

The Planning Inspectorate

QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/Z1585/W/22/3306429

Appeal By

INDAVER RIVENHALL LIMITED

Site Address

Rivenhall Airfield
Coggeshall Road (A120)
Braintree
Essex
CO5 9DF
Grid Ref Easting: 582972
Grid Ref Northing: 220158

PART 1

1.a. Do you consider the written representation procedure to be suitable? Yes ☒ No ☐

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes ☐ No ☒

2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes ☒ No ☐

Please explain

The site area of the permitted Rivenhall IWMF is large and to understand the scale of the development it would be necessary to enter the site.

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes ☒ No ☐

Please describe

The IWMF is currently under construction and is therefore an active construction site.

3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes ☐ No ☒

3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes ☐ No ☒

PART 2

4. Does the appeal relate to an application for approval of reserved matters?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
5. Was a site ownership certificate submitted with the application?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
7. Does the appeal relate to a county matter?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
8. Please indicate the development type for the application to which the appeal relates.			
Major Developments			<input checked="" type="checkbox"/>
Minor Developments			<input type="checkbox"/>
Other Developments			<input type="checkbox"/>
8.a. Major Developments			
Dwellings			<input type="checkbox"/>
Offices/R and D/light industry			<input type="checkbox"/>
General industry/storage/warehousing			<input type="checkbox"/>
Retail and services			<input type="checkbox"/>
Traveller caravan pitches			<input type="checkbox"/>
All other major developments			<input checked="" type="checkbox"/>
Is the appeal site within:			
9.a. A Green Belt?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
9.b. An Area of Outstanding Natural Beauty?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

PART 3

11. Would the development require the stopping up or diverting of a public right of way?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12.a. Is the site in a Conservation Area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12.b. Is the site adjacent to a Conservation Area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
13.b. Would the proposed development affect the setting of a listed building?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

16. Is any part of the site subject to a Tree Preservation Order?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Please send a plan showing the extent of the Order and any relevant details. <input checked="" type="checkbox"/> see 'Questionnaire Documents' section				
17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

PART 4				
Environmental Impact Assessment - Schedule 1				
20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Schedule 2				
20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
20.c.i. Have you issued a screening opinion (SO)	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Environmental Statement (ES)				
20.d. Has the appellant supplied an environmental statement?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Environmental Impact Assessment - Publicity				
20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.	Applies	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Please attach copies of any comments that you have received in response. <input checked="" type="checkbox"/> see 'Questionnaire Documents' section				

PART 5				
22. Do you wish to attach your statement of case?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
For appeals dealt with by written representations only				
23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;



☒ [see 'Questionnaire Documents' section](#)

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;



☒ [see 'Questionnaire Documents' section](#)

Deadline

31/10/2022

24.c. all representations received from interested parties about the original application;



☒ [see 'Questionnaire Documents' section](#)

24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;



☒ [see 'Questionnaire Documents' section](#)

☒ [see 'Questionnaire Documents' section](#)

24.e. any representations received as a result of a service of a site ownership notification;



24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);



You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

☒ [see 'Questionnaire Documents' section](#)

☒ [see 'Questionnaire Documents' section](#)

List of policies

Waste Local Plan, Braintree District Local Plan

24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;



24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;



24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;



In the case of emerging documents, please state what stage they have reached.

24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;



Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.

24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;



24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;



24.m. your Authority's CIL charging schedule is being/has been examined;	<input type="checkbox"/>
24.n. your Authority's CIL charging schedule has been/is likely to be adopted;	<input type="checkbox"/>
24.o. any other relevant information or correspondence you consider we should know about.	<input type="checkbox"/>
For the Mayor of London cases only	
25.a. Was it necessary to notify the Mayor of London about the application?	Yes <input type="checkbox"/> No <input type="checkbox"/>
25.b. Did the Mayor of London issue a direction to refuse planning permission?	Yes <input type="checkbox"/> No <input type="checkbox"/>

LPA Details	
I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. <input checked="" type="checkbox"/>	
LPA's reference	ESS/34/15/BTE/66/1AP
Completed by	Claire Tomalin
On behalf of	Essex County Council
Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.	
Name	Claire Tomalin
Phone no (including dialling code)	03330136821
Email	claire.tomalin@essex.gov.uk
Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.	

