



Demolition of Car Wash, Storage Areas and Ancillary Buildings and removal of Underground Storage Tanks and the Construction of a Community Arts Centre adjacent to the Empire Theatre

Land adjacent to the Empire Theatre,
Butler Road, Halstead CO9 1LL

Planning Statement

Halstead Town Council

September 2026

Prepared by:

Halstead Town Council

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Executive Summary

The Trustees of the Halstead Community Arts Centre, on behalf of Halstead Town Council, is seeking planning permission under the Town and Country Planning Act 1990 as amended, for the demolition of an existing car wash storage areas and an small extension to the main theatre building, and removal of underground storage tanks, to construct a new community arts centre on the southern elevation in order improve and complement the facilities of the existing theatre.

The Empire Theatre was originally constructed in 1915 as a purpose built cinema. The theatre occupies an rectangular area of 1,415 sqm with Butler Road forming the north-eastern frontage, Berridge Road along the south eastern frontage and a private access track that provides rear access to properties in Stanley Road and Berridge Road.

The proposal retains the main theatre and the steps to the building from Bulter Road but redevelop the remainder part of the Site. This comprises a car wash, ancillary storage facilities, a small extension to the theatre, and the existing car park for approximately 12 cars. It occupies an area of 812 sqm.

The new facility would occupy and footprint approximately 400 m2. It would be a two storey building which comprise a café and bar area, exhibition space, rehearsal space and meeting room, kitchen and toilets.

The proposed development accords with the relevant policies of the Development Plan, namely, the Braintree Local Plan, adopted July 2022. It also accords with the relevant National Decision-Making policies in the National Planning Policy Framework, revised in August 2026, and the emerging Braintree Local Plan Review Preferred Options Consultation, dated March 2026. The planning balance is firmly in favour of granting planning permission.

Introduction

The Trustees of the Halstead Community Arts Centre (“Trustees”), on behalf of Halstead Town Council, is seeking planning permission under the Town and Country Planning Act 1990 as amended, for the following:

“Demolition of an car wash, storage areas and an extension to the main theatre building, and removal of underground storage tanks to construct a new community arts centre adjacent to the Empire Theatre”

Referencing

For referencing purposes, the following definitions have been adopted and are utilised from this point onwards:

- **the Proposed Development** – the redevelopment of the car wash facilities, ancillary storage buildings and an extension to the theatre – an area of 810 sqm
- **the Site** – the area occupied but the theatre and the existing facilities on site – an area of 1320sqm.

Design and Access Statement

The planning application is accompanied by a Design and Access Statement, prepared by Acanthis RH Architects LLP.

Pre-Application Advice

The Trustees sought pre-application advice from Braintree District Council (BDC) in October 2025. BDC provided written pre-application advice on 27th November 2025. The planning application is based on the written responses received by BDC and from the Built Heritage consultant at Place Services.

In summary, BDC officers have advised that the proposal could be supported for the following reasons:

- The principle of the proposed development is acceptable. Policy LPP61 of the Adopted Local Plan supports the erection of new community facilities wherever possible.
- The impact upon the Non-Designated Heritage Asset (NDHA) would likely be acceptable, subject to the retention of the existing Empire signage on the southern elevation, which is an important architectural feature that is visible from the entirety of Butler Road.
- The design and external appearance of the proposed development is considered to be of a high standard of design and layout, taking heed of the important features of the existing theatre, whilst also forming a focal point, and landmark design that is suitable of a community arts centre.
- Based on the information provided it is not considered that the proposal would have a detrimental impact upon any neighbouring residential properties however this will need to be carefully assessed on site once proposed plans are finalised.
- It is not anticipated that the development would give rise to unacceptable impacts upon the adjacent highway network however it is noted that the highway impact of the proposal is a matter for Essex County Council Highways and you may wish to undertake a pre-application submission with them with regard to highway matters. - There are no unacceptable ecology or landscape impacts.
- There would likely be no residual harmful noise impacts as a result of the proposed development.

1. Halstead Empire Theatre and the Planning History of the Site

The Applicant

The Trustees of the Halstead Arts and Community Centre was formed in 2026 to undertake the planning, financing and construction of a new Community Arts Centre on land adjacent to the existing Empire Theatre, Halstead. The trustees comprise three appointed trustees and three nominated trustees. They act behalf of Halstead Town Council which owns the theatre and the land which is the subject of this planning application.

