
Planning Policy Team (fao Phil Drane)
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
Essex
CM15 8AY

23 March 2016

Dear Mr. Drane,

CONSULTATION on the DRAFT LOCAL DEVELOPMENT PLAN 2013 – 2033, the INTERIM SUSTAINABILITY APPRAISAL REPORT and the SITE ALLOCATION MAPS

We write further to your current consultation on the above documents on behalf of our clients Hermes Property Unit Trust (“Hermes”), the owners of the Horndon Industrial Park, Station Road, West Horndon (your site ref 021 wholly and parts of 022 and 152).

As you know, we have written on a number of occasions in the recent past in response to similar consultations, but in order to identify our clients site we have also included copies of the most recent draft masterplans for the redevelopment of the Horndon Estate.

Since our involvement with the estate began in 2012, we are aware you will have seen other versions of similar draft masterplans. You will recall these were produced for consultation purposes with residents and the Parish Council with a view to submitting a planning application in due course, and also as an aid to the emerging local plan. These latest two iterations of the draft masterplan have been produced with the same aims. However, these versions are far more detailed, which reflects the effort and work that has been undertaken.

We should make it clear that whilst West Horndon Parish Council have been consulted about previous versions, and their views have informed the development of these drafts, they have not had an opportunity to comment on these options (no.8s) yet – the current emerging local plan consultation resulted in a hiatus in our masterplan dialogue with Parish Councillors, which we hope to resume shortly.

Bearing all that in mind, these latest draft masterplans and schedule of accommodation are submitted in support of our client’s local plan representations because it has a material bearing.

Our client wishes to comment on essentially three documents (but for clarity, these comments also apply to other local plan supporting documents where they are directly related):

- 1. The draft Local Development Plan 2013 – 2033;
- 2. The accompanying Site Allocation Maps; and
- 3. The Interim Sustainability Appraisal Report.

Our client's comments are set out separately for each document in turn, following their particular chronological order.

1.The draft Local Development Plan 2013 – 2033

Para 2.51 SUPPORT and COMMENT – West Horndon is (quite possibly) unique in that it is a small village with its own rail station giving access to good rail services, which are comparable to much larger towns along the line e.g. Basildon. Our client supports the message set out in this paragraph, which is a simple statement of fact about access to rail stations across the borough, notably the service and resource at West Horndon

Para 5.7 SUPPORT and COMMENT – this refers to the Council's Preferred Options consultation in 2013, which proposed a spatial strategy that was derived from transport-led growth (option 2). This focused growth in Brentwood, Shenfield and West Horndon, along with suitable developed sites in the Green Belt and brownfield development in other villages. Our client supported this at the time and still considers the draft plan reflects the broad thrust of this option.

Para 5.8 and 5.9 SUPPORT and COMMENT – our client agrees it is imperative that the draft plan's housing requirement is based up on an up to date assessment of objectively assessed need and that it sets out how in full how this will be met.

Our client also considers West Horndon continues to present the best option for sustainable growth outside of Brentwood itself – precisely because it has access to existing education and health facilities and, with the existing the old industrial estates, previously developed land adjacent to the village centre and rail station/existing bus services.

POLICY 5.1: SPATIAL STRATEGY - SUPPORT

Para 5.20 COMMENT - whilst there is still some doubt about the deliverability of Dunton Hills Garden Village (at the time of writing there continues to be a lack of detail about what is still a relatively new proposal), the reference to "brownfield opportunities" is welcomed. However, it is unclear what the local plan's amended focus is given the emphasis that housing delivery on these sites will be taken to effectively **meet local needs**. Our client is concerned that this may be used to stymie the redevelopment of the Horndon Estate and request further information in the context of the capacity of the sites to deliver new homes.

Our client welcomes the reference to "*a residential led mixed use redevelopment of existing industrial land in West Horndon, creating a new village centre with supporting services and facilities close to the*

village rail station". There is broad based agreement that *"developing here provides an opportunity to address conflicts arising from heavy freight passing through the village, strengthen the village centre, and improve service provision"*.