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/Z1585/W/22/3306429

Appeal By INDAVER RIVENHALL LIMITED

Site Address
 Rivenhall Airfield
 Coggeshall Road (A120)
 Braintree
 Essex
 CO5 9DF
 Grid Ref Easting: 582972
 Grid Ref Northing: 220158

The documents listed below were uploaded with this form:

Relates to Section: PART 3
Document Description: 11. An extract from the Definitive Map and Statement for the area.
File name: Site Location Plan - ref App B5.4.pdf

Relates to Section: PART 3
Document Description: 13.b. A copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest.
File name: Listed building entries, rivenhall.docx

Relates to Section: PART 3
Document Description: 16. A plan showing the extent of the Order and any relevant details.
File name: Tree Preservation Order Ref No. 11-2001 Woodhouse and surrounding area (adj to Rivenhall Airfield).pdf

Relates to Section: PART 4
Document Description: 21. Copies of any comments that you have received in response.
File name: Environment Agency dated 28 Sept 2021.pdf
File name: Kelvedon Parish Council dated 27 Sept 2021.pdf
File name: Rivenhall Parish Council dated 20 Sept 2021.pdf
File name: Coggeshall Parish Council dated 20 Sept 2021.pdf
File name: Feering Parish Council dated 28 Sept 2021.pdf
File name: ECC Cllr Ross Playle (Witham Northern) dated 05 Oct 2021.pdf
File name: Rt Hon Priti Patel MP dated 11 November 2021.pdf
File name: Rt Hon Priti Patel MP dated 24 February 2021.pdf
File name: ECC Cllr Paul Thorogood (Braintree Eastern) dated 06 Oct 2021.pdf
File name: Braintree District Council dated 11 Oct 2021.pdf
File name: Bradwell with Pattiswick Parish Council dated 16 Sept 2021.pdf

Relates to Section: PART 5
Document Description: 24.a. A copy of the letter with which you notified people about the appeal.
File name: Rivenhall Appeal Notification letter.pdf

Relates to Section: PART 5
Document Description: 24.b. A document containing a list of the people you notified of the appeal.
File name: List of representees notified of appeal.pdf
File name: List of consultees notified of the Appeal.pdf

Relates to Section: PART 5
Document Description: 24.c. Copies of all representations received from interested parties about the

original application.

File name: Objection Tracey Thomson dated 05 Oct 2021.pdf
File name: Objections Jane & Anne Ardener dated 04 Oct 2021.pdf
File name: Objection Mr Shane Mullan dated 28 Sept 2021.pdf
File name: Objection Gary Lawrence dated 04 Oct 2021.pdf
File name: Objection Jill Crowe dated 03 Oct 2021.pdf
File name: Objections Weavers x2 12 Oct 2021.pdf
File name: Objection Melissa Pearmin dated 26 Sept 2021.pdf
File name: Objection Mr Andrew Crawford dated 28 Sept 2021.pdf
File name: Objection Julian Prideaux dated 02 Oct 2021.pdf
File name: Objection Mr. Ian Robbins dated 07 Oct 2021.pdf
File name: Objection Steven Lavender dated 12 Oct 2021.pdf
File name: Objection Trevor Plumb dated 02 Oct 2021.pdf
File name: Objection Toby Buscombe dated 03 Oct 2021.pdf
File name: Objection Tracy Seward dated 02 Oct 2021.pdf
File name: Objections Mr & Mrs Crawford 05 Oct 2021.pdf
File name: Objection Standen Family dated 07 Oct 2021.pdf
File name: Objection Grace Corton dated 05 Oct 2021.pdf
File name: Objection A Stevenson dated 01 Oct 2021.pdf
File name: Objection Anna Appleton-Claydon dated 05 Oct 2021.pdf
File name: Objection 3 Proforma Letter from PAIN 1 with no Address 15 Nov 2021.pdf
File name: Objection 3 Proforma Letters from PAIN with no Full Address 08 Nov 2021.pdf
File name: Objections Susan Emma and R Rumble dated 28 Sept 2021.pdf
File name: Objection Mr Storey-Smith dated 11 Oct 2021.pdf
File name: Objection Mrs Corton dated 05 Oct 2021.pdf
File name: Objections Owen Family x 4 30 Sept 2021.pdf
File name: Objection Occupier 130 Mortimer Way, Silver End, Witham, CM8 1UJ dated 04 Oct 2021.pdf

