



## Introduction and Site Background

1. This representation on the Brentwood Draft Local Plan (DLP) 2016 is submitted by Strutt & Parker LLP on behalf of Stonebond Properties in relation to land between 38-50 Crescent Road, Brentwood. A redline plan is submitted in support of this representation to show the location of the site.
2. The site is currently the subject of an underdetermined planning application made to Brentwood Borough Council (BBC) under reference 15/01175/FUL for the erection of 10 apartments including the creation of vehicular site access with associated parking and landscaping works. The application is scheduled for determination by planning committee on 12th April 2016.
3. The site is located within the built up area of Brentwood. In the Brentwood Replacement Local Plan (2005) the land is shown as Protected Open Space. In the absence of a Proposals Map supporting the DLP or an updated Open Space Assessment as part of the evidence base being published we are submitting a holding objection to the DLP.
4. In the Brentwood Borough Council Strategic Housing land Availability Assessment (SHLAA) (2011), the site is identified as G162. The SHLAA identified the land as being suitable for development given “the size of the plot, location and surrounding residential development” and as being achievable for development on the basis that no additional infrastructure would be required to facilitate its development. With regard to availability, the SHLAA considered the site on the basis of it being ‘currently in use as a school/nursery playing field’ which is not an accurate representation of the site’s use.
5. The site comprises 0.16 hectares of vacant land that, several years ago, formed part of the grounds of the former Holly Trees Infant School at the junction of Crescent Road and Junction Road. The school building is now privately owned by Clever Tots Nursery. The infant school relocated over 13 years ago to Vaughan Williams Way to the south west of Crescent Way. The Nursery has been running from the premises since 2007. Following the relocation of the school, the land has not been used in connection with the nursery use and it has been gated off at the entrance from Crescent Road. The site was declared surplus to requirements following the relocation in 2003. It has not used for playing field or open space purposes since that time or following purchase by the Nursery in 2008.

## Spatial Strategy

6. For the purposes of these representations we note the Draft Local Plan makes provision for windfall sites (para.5.43) and we support the objective of the DLP to utilise sustainable previously developed land within the built up areas to assist in the provision of necessary housing land supply. In this case, the land between 38-50 Crescent Road is situated within the town of Brentwood, 0.3 miles from the town centre and railway station. It is therefore considered to be a sustainable site as set out in the planning application, to also be identified as an allocation in the DLP to contribute to meeting housing need. It is capable of accommodating 10 dwellings as set out in planning application 15/01175/FUL. It is therefore considered that the site should be included within Figure 7.2 (Housing Land Allocations).

## Public Open Space

7. Having regard to 3) above we note that Policy 10.9 of the DLP sets out that:

*“Within the Borough’s urban areas, permission will not be granted for development of land allocated on the Proposals Map as protected Open Space or Local Green Space unless it can be demonstrated:*

- a. that alternative and improved provision can be created in a location well related to the functional requirements of the relocated use and existing and future users;*
- b. the proposal would relate to the enhancement of the open space, contributing to both the character and amenity of the area; or*
- c. the provision of new open space creates no additional displacement within the Green Belt.*

*All proposals, including the designation of new Local Green Space and landscaping, must be accompanied by a maintenance plan to ensure long-term quality and scheme viability.*

*There will be a presumption against any development that involves the loss of open space, community, sport, recreation or play facilities, including allotments, except where it can be demonstrated that there is an excess of provision, or where alternative facilities of equal or better quality and convenience will be provided as part of the development.”*

8. We note that the DLP does not contain a Proposals Map or include an updated supportive Open Space Assessment to supersede the current 2007 PPG17 Open

Space Assessment. We understand that this work has been commissioned but it does not form part of the published evidence base for the DLP.

9. Against this background we have some concerns that BBC may continue to show the site as Protected Open space as a repeat of the out of date 2005 Replacement Plan without a full and proper assessment of the suitability of such an allocation at this site.
10. As indicted at paragraph above, since the relocation of the Holly Trees Nursery School in 2003, the land has not been in use for those purposes and has not been in use as public or accessible open space.
11. Neither our clients nor current owners are aware of any intention by BBC or any other party to purchase the site for public open space purposes. Realistically it is therefore most unlikely that the land will ever be used for those purposes, unless it was compulsory purchased by BBC, or BBC sought some other means to develop the land for such purposes. The Nursery has confirmed that they have no use for the area in their statement accompanying the planning application as needs for a play area met adjacent to the building.
12. The approach to the protection of open spaces provided by Policy LT2 should now be seen in the context of more up to date policy and the revised definition in the NPPF similar to the proposed policy 10.9 set out above set out at 6.16 above.
13. The NPPF by paragraph 74 and the accompanying definition confirms that exiting open space of public value and recreational land should not be built on unless criteria are met. A discussion of the position in response to these criteria is set out below.

#### Assessment of open space/surplus to requirements

14. Although an updated assessment has yet to be published there is land nearby and in very close proximity to the site which offers and provides valued functional and accessible open space for the benefit of the local community. The loss of this private, unmaintained and inaccessible area would not therefore demonstrably harm the health and well-being of the local community. The land was dealt with and declared surplus to requirements as part of ECC's sale of the land in 2003.
15. The 2007 Assessment referred to above did not clearly indicate that this space should be retained or that provision of space in this area is a priority. This may be partly due to the existence of the local spaces referred to above.

#### Loss would be replaced by equivalent or better provision

16. The applicants propose making a financial contribution to the enhancement and improvement of nearby play areas as part of the current planning application should planning permission be granted for the development. This opportunity would not otherwise arise if the site were to remain undeveloped and be maintained in its current state.

The development is for sports and recreational provision.

17. This does not apply in this case.

The Open Space is of Amenity Value

18. The remaining key consideration in dealing with the open space issue is whether the space is of public value as a visual amenity to warrant continued protection. It is considered that the space has little or no public value, given its condition and that, other than the Crescent Road frontage, it is contained on three sides by development. Unlike other open spaces in other parts of Crescent Road and the locality, existing developments have not been specifically planned to take advantage of the space, no doubt because of its past use as part of the school. It appears as a relatively small gap within an otherwise built up frontage with only the properties at Penny Fields having reasonable first floor views across the space. The space is otherwise largely obscured from neighbouring property view by orientation of existing dwellings and existing boundary features. Whilst neighbouring properties will be aware of the development and aspects across the space will change, the design and layout of the development can ensure that private amenity of neighbouring dwelling is not adversely affected.

## **Conclusion**

19. Against this background, and in the absence of a Proposals Map or updated Open Space Assessment it is considered prudent to make these representations having regard to the need to identify suitable sites in the built up area of Brentwood in the DLP to assist meeting the needs for housing and to confirm that there would be no merit in retaining an allocation of the land at Crescent Road identified on the accompanying site plan for open space purposes from the 2005 Replacement Local Plan.