Site Context

The Site lies in the north of Halstead within a predominantly residential area of the town. Bulter Road is a linear road and cul-de-sac which runs north west from Trinity Road, the A131 which is the main transport linking Halstead to the town of Braintree. It provides access to the town's football ground as well as a number of light industrial units in Broton Drive the Bulter Road car park and to residential properties east of Chapel Hill.

Relevant Planning History

There is just one relevant planning permission relevant to the Site which is shown below.

Table 1-1

Application Number	Description	Decision and Date
07/02358/COU	Remedial and filling in of petrol tanks and change of use of land for the provision of a hand car washing facility	10 th January 2008 - granted

It is understood that the petrol filling was operating from the late 1960s until 2006 when it ceased trading.

2. Site and Surroundings

Site Location and Description

The Site occupies an area of approximately 1,415 sq metres. It is fronted by Bulter Road to the north east, Berridge Road to the south east, a private access track which serves the rear properties on Berridge Road and Stanley Road on the north western frontage. No 32 Berridge Road, a two storey residential property forms the south western frontage. The existing Empire Theatre building occupies approximately one third of the Site (410 sq m). The remainder of the Site comprises a car wash (130 sqm), an extension of the theatre used for rehearsals and meetings and storage facilities.

The car wash, which includes a valeting service, is on hard standing. The remainder of the Site is of soft standing, comprising a mix of bare ground, grasses and low-level vegetation.

The River Colne lies approximately 170m to the north east of the Site. The Site is relatively level at approximately 40m AOD and slopes slightly from west to east.

The Site lies within Braintree District and the Halstead Town Council area.

The car wash comprises hardstanding, a single storey office building and a sheltered area in the south east of the site. There are four underground fuel storage tanks and two interceptors located beneath the car wash. The surface runoff and storm drains are located off-site to the east and south.

Access

Access to the Site is directly from Butler Road or from Chapel Hill and Berridge Road. There is approximately 12 informal parking spaces on the Site.

Environmental Designations

Landscape and Visual

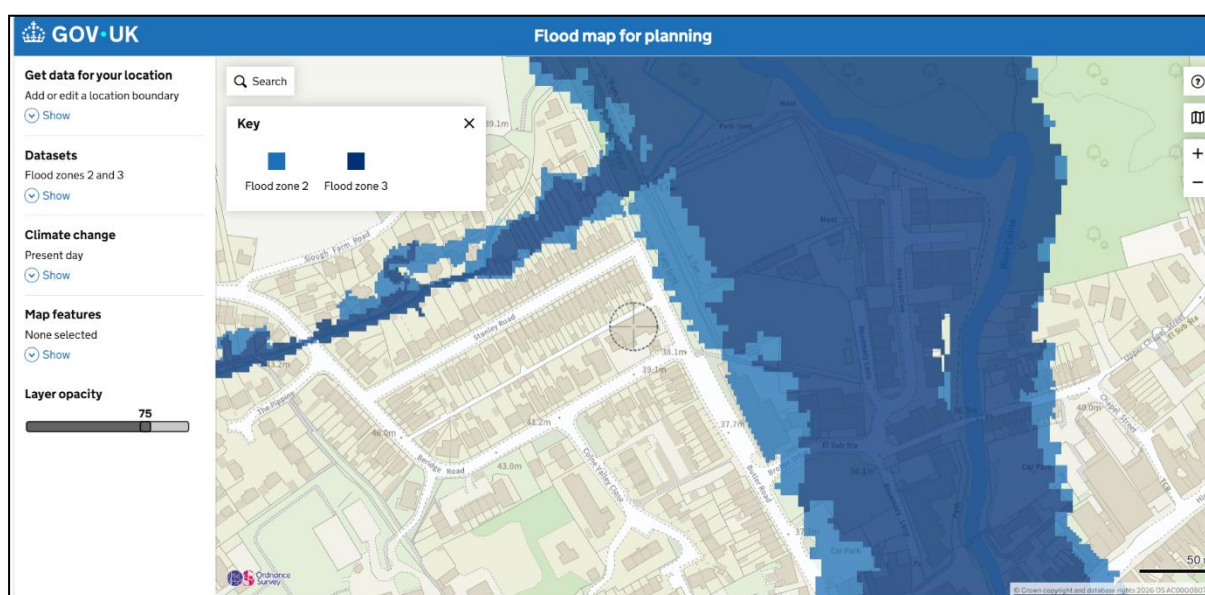
There are no landscape designations within a 2km radius of the Site.