File name: Objection Christine Thompson dated 02 Oct 2021.pdf
File name: Objection Colin Thompson dated 02 Oct 2022.pdf
File name: Objection Kate Benson dated 03 Oct 2021.pdf
File name: Objection Clara Forster dated 02 Oct 2021.pdf
File name: Objection Cllr Jenny Sandum dated 12 Oct 2021.pdf
File name: Objection Mrs Storey-Smith 05 Oct 2021.pdf
File name: Objection - PAIN Co Mr N Unsworth - 09 Sept 2021 - including full postal address.pdf

File name: Objection Mr Mike Appleton dated 23 Sept 2021.pdf
File name: Objection Councillor James Abbott 15 Sept 2021.pdf
File name: Objection Mrs Nicole Marrington dated 23 Sept 2021.pdf
File name: Objection Mr J Sigwart dated 23 Sept 2021.pdf
File name: Objection Michael Bowes dated 06 Oct 2021.pdf
File name: Objection David Willingham dated 23 Sept 2021.pdf
File name: Objection Mrs K Finch dated 27 Sept 2021.pdf
File name: Objection J Convery dated 01 Oct 2021.pdf
File name: Objection Phillippa Butler 04 Oct 2021.pdf
File name: Objection Mr Ricky Burtonshaw dated 23 Sept 2021.pdf
File name: Objection 5 Proforma Letters from PAIN 4 with no Address 26 Sep 2021.pdf
File name: Objection Mr Philip Unwin dated 25 Sept 2022.pdf
File name: Objection Simon Magee dated 02 Oct 2021.pdf
File name: Objection Miss Lotte Nickel dated 23 Sept 2021.pdf
File name: Objection 3 Proforma Letters from PAIN 1 with no Address 30 Sept 2021.pdf
File name: Objection Paul Javin dated 04 Oct 2021.pdf
File name: Objection 2 Proforma Letters from PAIN 1 with no Address 02 Nov 2021.pdf
File name: Objection Mr A Hodgkins dated 23 Sept 2021.pdf
File name: Objection Sarah Phillips dated 02 Oct 2021.pdf
File name: Objection Mr George Dalton dated 23 Sept 2021.pdf
File name: Objection Peter Chard dated 02 Oct 2021.pdf
File name: Objection D Ward dated 04 Oct 2021.pdf

