



Planning Decision Report for Woodpeckers, Lowefields, Earls Colne CO6 2LH

Planning Application Number: 26/01492/FUL

Council decision: OBJECT

Resolved by Earls Colne Parish Council on 21 July 2026

Executive Summary

Earls Colne Parish Council objects to this application in its current form.

The Council considers that a major development of 36 dwellings should not be determined while key supporting information is incomplete, internally inconsistent or unresolved.

The proposal also raises serious concerns relating to landscape character, pedestrian safety, protected trees, ecology, drainage, housing need, construction impacts and conflict with the settlement strategy and the Earls Colne Neighbourhood Plan.

Grounds of objection

1. Incomplete Landscape and Visual Impact Assessment

The main Landscape and Visual Impact Assessment (document 2845876) appears incomplete. Its contents page identifies substantive sections through to report page 33, but the publicly available report ends at report page 18. The missing sections include the development proposals, mitigation, assessment of landscape effects, assessment of visual effects and the conclusion.

The report is also dated September 2023 and should be updated to assess the actual submitted scheme and the current protected-tree constraints.

2. Outside the settlement boundary and not allocated for development

The application site lies outside the defined settlement boundary and is not allocated for housing.

The same site was promoted through Braintree District Council's Local Plan Review as site EARL2120, 'Land at Woodpeckers, Lowefields, Earls Colne', and was not selected for allocation in June 2025. The reasons reported to the Parish Council included harm to the rural character and the demolition required to create access.

Non-allocation does not create an automatic legal prohibition on development. However, it is a recent and directly relevant assessment of the suitability of this exact site.

3. Pedestrian access, highway safety and construction traffic

The Transport Assessment describes the Tey Road/Upper Holt Street junction as unusual and substandard and acknowledges that land and layout constraints prevent safe crossing points from being provided. It also places the nearest bus stops at approximately 700 metres from the site.

The Parish Council considers that the submitted evidence does not demonstrate a safe, convenient, continuous and accessible route to village services and public transport, particularly for older residents, disabled residents, children and people with reduced mobility. This appears inconsistent with Policy ERCOL9 of the Earls Colne Neighbourhood Plan.

The applicant describes the location as sustainable despite acknowledging that the nearest bus stops are around 700 metres away and that a safe crossing point cannot be provided at the substandard Tey Road/Upper Holt Street junction. The Council considers that this is likely to make residents reliant on private cars.

The access through Lowefields is narrow and already affected by existing on-street parking. The Parish Council is concerned that the available road width may not safely accommodate construction HGVs, delivery vehicles, existing traffic and emergency-service access.

4. Material inconsistencies in parking information

The submitted documents give three materially different parking totals:

Submitted document	Information stated	Total
Application Form (2845829)	Total proposed parking	81
Transport Assessment (2845881)	62 dwelling spaces + 15 dwelling spaces + 9 visitor spaces	86
Proposed Parking Allocation Plan (2845864)	94 allocated spaces + 9 visitor spaces	103

A difference of 22 spaces between the application form and the parking plan is substantial. The applicant must identify the definitive layout and correct all related documents before the proposal can be assessed reliably.

5. Protected trees, extensive previous tree loss and unresolved enforcement matters

The application confirms that a Provisional Tree Preservation Order was placed on the site on 23rd April 2026.

The Parish Council also understands that around 300 trees had already been cut down before the order was made. This appears to be linked to the protected-tree enforcement enquiry, reference 26/00163/TRE3.

The tree report was written before the TPO was put in place. It only clearly identifies T12 as protected and says the position of the other trees should be checked with Braintree District Council.

The application also says that most of the remaining central tree cover would be removed, with some decisions about which trees stay or go being left until the site is set out.

For a full planning application, the Council believes this should be completely clear before any decision is made. Braintree should confirm exactly which trees are protected, what happened during the earlier tree works and how the proposed development affects the remaining trees.

6. Ecology and Biodiversity Net Gain

The site adjoins the Tilekiln Farm Local Wildlife Site and the submitted ecology material identifies potential relevance to bats, badgers, reptiles, great crested newts, nesting birds and hedgehogs. The proposal would cause a substantial reduction in on-site habitat value, in addition to the damage already caused by the extensive tree felling, and relies on off-site biodiversity provision.