Settlement Category 2: Village Service Centres COMMENT – it is noted that the Council's aim is to allow West Horndon to be re- categorised as a Category 2 settlement. This will reflect its changing role as the redevelopment of the industrial estate for residential use comes forward. However, the reference to *"later in the Plan period"* gives some concern, not least because of the Council's new stance on precisely when the new housing should be phased (See comment to 5.20 above and later comments)

Para 5.30 SUPPORT and COMMENT – the references to the development of West Horndon within this paragraph are supported

Para 5.32 SUPPORT

POLICY 5.2: HOUSING GROWTH - SUPPORT and COMMENT, insofar as this is consistent with the requirement to meet the full objectively assessed need for Brentwood

Point made on page 47 - SUPPORT *"Prioritise brownfield sites wherever suitable and make efficient use of land in urban areas = 1,296 new homes"*

Para 5.56 SUPPORT and COMMENT the references to the redevelopment of West Horndon Industrial Estates, which may include retained and/ or new employment uses.

POLICY 5.4: RETAIL AND COMMERCIAL LEISURE GROWTH – SUPPORT and COMMENT the provision of new retail, professional and community uses broadly consistent with a new village centre for West Horndon

Para 5.77 SUPPORT and COMMENT the provision of new retail, professional and community uses broadly consistent with a new village centre for West Horndon, and agree with the statement: *"Residential-led mixed use development at West Horndon will provide the opportunity to create an improved village centre near to the railway station. This will include new retail floor space to serve the village and local area. This will need to complement rather than compete directly with the existing local shops."*

Page 58 (and elsewhere in the plan) Strategic and general development principles SO1 and SO2 are SUPPORTED

POLICY 6.2: MANAGING GROWTH – SUPPORT

Changes since Preferred Options

Para 6.32 SUPPORT *"redevelopment of the existing industrial estate (brownfield) alone will bring forward sustainable development near to the rail station with new homes and supporting facilities, creating a new village centre at the heart of the community while maintaining the village boundary. Redevelopment of the industrial estate sites is now covered in Policy 7.4, and is consistent with the spatial strategy"*.

Para 7.10 COMMENT – References made to land around West Horndon village remaining a reasonable alternative are considered to be accurate, albeit clearly contentious. Even so, our client has consistently remained neutral in respect of this solution (despite demand from officers to include the land in joint masterplan). Our client’s position on this, and the alternative currently being explored, is to remain neutral until such time as one of the options has been agreed and the green belt and sustainability issues have been addressed. In any event, the delivery of development on the Horndon Estate can and should be allowed to proceed – you will see our emerging masterplans are designed to allow for either eventuality.

POLICY 7.2: HOUSING MIX, TYPES AND TENURES SUPPORT and COMMENT – our client’s support for this policy is not complete only because self-build has not so far been considered as part of the masterplan. This can be rectified as it moves forward. The current masterplans have brought together following a great deal of work and consultation. Housing mix/type has also been subject to consultation with both the Parish Council and local/ regional housing market experts. Given policy 7.2 is seeking to control housing mix, it should be amended to reflect the experience and expertise offered by the Parish Council and local housing market experts. Our client suggest the final paragraph is amended accordingly: *“The final housing mix, type and tenure will be subject to negotiation. Account will be taken of the nature, constraints, character and context of the site, as well as **an up to date assessment of development viability and the types of housing required in the local area.** Conditions may be used to ensure particular housing types provided, remain available in perpetuity and by tenure. Applicants will be required to provide sufficient evidence to support their proposals”*

POLICY 7.3: RESIDENTIAL DENSITY SUPPORT and COMMENT – Prior attempts to require specific housing development densities were abandoned by the previous Coalition Government shortly after coming in to office. However, providing a strong guide for a minimum density of development is broadly welcomed, but only insofar as it does not stifle the best design solution – design should always be led by site constraints and viability concerns rather than the simple imposition of density targets. This is illustrated by our client’s emerging masterplans for the redevelopment of the Horndon Estate, where the development density for the housing element is 28.4 dwelling per hectare. Even so, this result in an additional 324 houses, of varying sizes, and reflects West Horndon’s existing development density.