File name:	Objection Mr Ben Harvey dated 23 Sept 2021.pdf
File name:	Objection Mrs Donna Snell dated 23 Sept 2021.pdf
File name:	Objection - PAIN Co Mr N Unsworth - 10 Sept 2021.pdf
File name:	Objections Victoria, Simon, Alice, Max & Evie Plumridge dated 19 Oct 2021.pdf
File name:	Objection Lotte Nickel dated 02 Oct 2021.pdf
File name:	Objection - PAIN Co Mr N Unsworth - 09 Sept 2021 - Email dated 10 Sept 2021 requesting full postal address.pdf
File name:	Objection Mrs Laura Robbins dated 23 Sept 2021.pdf
File name:	Objection - PAIN Co Mr N Unsworth - 09 Sept 2021.pdf
File name:	Objection Mr Shaun Patrick dated 26 Sept 2021.pdf
File name:	Objection Miss K Middleton dated 23 Sept 2021.pdf
File name:	Objection Chloe Henderson 13 Oct 2021.pdf
File name:	Objection Objection to proposed Discharge of Condition 66 Andrew Watson 23 Sept 2021.pdf
File name:	Objection Mrs Louise Turfkruyer dated 23 Sept 2021.pdf
File name:	Objection Mr Graham Dean dated 23 Sept 2021.pdf
File name:	Objection Liz Warwick dated 05 Oct 2021.pdf
File name:	Objection Ms Clare Bramwell dated 23 Sept 2021.pdf
File name:	Objection Paul Hales dated 23 Sept 2021.pdf
File name:	Objection Samantha Gentry dated 23 Sept 2021.pdf
File name:	Objection Mrs Victoria Hill dated 23 Sept 2021.pdf
File name:	Objections Mrs, Mr, Ethan, Kai Harding dated 04 Oct 2021.pdf
File name:	Objection Mrs M Thompson dated 23 Sept 2021.pdf
File name:	Objection Mr Tom Denton dated 23 Sept 2021.pdf
File name:	Objection 1 Proforma Letter from PAIN with no Address 08 Nov 2021.pdf
File name:	Objection Ms P Wynne-Willson dated 23 Sept 2021.pdf
File name:	Objection Ms D Treanor dated 23 Sept 2021.pdf
File name:	Objection Mr A Ranson dated 23 Sept 2021.pdf
File name:	Objection Ms A Kennedy dated 23 Sept 2021.pdf
File name:	Objection Mr Antony Hill dated 23 Sept 2021.pdf
File name:	Objection Janice Tofts dated 27 Sept 2021.pdf
File name:	Objection Nicola Standen dated 02 Oct 2021.pdf
Relates to Section:	PART 5
Document Description:	24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name:	Committee Report 25 February 2022.pdf
File name:	Committee Addendum 25 February 2022.pdf
File name:	Committee Report 25 February 2022 - Appendix A (Inspectors Report 22 Dec 2009).pdf
File name:	Committee Report 25 February 2022 - Appendix B (SoS Decision letter 2 March 2010).pdf
File name:	Committee Report 25 February 2022 - Appendix G (Letter from appellant's solicitor dated 22 Feb 2022).pdf
File name:	Committee Report 25 February 2022 - Appendix E (Coggeshall PC consultation response).pdf
File name:	Committee Report 25 February 2022 - Appendix D (Letter from agent dated 1 September 2022).pdf
File name:	Committee Report 25 February 2022 - Appendix C (Decision Notice ESS-34-15-BTE).pdf
File name:	Committee Report 25 February 2022 - Appendix F (Representation from Priti Patel MP dated 11 November 2022).pdf
File name:	Committee Report 25 February 2022 - Appendix H (Circulated at meeting further rep from Priti Patel MP).pdf
Relates to Section:	PART 5
Document Description:	24.d. the planning officer's report to committee or delegated report on the

File name:	application and any other relevant documents/minutes; Committee Minutes 25 February 2022.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Braintree District Local Plan Sections 1 and 2 July 2022 - front page.pdf
File name:	Essex and Southend-on-Sea Waste Local Plan 2017 - front page.pdf
Relates to Section:	PART 5
Document Description:	24.f. Copies of extracts from any relevant statutory development plan policies.
File name:	Waste Local Plan Policy 11 - Mitigating and Adapting to Climate Change.pdf
File name:	Waste Local Plan Policy 10 - Development Management.pdf
File name:	Braintree District Local Plan Section 1 (2021) - Policy SP7 - Place Shaping Principles.pdf
File name:	Braintree District Local Plan Section 1 (2021) -Policy SP1-Presumption in Favour of Sustainable Development.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP66 - Protection, Enhancement, Management....pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP67 - Landscape Character and Features.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP65 - Tree Protection.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP47 - Built and Historic Environment.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP74 - Flooding Risk and Surface Water Drainage.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP72 - Resource Efficiency, Energy Generation....pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP71 - Climate Change.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP63 - Natural Environment & Green Infrastructure.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP70 - Protecting and Enhancing Natural....pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP77 - External Lighting.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP1 - Development Boundaries.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP64 - Protected Sites.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP52 - Layout and Design of Development.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP42 - Sustainable Transport.pdf
File name:	Braintree District Local Plan Section 2 (2022) - Policy LPP57 - Heritage Assets and their Settings.pdf
Relates to Section:	PART 5
Document Description:	24.o. Copies of any other relevant information or correspondence you consider we should know about.
File name:	DECISION LETTER for ESS-34-15-BTE-66-01 dated 7 March 2022.pdf
Completed by	Not Set
Date	03/10/2022 17:08:55