Ecology and Biodiversity

There are no designated ecological sites within 5 km of the Site. There are no protected species or habitats on the site.

Flood Risk and Hydrology

According to the Environment Agency's flood map for planning, the Site lies within Flood Zone Risk 1. Land immediately to the north east of Butler Road opposite the Site is Flood Zones 2 and 3.



Hydrogeology

The site is underlain by River Terrace Deposits, which are classed a Secondary A Aquifer of high vulnerability (i.e. can easily transmit pollutants). The London Clay Formation is classed as unproductive stratum and forms an aquiclude above the Principal Aquifer of the Chalk at depth. The site lies within a groundwater Source Protection Zone 3 with respect to groundwater in the Principal Aquifer. Potable water supply boreholes are located approximately 790m to the south east and 1,180m to the north west, both operated by Anglian Water Services Limited. BGS borehole records (see Section 4.2) suggest that shallow groundwater is likely to be encountered within the River Terrace Deposits between 1m and 3m below ground level. The groundwater in these superficial deposits is likely to be in hydraulic continuity with the River Colne and is anticipated to flow in an east to southeasterly direction.

Cultural Heritage

The Site lies 165m north west of the boundary of the Halstead Conservation Area. The nearest listed buildings are Slough Farmhouse, 130m to the north west, and The Locomotive public house, 165 to the south west. Both are Grade II listed buildings.

Whilst the Empire Theatre is not nationally or locally listed, it has been listed as a non-designated heritage asset (NDHA). Two key features has been identified as significant to the building's history. The neon-lit Empire sign that faces the junction of Butler and Berridge Road was installed as part of a renovation of the theatre in 1951. It provides a visual link along Butler Road to the position of the building. The horn house to the rear of the theatre is used for storage. The single-storey monopitch-roofed extension reflects the progression of the theatre to keep up with new trends in theatre.

Air Quality

There are no air quality management areas in Braintree District.

Public Rights of Way

There are two public rights of way within the vicinity of the Site. Footpath 11 Halstead Urban runs from the junction of Butler Road and Berridge Road to Rosemary Lane and lies 15 m from the Site. Footpath 13 Halstead Urban runs from Footpath 11 to join Footpath 42 to the north west of the Site.

Geology and Soils

Based on the published and unpublished geological data, the site is expected to be underlain by Made Ground, overlying River Terrace Deposits (sand and gravel), which in turn are underlain by the solid geologies of the London Clay Formation, Lambeth Group, Thanet Sand and Upper Chalk. The River Terrace Deposits are anticipated to be approximately 2-4.5m thick, with the London Clay Formation indicated to range between 4.0-29.5m in thickness.

The Lambeth Formation is anticipated to be approximately 6.1-8.0m thick, with the Thanet Sand indicated to be encountered between 14.6-39.6m bgl and approximately 12.2m thick where proven. One borehole record encountered the Upper Chalk beneath the Thanet Sand at a depth of 51.8m bgl.

Unexploded Ordnance

A preliminary unexploded ordnance (UXO) risk assessment was undertaken in January 2026 to provide an initial understanding of the potential risk of encountering UXO on site. The report concludes there is a low to medium risk from German and anti-aircraft unexploded ordnance at the Site. Overall UXO risk is assessed as medium where intrusive works extend beyond shallow service depths or involve piling or deep excavations.

Mining

There is no evidence of mining to be present on site, based on the Groundsure Enviro + Geo Insight report. Bois Field Gravel Pit, approximately 75m to the north of the Site, was used to extract sand and gravel from the 1970s until the early 1950s when the site was developed as a football ground.

3. Description of the Proposed Development

The description of the Proposed Development is as follows:

“The demolition of a car wash facility, ancillary meeting rooms and storage facilities, and the removal of underground storage tanks, and the construction and operation of a Community Arts Centre adjacent to the Empire Theatre.”

