

## **MOUNT BURES PARISH COUNCIL: RESPONSE TO SECTION 18 CONSULTATION ON BRAINTREE LOCAL PLAN**

### **BURES 2070 (Appendix 2 New Site Allocations with Housing - non-strategic).**

Mount Bures Parish Council notes that site BURES 2070 would form an extension to the small settlement near the level crossing in the Parish of Mount Bures in Colchester City Council District and lies remote from any settlement within Braintree District and across the natural boundary of Cambridge Brook which separates Bures Hamlet from Mount Bures. It is therefore the view of Mount Bures Parish Council that notwithstanding the position of the administrative boundary between Colchester City and Braintree District the site can only be considered in relation to the location, sustainability, housing needs and views of the residents of Mount Bures and not those of any remote settlement.

A public engagement process by Mount Bures Parish Council in relation to this proposal, including an open meeting for residents and representatives from Bures Hamlet attended by 24 people from the approximately 100 households in the whole parish of Mount Bures, showed overwhelming opposition to the proposed development. A petition presented to the Parish Council by local residents opposed to building on this site also includes signatures from over 50 households within the parish. Residents were concerned in particular by the unsustainability of the location for development, the safety implications of an access road so close to the level crossing, the impact on a valued landscape and the way in which this proposal seems to be driven by the housing needs of a quite separate settlement.

It is therefore the view of Mount Bures Parish Council that the inclusion of this proposal in the draft Braintree Local Plan represents a failure to follow proper planning process, in particular a failure to fulfil the duty to cooperate with adjacent Councils affected by the proposal, as well as a total failure to take into account the nature, connectivity and sustainability of the affected settlement. In addition, the Parish Council believes that the total absence of any evidence within the draft Local Plan justifying the extension of development boundary around the settlement of Mount Bures across an administrative boundary into Bures Hamlet – thereby allowing planning applications for housing of any kind, not just affordable housing, to come forward - together with the unsuitability of the site itself for development means that the site should be removed from further iterations of the draft Braintree Local Plan.

The Parish Council notes that if Bures Hamlet Parish Council and Braintree District Council continue to believe, despite the lack of evidence, that this site is both needed to meet affordable housing needs and that the site is suitable for development, then the proposal should be taken forward, outside of the Local Planning Process, as a possible rural exception site following proper process including cooperation with the District and Parish Councils representing the community affected by such a proposal.

The ways in which the current proposal fails to meet proper planning processes and obligations and the reasons for the unsuitability of the site for development are set out below.

### **FAILURE OF PROPER PROCESS**

1. **FAILURE TO TAKE INTO ACCOUNT THE RELEVANT SPATIAL HIERARCHY (Policy LPR1 – Spatial Strategy)**

Site Bures 2070 is listed under Mount Bures in the draft Braintree Local Plan and comprises a proposed extension to the development boundary of a settlement that lies within the Parish of

Mount Bures. Policy LPR1 in the draft Braintree Local Plan sets out the proposed spatial strategy and hierarchy of settlements in the Braintree District. The settlement in Mount Bures near to the level crossing does not appear within this hierarchy of settlements given its location within Colchester City Council area. The emerging Colchester City Local Plan however identifies Mount Bures as a ‘Small Settlement’ and one which Colchester City Council has confirmed is considered an unsustainable location for growth.

In developing a local Plan District Councils are required to take into account the spatial hierarchy which is the mechanism which defines which settlements are most sustainable and appropriate for growth, guiding where development should go and which land is protected.

There is no evidence within the draft Braintree Local Plan of any attempt to take into account the position of Mount Bures in any spatial hierarchy in proposing an extension of the development boundary around the settlement of Mount Bures across the administrative boundary into Braintree District. This means that there has been a complete failure to consider the nature of the settlement proposed for extension. Were this settlement in the Parish of Mount Bures to be listed in the Braintree Local Plan, its small scale (circa 30 homes), remote location away from any services and lack of connectivity would clearly mean that it would not qualify as a sustainable settlement. The inclusion of site BURE 2070 in the Braintree District Plan is therefore clearly inconsistent with the requirements in both the NPPF and in the strategic objectives in the Braintree Local Plan relating to sustainable development, to direct development to the most sustainable locations within the settlement hierarchy.