The Parish Council has also been informed by a long-term local resident that bats previously seen regularly around the site have not been observed since the removal of approximately 300 trees. The resident reports that this is the first year in at least 33 years that the bats have not been present. While this evidence should be formally verified, it raises a serious concern that the earlier clearance may already have affected bat habitat or feeding routes.

The Parish Council asks Braintree District Council's ecological adviser to review the effect of both the previous tree clearance and the proposed development on the adjoining Local Wildlife Site, bat activity and other protected species. This should include checking the accuracy of the Biodiversity Net Gain calculations, whether updated bat surveys are required, and the proposed location and long-term management of any off-site biodiversity provision.

7. Surface-water drainage, foul drainage and private pumping arrangements

The submitted Anglian Water pre-planning material is dated May 2023, states that capacity cannot be reserved and had a stated validity period of twelve months. Updated confirmation of foul-water and potable-water capacity is therefore required, together with detailed review by the Lead Local Flood Authority.

The submitted drainage strategy also relies on a private pumping arrangement and discharge to a nearby watercourse. The application should clearly explain who would own and maintain this system, what would happen if it failed or lost power, and whether the applicant has the necessary right to discharge into the watercourse.

8. Claimed community-led housing and Policy ERCOL3

The Planning Statement describes the proposal as 'community-led housing', but the documents do not clearly explain what this means in practice, who within the community has led or shaped the scheme, or how local people would be prioritised.

The applicant also relies on Policy ERCOL3 because the scheme contains affordable housing, bungalows and smaller homes. The Parish Council accepts that the proposed housing mix is relevant to that policy. However, meeting some local housing needs does not in itself establish that this unallocated site outside the settlement boundary is suitable for development.

The applicant should therefore explain separately:

- how the proposal qualifies as community-led;
- how it meets Policy ERCOL3; and
- why housing should be permitted on this particular site despite it not being allocated for development.

9. Housing mix and local need

The Parish Council acknowledges the proposed affordable housing and bungalow provision. However, the application contains no one-bedroom

homes despite relying on evidence of local need for smaller affordable accommodation. The submitted case therefore only partly responds to the identified local housing need and should not overstate its compliance.

10. Construction impacts on Lowefields residents

The Construction Management Plan does not provide a definitive HGV route, clear worker-parking arrangements, detailed delivery restrictions or sufficient measures to protect residents of Lowefields. A scheme of this scale accessed through an existing residential area requires a robust Construction Traffic Management Plan before permission is determined, including road-condition surveys, wheel washing, delivery controls, on-site waiting and turning, enforceable working hours and protection during school and commuter peaks.

Overall conclusion

Earls Colne Parish Council objects to application 26/01492/FUL.

The Council does not consider this site to be suitable for a development of 36 homes. The proposal conflicts with the settlement strategy, would cause harm to the rural character of the area and raises serious concerns about access, highway safety, tree loss, ecology, drainage and the effect on existing residents. These concerns are made worse by important information being missing, out of date, contradictory or unresolved.

Taken together, the Council does not believe the application has demonstrated that this is an appropriate or sustainable location for the proposed development. The Parish Council therefore asks Braintree District Council to refuse the application.

Documents reviewed

1. Application Form – Without Personal Data (document 2845829)
2. Planning Statement (document 2855440)

3. Landscape and Visual Impact Assessment (document 2845876) and supporting figures/appendices
4. Transport Assessment (document 2845881)
5. Arboricultural Report (document 2845883) and Tree Protection Plan (document 2845882)
6. Preliminary Ecological Appraisal (document 2845994)
7. Biodiversity Net Gain Assessment (document 2845984) and statutory metric
8. Flood Risk Assessment and Drainage Strategy (document 2845884)
9. Construction Management Plan (document 2845877)
10. Proposed Parking Allocation Plan (document 2845864)
11. Accommodation Schedule (document 2845869)
12. Braintree District Council Local Plan Review record for site EARL2120
13. Braintree enforcement record 26/00163/TRE3 and provisional TPO reference 06/2026/TPO