



APPEAL REFERENCE: APP/Z1510/W/18/3207509.

1.The Colne Stour Countryside Association (“The Association”) opposes the above appeal, having consistently objected to this development and given evidence against it at Planning Committee hearings.

2.The Association, with a membership in excess of 700 members, has been established since the early 1980s to protect and conserve the countryside in North East Essex around the upper parts of the rivers Stour and Colne. The site covered by this proposed development (“the site”) lies within it.

3. If allowed, this development would have a materially adverse effect on the application to extend the Dedham Vale AONB from its existing boundary East of Bures towards Sudbury, as well as being unsustainable within Bures.

4.The Association, along with the relevant District and County Councils, the Dedham Vale Society, the Suffolk Preservation Society and, importantly, the Dedham Vale AONB & Stour Valley Project (“the Stour Valley Project”) unconditionally support this extension; recognising the very real environmental, social and economic benefits this will bring to the area, in the same way it has done to the existing AONB.

5. Accordingly, Braintree’s planning sub-committee decided unanimously to remove this site from its New Draft Local Plan for two principal reasons: (1) that, if allowed, it could create a significant risk to achieving the AONB extension, and (2) the combined parishes of Bures Hamlet and Bures St Mary do not have the infrastructure (shops, school, surgery, parking etc) to sustain such a development.

6.The site is within the area governed by the Stour Valley Project’s Management Plan (“the Plan”). Adherence to the Plan is an adopted statutory policy for Braintree, and, as the Inspector on the Steeple Bumpstead appeal said, should be given great weight. **(APP/71510/W/17/3173352).**

7. The Management Plan aptly describes the Stour Valley as-“*one of England’s finest landscapes, with riverside meadows, picturesque villages and rolling farmland.*” In planning terms this is to be regarded as an **important valued landscape**.

8. This development would be in conflict with the Plan. It does nothing to contribute to conservation and enhancement of the Stour Valley and undermines the extension.

9. The developers have sought to circumvent these difficulties by seeking to take unfair advantage of Braintree’s temporary inability to meet the 5-year housing supply target. It is accepted that where the Planning Authority has failed to provide the required 5-year housing supply, there is a presumption in favour of sustainable development. But this presumption can be displaced not only where specific policies in the NPPF indicate that development should be restricted, but also where related policies in the Local Plan also so indicate. **(see Suffolk Coastal District Council v Hopkins**

Homes Ltd; Supreme Court 10th May 2017; per Ld Carnworth para 14, and Ld Gill para 85) NPPF para 14).

10. Moreover, as has been made clear by both Inspectors and the Courts, where provisions in the New Draft Plan are essentially continuations of existing planning policy and not controversial they should be given weight. Indeed, where, as here, Braintree's New Draft Local Plan has been published without any unresolved issues relating to protecting the environment and such policies not only reflect the earlier policies but, importantly, the principles in the NPPF, the New Draft Local plan should carry considerable weight; **NPPF para 216**. (see again LLds Carnworth and Gill).

11.Paragraph 8.27 of the New Draft New Plan states: -

The upper Stour Valley, adjoining the AONB, partly located along the north and east by the fact that it is part of the wider project area covered by the Dedham Vale AONB and Stour Valley Project. The impact of development proposals in the upper Stour Valley will be particularly carefully assessed in light of the sensitive nature of this landscape. Proposed developments here should support the wider environmental, social and economic objectives as set out in the Dedham Vale AONB and Stour Valley Management Plan and should not prejudice the long term aim to enlarge the area included within the AONB designation& Stour Valley Management Plan 2016-2021.

12. In July 2016 the Stour Valley Project commissioned a report from Alison Farmer Associates, a leading landscape agency, recognised as experts on landscape designations. The report entitled *Special Qualities of the Dedham Vale AONB-Evaluation of the Area between Bures and Sudbury*, concluded that the bulk of the land between the present boundaries of the AONB and the Northern edge of the parish of Lamarsh, which includes Bures, met the criteria required by Natural England for AONB status. This evidence has been shared with Natural England. Ms Farmer has explained, in conversation, that the special quality of the present village of Bures is the way it sits in the landscape in a most attractive setting and that if the village was extended along the Colchester Road as threatened, that special quality, so important to achieving AONB status, would be lost. This is a risk which must not be taken.

13.Though a matter principally for the Stour Valley Project, the respects in which this development is contrary to the objectives set out in the Management Plan or may prejudice the extension is a matter which in planning terms must be given "significant weight" (see **para 47 of the Inspector's decision in Steeple Bumpstead appeal APP/Z1510/W/17/3173352**).

14. Other planning provisions are also relevant. The **NPPF** states: -

i.as a core planning principle, the need to *contribute to conserving the natural environment* and when allocating land for development *preferring land of lesser environmental value* (**para 17**); and

ii.that policies should *contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes* (**para 109**);

Even though the site is yet to be within the AONB, the importance of not prejudicing the supported extension is reinforced by the terms of **paras 115 and 116 of the NPPF**, which would by themselves rule out this application were it now within the AONB.

15.**CS5 of Braintree's Core Strategy** states that development outside the village envelope will be strictly controlled to uses appropriate to the countryside in order to protect and enhance the landscape.

16. **CS8 of the Core Strategy** again stresses the importance of protecting the Natural Environment and the need for any development to enhance the locally distinctive character of the landscape.

17. Though primarily for the two Parishes to explain, the village is unable to sustain such a radical development of this size (said to represent a 30% increase in housing). Bures already has grossly inadequate available parking. The Railway Station carpark is overflowing, commuters are having to park in some of the few available parking spaces elsewhere in the village, those having to visit the village from outside are already finding it very difficult to park. During the beginning and end of school the roads are congested. There are no other available sites to allow for more cars. The only shops are what may be described as a newspaper shed and a part time delicatessen selling sandwiches, baguettes and the like. The small Doctors surgery is already full to capacity, with residents complaining over the difficulty in getting appointments. The school could not accommodate a development of this size. These are not mere assertions. The level of objectors from within the village reveal the concern over the lack of facilities and the damaging effect this development would have. Such a development would most certainly not *enhance and maintain the vitality of the local community* (as claimed by the developers):

18. In so far as there may be need for some additional affordable housing within the village, there are already several smaller brown field sites within the combined village which will inevitably come forward for development within the near future; rather than allowing development on good quality agricultural land outside the village “envelope”.

19. In conclusion, the importance of extending the AONB from the environmental, economic and social aspect cannot be overestimated. The objective is to get the extended area to be known as “Gainsborough Country”, in much the same way as the Dedham Vale is associated with Constable; in due course obtaining for the District many of the substantial benefits as are currently derived by Babergh and Colchester from the existing Dedham Vale AONB. The landscape and environmental qualities of this area were fully recognised by, for example, National Grid in its decision not to prejudice the extension by deciding to lay the new power lines underground. The opportunity to extend the AONB, with its enormous benefits to Braintree, is not just for the present but for the enjoyment of generations to come.

20. This site, which is unspoilt good quality agricultural land, lies in an important rural landscape. The setting, with lovely views to it across the valley from the Suffolk side and its approach to what is still a most attractive rural village astride the river should be preserved and not radically altered by what is, on any basis, a huge development. Even in cases where the 5-year housing supply may not have been met, protection of this site is required by the environmental protection policies in both the NPPF, the Core Strategy and New Draft Development Plan.

Dated 18TH September

Alexander Robson
Incoming chairman of the Association

Charles Aldous
Outgoing chairman