Traffic and Transport

The proposal will result in the loss of the existing informal car parking area adjacent to the theatre. However, the redevelopment of the site will allow for two new disabled parking spaces with access off Butler Road. In addition, the existing access off Beridge Road will be relocated slightly to the south for up to two light good vehicles to be parked for loading and unloading purposes.

Waste Management

A dedicated refuse area will be created on the southern edge of the site close to the service vehicle access point. New service doors will be installed at the rear of the theatre to enable theatrical equipment to be transported by service vehicles.

Site Drainage

The proposed new building would be connected to the mains drainage in order to dispose of both foul and surface water.

Lighting

External lighting would be designed to sensitively illuminate the new building at night.

Employment

The Trust operates with around 45 volunteers who work on a part time basis. It is anticipated that the new community arts centre would generate the need for one full time member of staff and up to ten additional part time volunteers.

Phasing

There will be five phases of works:

Phase one: Demolition

Existing outbuildings to the theatre including the car wash kiosk to the south of the building will be demolished. Some internal demolition works within the theatre are also intended which will enable further works within phases four and five.

Phase two: Removal of the storage tank associated with the former petrol filling station

Phase three: Below ground infrastructure

Below ground infrastructure to serve the theatre will be installed before the main works are undertaken.

Phase four: Main construction works

This phase will include the main extension to the existing theatre including the external canopy space to the south of the extension.

Phase five: Existing theatre works

The final phase will see works to the existing theatre undertaken such as the installation of new unisex WC's and solar panels to the roof.

4. Relevant Development Plan Policies and Material Considerations

Introduction

Development Plan

The Braintree Local Plan was adopted in July 2022. It covers the period up to 2033. The most relevant policies are:

SP1 – Presumption in Favour of Sustainable Development

SP3 – Spatial Strategy for North Essex

SP6 – Infrastructure and Connectivity

SP7 – Place Shaping Principal

LPP1 – Development Boundaries

LPP42 – Sustainable Transport

LPP43 – Parking Provision

LPP47 – Built and Historic Environment

LPP52 – Layout and Design of Development

LPP61- Local Community Services and Facilities

LPP70 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

LPP74 – Flooding Risk and Surface Water Drainage

Chapter 4 of this Planning Statement provides an assessment of whether the proposed development accords with these policies.

Material Considerations

National Planning Policy Framework (2026)

An updated NPPF was published in August 2026 by the Ministry of Housing, Communities & Local Government. This sets out the Government's national decision-making planning policies for England and is a material planning consideration in the determination of planning applications.

Using the Framework

It is worth noting that the plan-making policies should not be used when making decisions on development proposals (paragraph 8); that the annexes are also national planning policy (paragraph 9); and that where policies set out lists in the form of sub-paragraphs, all the sub-paragraphs apply unless the text indicates otherwise.

Purpose of the Planning System

Paragraph 15 states that the purpose of the planning system is to contribute to the achievement of sustainable development by managing the use and development of land in the long-term public interest. Paragraph 17 identifies three objectives for sustainable development: an economic objective – contributing to building a strong, responsive, and competitive economy; a social objective – supporting strong, vibrant, and healthy communities; and an environmental objective – supporting efforts to mitigate and adapt to climate change, including moving to a low carbon economy; protecting and enhancing the natural, built, and historic environment, using natural resources prudently, and minimising waste and pollution.

Paragraph 18 adds that these objectives are not criteria against which every decision can or should be judged. Planning decisions should take local circumstances into account, reflecting the character, needs and opportunities of each area.

Decision-making policies

DM3 (Determining development proposals) states that when considering development proposals, local planning authorities should work with the applicant in a positive and proactive manner to enable a timely decision. DM4 (Emerging development plan proposals) states that weight may be given to the degree of compliance of relevant policies in an emerging development plan with policies for plan-making.

DM7 (Relationship with other regulatory regimes) states that matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications.

Achieving sustainable development

S3 (presumption in favour of sustainable development) is a national decision-making policy (NDMP), as are all the remaining policies referenced under the NPPF. It tells us that there is a presumption in favour of sustainable development. When considering development proposals within settlements, policy S4 should be applied.

