and it is therefore assumed that the upper range would apply to the update to the Neighbourhood Plan which will have an extended Plan period to 2038. This housing target is being achieved within the Parish through the development identified in Section 4 above, where the current planning approvals identified in the area provide 504 new dwellings. The approval of planning applications in the area currently pending a decision would result in the provision of new dwellings in the area significantly exceeding the minimum District Council housing target, and being towards the upper range of the target.
26. The proposed amendments to the development boundary in Section 5 above demonstrates that the indicative housing target for the Neighbourhood Plan Area can be met within the proposed development boundaries for Hatfield Peverel and Nounsley, and there is therefore no need to extend these boundaries further to meet the local housing target.
27. As part of the Neighbourhood Plan update, the Parish Council are considering the inclusion of a new housing allocation to provide additional protection to the area from development proposals which conflict with the NDP afforded by paragraph 14b) of the National Planning Policy Framework (NPPF), and to provide housing types which meets the specific needs of the area. Where the allocations proposed within the Neighbourhood Plan update are outside the development boundary proposed within this report, this will result in a further amendment to the development boundary to incorporate the site allocation(s). The recommended changes within this report should therefore be considered alongside the site allocation(s) in the NDP update, which will collectively set out the new development boundaries for Hatfield Peverel and Nounsley presented within the NDP update.

## 7. Conclusion

28. It is recommended the proposed amendments in Section 5 are applied to the Hatfield Peverel development boundary through the update to the Neighbourhood Development Plan. The minor amendments seek to ensure the boundary consistently follows the settlement pattern of the village and reflects the most recent development affecting the boundary.
  
29. The proposed amendments within this report should be considered alongside any new site allocation(s) within the Neighbourhood Development Plan update, to present the new development boundaries for Hatfield Peverel and Nounsley.



## 8. Appendices

### Appendix 1: Braintree District Council Development Boundary Review (2015)

#### 3. Criteria for defining Development Boundaries

The criteria for defining development boundaries is set out below;

- In most cases the development boundaries should follow clearly defined physical features such as walls, fences, hedgerows, roads and streams. However, some development boundaries may follow along the rear of built development rather than physical features to prevent inappropriate backland development, for instances where dwellings have large back gardens.
- The curtilages of dwellings are included unless functionally separate to the dwelling on where the land has capacity to significantly extend the built form of the settlement.
- Clusters of less than 10 dwellings will be excluded from having a development boundary and will be defined as a 'hamlet'.
- Isolated and sporadic development which is clearly detached from the main built up area should be excluded from the boundary. Freestanding/individual dwellings in the open landscape should also be excluded.
- Proposed Local Plan allocations are included, unless 100% affordable housing is proposed.
- Individual plots, small scale development sites that would provide rounding off opportunities in areas physically and visually related to the settlement are included.
- Peripheral undeveloped areas that are in defined flood risk areas should not be included within development boundaries.
- The majority of defined development boundaries include at least one community facility i.e. church/community hall/shop/public house etc. These facilities often contribute to the economic and or social life of the settlement.
- Listed buildings with important landscape settings on the edge of the built up area should be excluded.
- Farmsteads and other agricultural buildings, including those on the edge of the built up area should be excluded.
- Developments of an open character, including sports fields, tourism parks, covered reservoirs, horse related developments etc. that are outside the built up area are excluded.
- Existing employment sites if physically related to the settlement should be included.
- Existing retail sites if physically related to the settlement should be included.

## Appendix 2: Braintree District Council proposed amendments to the submitted Local Plan

Local Plan Section 2 Examination document *SDBDC/008a(1/3) Further Suggested Changes to the Local Plan - May 2021*<sup>5</sup> proposes a series of amendments numbered MP75-MP80 to the Hatfield Peverel development boundary:

Ref Number	Paragraph or Policy	Change	Reason
MP75	Inset Map 36 Hatfield Peverel	Remove comprehensive development area	To reflect updated planning permission
MP76	Inset Map 36 Hatfield Peverel	Residential allocation of Former Arla Dairy 16/02086/OUT – HATF608 and include within development boundary	To reflect updated planning permission
MP77	Inset Map 36 Hatfield Peverel	Residential allocation of Sorrells Field 17/00973/FUL – HATF313 and include within development boundary	To reflect updated planning permission
MP78	Inset Map 36 Hatfield Peverel	Residential allocation of Bury Farm 17/0034/OUT – HATF341 and include within development boundary	To reflect updated planning permission
MP79	Inset Map 36 Hatfield Peverel	Amend development boundary and add residential allocation of 10 or more Land north of Gleneagles Way 16/02156/OUT – HATF317 and include within development boundary	To reflect updated planning permission
MP80	Inset Map 36 Hatfield Peverel	Amend development boundary and add residential allocation of 10 or more Land South of Stonepath Drive 20/01906/REM – HATF314 and include within development boundary.	To reflect updated planning permission

<sup>5</sup> Further Suggested Changes to the Local Plan (May 2021), available at: [www.braintree.gov.uk/downloads/file/3160/sdbdc008a-further-suggested-changes-to-the-local-plan-may-2021](http://www.braintree.gov.uk/downloads/file/3160/sdbdc008a-further-suggested-changes-to-the-local-plan-may-2021)