This fundamental failure of proper process means that this proposed extension to the development boundary of Mount Bures cannot be included in the draft Braintree Local Plan

## 2. FAILURE TO CONSIDER THE SUITABILITY AND SUSTAINABILITY OF THE SETTLEMENT IDENTIFIED FOR EXTENSION IN RELATION TO THE SUITABILITY AND SUSTAINABILITY OF NEIGHBOURING SETTLEMENTS

Within the emerging Colchester City Local Plan Mount Bures is categorized as a settlement that does not meet the sustainability criteria for new development. The small settlement at Mount Bures has no services and poor connectivity. Given this, no new development is allocated for Mount Bures in the draft Colchester City Local Plan.

Bures Hamlet is however identified within the Braintree District’s draft Local Plan as a “Second Tier” village, specifically distinguishing it from smaller, less sustainable rural settlements. In particular, due to its range of services and facilities—which include a railway station, primary school, local shops, and GP surgery—Bures Hamlet is recognized as a clearly sustainable village for further development.

The site at BURE2070, while lying within the administrative boundary of the Bures Hamlet parish, is not an extension to the settlement of Bures Hamlet. It would form an extension to the quite separate settlement of Mount Bures, a settlement which lacks connectivity, basic amenities, footways or street lighting, and is located some 2 km from the centre of settlement of Bures Hamlet.

The proposal to extend the settlement of boundary of Mount Bures across the administrative boundary into Braintree District therefore represents an unjustified attempt to direct development away from a sustainable location to a much smaller unsustainable settlement with complete disregard for the principles guiding development set out in the National Planning Policy Framework.

This failure to follow the principles set out in the National Planning Policy Framework in relation to this site means that the site should be removed from the draft Braintree Local Plan

### 3. FAILURE TO FOLLOW PROPER PROCESS FOR CONSIDERATION OF DEVELOPMENT BOUNDARIES (Policy LPR2 and paragraphs 3.16-3.19)

The proposed allocation at BURE2070 represents a revision to the development boundary of Mount Bures and is shown as such on a new policies map published alongside the consultation.

As set out elsewhere in this representation, given the settlement of Mount Bures is within the Colchester City Council administrative area covered by the spatial hierarchy of the Colchester Plan, the proposal to extend the development boundary across the administrative boundary into Bures Hamlet is inappropriate, unjustified and undeliverable.

Notwithstanding the above, were it appropriate to make a revision to the development boundary through the Braintree Local Plan, the process for consideration of the boundary would need to follow the methodology and criteria in the “Development Boundary Review Methodology and Criteria” (August 2024).

The proposals for a change to the development boundary at Mount Bures would clearly conflict with this methodology and criteria. In particular the proposed change would conflict with the objective of the review, as stated a paragraph 1.5 of the document, to “ensure development is focused in those settlements that are the most sustainable and provide local services/facilities to meet day to day needs”. In addition, the proposed extension of the development boundary which cuts across an open field and extends the settlement along Hall Road conflicts with the stated criteria that “in most cases the development boundaries should follow clearly defined physical features such as walls, fences, hedgerows, roads and streams” and “extensions which would result in ribbon development would not be included”.

### 4. FAILURE OF THE ‘DUTY TO COOPERATE’

District Councils are legally required under the Localism Act 2011 to engage in constructive, active, and ongoing dialogue with neighbouring authorities on strategic, cross-boundary matters when preparing their Local Plans. The extension of a settlement boundary across an administrative boundary into another district is an obvious strategic matter. Mount Bures Parish Council understands that there has been no attempt by Braintree District Council to engage in active discussion, or even raise this site, with Colchester City Council and there has similarly been no attempt by Bures Hamlet Parish Council to engage in active discussion with Mount Bures Parish Council over the inclusion of this site in the draft Braintree District Local Plan.

As set out below, the access (and required visibility splays) for any proposed development on the site at BURE 2070 would require the red line for a planning application to extend into Colchester City Council area. To progress and be deliverable this site would therefore require support from Colchester City Council (and Mount Bures Parish), as well the from Braintree District Council. This proposed extension of a development boundary however conflicts with the settlement hierarchy and principles of sustainable development as set out in the Colchester emerging Local Plan.

In the absence of evidence of support from the required authorities, the proposal is therefore presently undeliverable and fails to meet the required test of soundness at paragraph 36 of the

NPPF. The total failure of the 'duty to cooperate' over the proposed extension of the development boundary also means that this proposal cannot be included in the draft Braintree Local Plan.

5. FAILURE TO PROVIDE ANY EVIDENCE IN THE BRAINTREE LOCAL PLAN EVIDENCE BASE THAT THE EXTENSION TO THE MOUNT BURES SETTLEMENT BOUNDARY IS SUSTAINABLE OR NECESSARY

No evidence of any kind has been included in the draft Braintree Local Plan or published evidence base supporting the proposed extension of the development boundary at Mount Bures across the administrative boundary into Bures Hamlet.