Paragraph 1 of policy S4 (principle of development within settlements) states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. Paragraph 2a states that the benefits of approving development are likely to be outweighed by adverse effects that include situations where the development would have a substantial adverse impact in relation to (i) the allocation or safeguarding of land or buildings, or (ii) where the proposed development would have a substantial adverse impact in relation to NDMP applying to existing recreational land and facilities (HC7), local green space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)). Paragraph 2b relates to development involving the loss of land for a cemetery or burial ground or for water storage. Paragraph 2c refers to compliance with NDMP which state development proposals should be refused in specific circumstances.

Meeting the challenge of climate change

CC2 (mitigation of climate change) states that development proposals should accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles. Proposals should use design approaches which conserve energy and other resources.

Paragraph 2 states that substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights) where this would be achieved through proposals for development.

Building a strong, effective economy

E2 (meeting the need for business land and premises) states that substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt.

Ensuring the vitality of town centres

Policy TC2 (development in town centres) states that considerable weight should be given to the benefits of development in town centres that improve facilities which provide day-to-day services for the local community.

Making effective use of land

Policy L2 (making effective use of land) states that substantial weight should be given to the benefits where a development proposal would make better use of vacant and underutilised land and buildings. Examples include building on or above service yards and car parks which are no longer required.

Achieving well-designed places

Policy DP3 (key principles for well-designed places) states that development proposals should respond to their context so they integrate with and enhance their surroundings. This includes integration with heritage assets.

Promoting Sustainable Transport

TR6 (assessing transport impacts) states that development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety.

Conserving and enhancing the historic environment

Policy HE7 (decisions on non-designated heritage assets) states that development proposals which would have a positive effect on a non-designated heritage asset should be supported.

Emerging National Planning Policy

A draft NPPF was published by the Ministry of Housing, Communities & Local Government in December 2025. There are no material changes to the NPPF that would have a direct impact upon the proposed development.

Emerging Braintree Local Plan

BDC consulted on a Preferred Options Regulation 18 Braintree Local Plan in March and April 2026. The Council is intending to publish the draft Regulation 19 version of the Local Plan in September.

The most relevant policies of the draft Plan are:

- LPR1 – Spatial Strategy for Braintree District
- LPR2 – Development Boundaries
- LPR52 – Sustainable Transport
- LPR53 – Parking Provision
- LPR57 – Built and Historic Environment
- LPR62 – Layout and Design of Development
- LPR71 – Local Community Services and Facilities
- LPR68 – Heritage Assets and their Settings
- LPR80 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

5. Compliance with Relevant Development Plan Policies and Material Considerations

Introduction

This section considers the benefits of the Proposed Development, and compliance with development plan policy and material considerations which relate to this.

Policy Themes

The key policy themes that are identified as being relevant to the determination of this planning application are listed below.

- principle of development;
- site location and land use;
- need;
- sustainability and climate change;
- economic and social benefit; and
- environmental and amenity issues.

The following paragraphs set out an analysis of the Proposed Development in the context of the above policy themes.

Principle of Development

The application site is located within the designated development boundary for the town of Halstead, wherein the general principle of development in Policy SP3 is considered acceptable subject to other detailed policy criteria. In addition to this, policy LPP61 of the Adopted Local Plan supports the provision of new or enhanced community facilities wherever possible. There are specific sites already safeguarded for new community facilities, including the site on Butler Road to the southeast. A recent application was permitted in relation to dealing with contamination. There is clear policy support for the provision of new community facilities, particularly within defined development boundaries and thus the proposed extension to the Empire Theatre to form a new community arts centre, is considered acceptable in principle. Draft policy LPPR71 will replace LPP61 but the policy largely remains the same with support for new or enhanced community facilities.

Site Location and Land Use

The Site has been in use as a theatre and cinema for over 100 years. Although it is surrounded on three sides by residential uses, the theatre generally has a good working relationship with its neighbours. Whilst visitors parking on Butler Road and Beridge Road can sometimes cause issues, this occurs relatively infrequently.

Need

The theatre has had relatively little permanent additional floorspace added since it was first constructed and opened in 1915. Since then, the town of Halstead has increased in population from approximately 6,300 people to 13,500 as recorded in the 2021 Census. The proposed location of the new community arts centre immediately adjacent to the existing Empire Theatre will help to strengthen the town's community facilities and use what is underdeveloped land.