Under national planning policy, and the tests of soundness at paragraph 36 of the NPPF, a proposal to extend a development boundary requires a comprehensive evidence base demonstrating that the expansion is sustainable, necessary, and logically aligned with local planning policies. The proposal in this case fails to be justified or be consistent with national policy given it would introduce development in an unsustainable location, fails to evidence any local housing need justifying an extension to a development boundary in a location that is otherwise inconsistent with the spatial strategy and fails to provide evidence that the proposal would not harm the character of the countryside or landscape.

At the Braintree Local Plan Committee meeting in October 2025 where Braintree District Councillors decided, despite previous planning officers' advice as to the unsuitability of the site, to include this extension to a development boundary in the draft Local Plan consultation, it was claimed by the Bures Hamlet Ward Councillor that the site was needed to meet the housing needs of Bures Hamlet.

A Strategic Housing Needs Assessment for Bures Hamlet and Bures St Mary has recently been conducted as part of the development of the draft Bures Neighbourhood Plan. This was however confined to considering the housing needs of Bures Hamlet and Bures St Mary. No proposals were made at any point by Bures Hamlet or Bures St Mary to suggest that it should also include the possible housing needs of the very much smaller community of Mount Bures lying some 2 km away from the centre of the Bures Hamlet/Bures St Mary settlement across open countryside. Having not included Mount Bures in the Strategic Housing Needs Assessment for Bures Hamlet and Bures St Mary it is not now possible to claim that the housing needs for Bures Hamlet and Bures St Mary should be met by expanding a settlement in Mount Bures. Doing so represents a blatant attempt to export the housing needs of Bures Hamlet and Bures St Mary to a quite separate and much smaller community. This is inconsistent with national planning guidance and planning case law and is also not consistent with Braintree Local Plan policy on development plan boundaries. (Policy LPR2 and paragraphs 3.16-3.19)

**UNSUITABILITY OF THE PROPOSED SITE**

1. THE SITE LIES IN A PROMINENT POSITION IN THE OPEN COUNTRYSIDE

The proposed site lies on at the top of the valley slopes rising from Cambridge Brook to the north and the Stour River valley to the east. It is highly visible from the hill top at Bakers Hall Farm which is the site of an important panoramic view (View 14) identified in the draft Bures Hamlet and Bures St Mary Neighbourhood Plan. It is also directly in front of the equally important panoramic view back towards Bakers Hall Farm from public land used by Mount Bures as a village green and enjoyed by

both residents and passers-by and from the footpath which crosses the site. Development of this site would therefore generate a very prominent and intrusive encroachment into the rural countryside and the destruction of locally valued and important views. This is inconsistent with the spatial strategy and objectives of the emerging Local Plan, Policy LPR77 and with national planning policy.

## 2. THE IMPORTANCE AND SPECIAL NATURE OF THE LANDSCAPE AT MOUNT BURES

The special nature of the Stour Valley countryside is widely recognised. In 2019 at a Public Inquiry on proposal for 98 homes on land approximately 300 metres from this site (APP/Z1510/W/18/3207509 17/02291/OUT) the Inspector found that *“the landscape around Bures, including the appeal site, is not ordinary countryside of no value but is of high sensitivity and is locally valued.”*

In addition, the settlement of Mount Bures was recognised as *‘distinctively separate’* from Bures Hamlet in the Alison Farmer Associates 2020 ‘Valued Landscape Assessment for the Stour Valley Project Area Final Report’ which also recommended that nothing should be done that would detract from this separateness.

Braintree Planning Officers’ report to the Braintree Local Plan Sub-Committee meeting on 12 June 2025 also stated that the proposed site was recognised as having *“a rural location and proximity to environmentally sensitive areas such as river meadows, combined with its detached character from existing built form and limited local infrastructure, weigh heavily against its allocation”*. The report concluded that the site *“is not considered suitable for allocation due to environmental sensitivity and poor connectivity”* No evidence of has been put forward in the current draft of the Local Plan that would change this assessment.

The extremely high level of landscape harm that would result from this proposal has therefore not been properly considered in proposing the extension to a development boundary in this location. In particular:

- Development of this site would clearly cause substantial harm to an important and sensitive landscape and would be contrary to Policies LPR 77 in the draft Braintree Local Plan and to Chapter 15 of the NPPF.
- Neither Mount Bures, nor any land in Braintree District near to Mount Bures, has been included in The Braintree District Landscape Sensitivity Assessment prepared by the Landscape Partnership (August 2025 – Version 6) as published on the Council’s evidence base which covers the landscape around locations identified as potentially suitable for growth.

Were an assessment of landscape sensitivity to have been undertaken for this site as is required, it would be clear that the landscape in the Bures area is highly sensitive, consistent with the Inspector’s findings in appeal APP/Z1510/W/18/3207509 . The proposed allocation at BURE 2070 is therefore not founded on a robust or justified evidence base with regard to landscape harm.

## 3. POOR CONNECTIVITY AND UNSUSTAINABILITY

Within the developing Colchester City Local Plan Mount Bures is categorized as a settlement that does not meet the sustainability criteria for new development. This reflects the fact that this settlement comprises only some 30 homes with no services, very infrequent bus services, no safe footway connections within Mount Bures or to link to adjoining settlements, and no street lighting

during hours of darkness. The nearest services, including a railway station, shops, GP surgery and school lie in Bures Hamlet nearly 2 km away which can only be accessed by car, bike or on foot over muddy footpaths.

Development in this location would therefore be unsafe as well as being inaccessible. This situation would be even worse for those who are less able bodied such as children, the elderly or those with disabilities.

Extending the settlement would add to the unsustainability of the location, inevitably generating considerable additional motor traffic on minor local roads.

The proposal for development would therefore clearly be in a highly unsustainable location and would be in conflict with the spatial objectives of the Braintree Local Plan and the fundamental principle of sustainable development as contained within the NPPF.

#### 4. IMPACT ON HERITAGE ASSETS

The proposed development boundary is immediately adjacent on its western side to the Old House, a grade 2 listed building set back from other properties. Development on this site would obviously impact on the setting of this building and it is a legal requirement the Listed Buildings and Conservation Areas Act 1990 that the impact of any proposed development on heritage assets should be taken into account. Chapter 16 of the NPPF also covers considerations with regards to listed buildings. There would in this case clearly be a degree of harm to the setting of this heritage asset, and there is no evidence that this has been properly considered within the Local Plan. This heritage harm also weighs against the case for any allocation or change to the development boundary.

#### IMPACT ON LOCAL GREEN SPACE

The only direct access to this site would be from the immediately adjacent Hall Road across a small area of land that has been used and maintained by the Parish of Mount Bures as a village green for over 50 years and which is included in the draft Colchester City Council Local Plan as Local Green Space. The construction of an access road across what will benefit from the equivalent protection as Green Belt land once the Local Plan is approved would destroy a substantial area of Local Green Space and the overall unity of the green with a significant loss of amenity to Mount Bures residents.

#### 5. TRAFFIC IMPACTS AND SAFETY

Any access to this site from Hall Road would have to be situated immediately after a road bend with poor visibility and immediately prior to the level crossing over the railway. Hall Road can carry a significant volume of traffic at peak times with cars cutting across between the B5108 and the A1124 or further to the A12. An access road at this point for a housing development and so close to a level crossing would be an obvious safety hazard. Any attempt to mitigate the dangers by, for example, wide visibility splays would be inappropriate in a rural setting and further damage the Local Green Space in front of the site.

There is no evidence within the plan or evidence base that an acceptable access can be achieved, or that this would be safe for all road users and the site is therefore undeliverable as proposed

Similarly, there is no evidence within the plan or evidence base of proper engagement with Network Rail or that introducing new development, including potential children, in close proximity to a half barrier crossing would be a safe proposal.

Site BURE2070 would therefore clearly be contrary to paragraph 115 of the NPPF in that it would fail to prioritise sustainable modes of travel, fail to have a safe and suitable access for all uses, and fail to provide adequate highway safety.

## 6. LOCAL NEED

While overall housing needs within Braintree and Colchester areas will need to be met in locations consistent with the settlement hierarchy and principles of sustainable development, any proposals for development in locations inconsistent with the settlement hierarchy and the principles of sustainable development would require evidence of local needs.

Exceptions to planning policy require that any extension to a development boundary would need to be justified by local housing need. The Parish of Mount Bures had a total population at the 2021 census of just 218. The Parish has not therefore undertaken a strategic housing assessment and does not have an approved statement of housing need.

The evidence base and survey on housing needs for Bures Hamlet did not cover Mount Bures which is a quite separate settlement.