Sustainability and Climate Change

The Site lies outside the areas of medium and high risk from flooding that lie near to the Rover Colne. The theatre is in a highly sustainable location, within walking distance of the town's car park on Butler Road. It is approximately 330m from the nearest bus stops in Trinity Street which serve Colchester, Braintree, Sudbury and the surrounding villages. The proposed development will be located on previously developed brownfield land. It is proposed to add solar PV panels along the length of the southern facing roof of the existing theatre to generate renewable energy.

Economic and Social Benefit

The proposed development would be likely to generate the need for one full time manager and up to ten part time additional staff. These would complement the existing staff and the significant number of volunteers that operate and manage the Empire Theatre.

Environmental and Amenity Issues

Landscape and Visual Amenity

The only landscaping on site are leylandii trees which form a partial screening effect along the southern boundary of the site with no 32 Beridge Road, a residential property. These trees would be retained. In addition, it is proposed to include a larger planter along the frontage with Beridge Road. This helps ensure the level change of the street is accommodated into the design. A secondary retaining wall in timber along the existing south west boundary will ensure a soft landscape area provides a buffer between no 32 and the theatre and community arts centre. The proposed development therefore accords with policy LPP67 of the BLP.

Traffic and Transport

The informal car park which lies adjacent to the Empire Theatre will be developed to make more effective use of the land. The proposed development will incorporate two car parking spaces for those with disabilities and an purpose-designed space for loading and unloading. There are public car parks within 400m walking distance of the theatre as well as on-street parking.

Cultural Heritage

The Empire Theatre is located outside of the Halstead conservation area. However, it has been identified as a Non-Designated Heritage Asset (NDHA). The cinema is thought to have opened in 1915, before the arrival of sound film, as a purpose built cinema with 450 seats. The theatre is consequently of significant architectural, archaeological and historic interest and has a distinct landmark status within Butler Street and the wider town of Halstead.

Policy HE7 of the NPPF states that development proposals which would have a positive effect on a non-designated heritage asset should be supported. The council's historic buildings consultant has provided comment on the pre-application proposal and raises no objections to the general scale and form of the extensions. Concern was raised about any proposed loss of the half-pitched, brick built element on the southern elevation which houses the prominent Empire sign that is visible from Trinity Street to the south. As an important contributor to the buildings distinctive character this element has been retained. The primary entrance to the theatre would be altered to make use of the new proposed foyer and café. The existing, historic entrance should be retained and remain legible to understand its historic use, but generally this is not an unacceptable change to the functionality of the building. The proposed materials are timber framed windows with timber detailing, limestone brickwork and classic theatre doors with brass kickplates and handles. Overall, the approach to materials is judged to be appropriate and sensitive to the existing historic character of the theatre. The distinctive Empire signage on the southern elevation has been retained. Consequently, there would be no significant or unacceptable heritage impact to the proposals.

Soils

Population, Health and Security

As a responsible operator, HTC is highly conscious of its responsibilities and is mindful of the potential risks to people and the environment. HTC is committed to high standards of Health, Safety and Environmental management, protection and performance and these aspects have equal prominence with all other business considerations. Appropriate measures are in place to ensure that workers are aware of the risks associated with the Site. This includes standard practice health and safety measures as well as any site-specific issues.

The Site is on publicly accessible land. It would be closed off to the public and would remain so during for the phases of the Proposed Development, with a security gate and security personnel onsite as required.

During demolition, civils works and construction, the Site will be surrounded along each perimeter by a 2.5m high 'Paladin' mesh panel security fence.

6. Planning Balance and Conclusions

This Planning Statement accompanies an application by HTC to BDC under the Town and Country Planning Act 1990 for planning permission for the demolition of a car wash and temporary meeting room and storage facilities, and construction and operation of a community arts centre on land immediately adjacent to the Empire Theatre, Butler Road, Halstead.

The Proposed Development has been assessed in line with local and national planning policy and is found to accord with the relevant adopted development plan policies contained within the adopted Braintree District Local Plan 2033. Both local and national policy recognises the need for community facilities as well as the local economic benefits.

The Proposed Development has also been found to accord with key material considerations, including the NPPF, and the relevant policies of the emerging Braintree Local Plan. Therefore, in accordance with the presumption in favour of sustainable development, it is considered that the planning application under the Town and Country Planning Act 1990 which this Planning Statement accompanies can be approved by BDC without delay.

The planning balance is therefore strongly in favour of granting planning permission.