The proposal to extend the development boundary around Mount Bures across the administrative boundary into Bures Hamlet therefore lacks the required demonstration of need to justify the encroachment into the open countryside and damage to the landscape and local amenity, and should not be included in the Braintree Local Plan.

## 7. CROSS-BOUNDARY NATURE OF THE DEVELOPMENT

Any access to BURE2070 (and the visibility splays required for it) would cross the administrative boundary between Braintree District and Colchester City Council District and, as confirmed by Braintree Planning Officers at the Braintree Local Plan meeting in October 2025, development of the site would therefore require planning approval from both Districts.

To progress and be deliverable this site will therefore require support from Colchester City Council (and Mount Bures Parish), as well the from Braintree District Council. However, the proposal as set out above conflicts with the Colchester spatial strategy and principles of sustainable development as set out in the Colchester emerging Local Plan and therefore represents unsustainable development which is unlikely to gain support from Colchester City Council or Mount Bures Parish Council. In the absence of evidence of support from the required authorities, the proposal is presently undeliverable and fails to meet the required test of soundness at paragraph 36 of the NPPF.

The absence of any prior contact or discussion about this site between Braintree District Council and Colchester City Council and the failure on the part of Braintree District Council in their duty to cooperate over potential cross border development sites in this instance means that this site should not be included in the Braintree Local Plan.

## **SUSTAINABILITY APPRIASAL**

Chapter 5 of the published Sustainability Appraisal contains a summary of the assessment of two sites in the area around Bures: one being the proposed allocated at BURE2070 at Mount Bures quite separate from the Bures cluster, and the other being a site promoted for development at Parsonage Hill, Bures Hamlet (BURE2071). The assessment for these two sites is set out below. Regrettably the

assessment for BURE2070 seems to be based on the assumption that it is part of the Bures cluster rather than being part of a geographically remote, entirely separate and very much smaller settlement.

Site Option	SA objective																
	SA1: Safe and cohesive communities	SA2: Access to housing	SA3: Health and wellbeing	SA4: Services and facilities	SA5: Economic growth	SA6: Access to education	SA7: Biodiversity and geodiversity	SA8: Transport and travel	SA9: Cultural heritage	SA10: Climate change mitigation	SA11: Climate change adaptation	SA12: Water resources and quality	SA13: Flood risk	SA14: Air quality	SA15: Landscapes and townscapes	SA16: Waste and resource efficiency	SA17: Soil
BURE2070	0	+	+	-	-	-	-	-	-?	N/A	N/A	-	0	0	0?	N/A	-
BURE2071	0	+	+	-	-	-	-	+	-?	N/A	N/A	-	0	-	(?)	N/A	-

For site BURE2070 and BURE 2071 we would comment as follows:

SA1: Safe and cohesive communities – As set out above site BURE2070 is located in a remote location, with no footways, street lighting or safe access , particularly for children, the elderly, or those with disabilities. This demonstrates a negative impact.

SA4: Services and facilities – The site at BURE2070 is totally remote from services and facilities and a ‘double negative’ score is therefore appropriate. The site at BURE2071 is located adjoining Bures Hamlet village with good access to facilities and the railway station where an increase in score could be considered.

SA8: Transport and Travel. The site at BURE2070 is totally remote from services and facilities with no easy sustainable transport options and a ‘double negative’ score is therefore appropriate.

SA12: Water Resources and quality: There is no justification for a higher positive score for BURE2070 when compared to BURE2071. The site at BURE2070 is not in an area of mains drainage. The score for BURE2070 should be amended to a ‘double negative’.

SA14: Air Quality : There is no justification for a higher positive score for BURE2070 when compared to BURE2071. Development at site BURE2070 would also have a negative impact on air quality, if not more so than BURE2071 given the location at BURE2070 is highly car dependent and unsustainable.

SA15: Landscape and Townscapes: The site at BURE2070 is in a highly sensitive landscape , as demonstrated by the Inspector’s findings in appeal APP/Z1510/W/18/3207509 which stated that *“the landscape around Bures, including the appeal site, is not ordinary countryside of no value but is of high sensitivity and is locally valued.”* The site is also in a very prominent location at the top of the valley slopes towards the River Stour and Cambridge Brook and development would result in a very high degree of landscape harm. The score for BURE2070 should be amended to a ‘double negative’.

Taking into account the above, it is clear the site at BURE2070 scores particularly poorly from a sustainability appraisal perspective. It is essential that an updated SA/SEA informs a review of the Local Plan and any proposal for allocation at site BURE2070 is not taken forward.