POLICY 7.4: HOUSING LAND ALLOCATIONS – OBJECTION and COMMENT – this could easily have been support and comment except for the Council’s new requirement that the phasing of development of Horndon Estate referred to in appendix 2, which is tied into this policy.

At present, the Council has two incompatible positions in respect of phasing the housing delivery on the Horndon Estate:

- The first is the housing contribution of the Horndon Estate identified as part of the current 5 year housing land supply – this was the position set out in the Council’s latest AMR and previous to that in the December 2014 report on the 5 year housing land supply (the latest report)
- The second is set out in the latest draft LDP, where appendix 2 shows the housing coming forward in the medium term i.e. after 5 years.

Our client has been working for some time on a planning application for the redevelopment of Horndon Estate. This has been discussed with the LPA officers, previous District Councillors, current Parish Councillors and local residents as part of an open day back in 2013 – all of which helped officers and the Council justify included it Brentwood’s current 5 year housing land supply figure, despite having no allocation or planning permission. The collection of evidence to inform the masterplans has been a lengthy and robust process, but given the particular circumstances, it is hard to see how it could have proceeded otherwise. Our client’s masterplans are still a work in progress, but it is likely it will be submitted for pre-application advice shortly.

The new phasing requirement set out in the draft LDP does not appear to be underpinned by any assessment/ evidence and is unjustified. Consequently, our client objects to this policy and appendix 2.

FIGURE 7.2: Housing Land Allocations – SUPPORT and COMMENT – the allocations are welcomed, but as with previous drafts of the local plan the allowance of 500 dwellings continues to be unjustified. So far as it is understood, this figure, which has appeared in previous local plan drafts and the 5 year land supply, is based on a simple density calculation that does not take account of the design constraints affecting the sites. At one time, (in both a draft local plan and a 5 year housing land supply report) it was suggested that both the Horndon Estate and the Childerditch element would have 250 dwelling each, despite the Horndon Estate being considerably larger. This made little sense and our client objected, not least because it paradoxically resulted in such different dwelling density on each part, as well as impacting on the viability on the larger part (and therefore the whole).

The attached draft masterplans and schedule of accommodation have been subject to robust analysis of design, site and viability constraints – this has resulted in 324 houses and 63 flats (mostly within a refurbished existing office building).

POLICY 8.7: LOCAL CENTRES SUPPORTED and COMMENT – insofar as it allows for a local retail come forward as part of the redevelopment of the industrial estate (and taking account of comments below)

Para 8.48 OBJECT and COMMENT this paragraph acknowledges that West Horndon will be a similar order village centre to Ingatestone (providing attractive local services and convenience centre with a train station) once new housing development provides sufficient investment in community, service and retail facilities. However, it then goes on to state “*This will need to be considered as part of future Local Plan review*”. Our client is concerned this could be construed by future decision makers to slow the redevelopment of the Horndon Estate, which is at odds with the spatial strategy of the emerging LDP and there is no justification provided at all.

POLICY 8.8: NEW RETAIL AND COMMERCIAL LEISURE DEVELOPMENT -SUPPORT

Figure 8.5 - SUPPORT

POLICY 10.14: SUSTAINABLE DRAINAGE - SUPPORT

Appendix 2 and 3 references to WEST HORNDON and HORNDON ESTATE – OBJECT and COMMENT - the allocations are welcomed, but as with previous drafts of the local plan the 500 dwellings allowance

continues to be unjustified. So far as it is understood, this figure, which has appeared in previous local plan drafts and the 5 year land supply, is based on a simple density calculation that does not take account of the design constraints affecting the sites. At one time, it was suggested that both the Horndon Estate and the Childerditch element would have 250 dwellings each, despite the Horndon Estate being considerably larger. This made little sense and our client objected, not least because it paradoxically resulted in such different dwelling density on each part – and impacted viability on the larger part (and therefore the whole).

The attached draft masterplans have been subject to robust analysis of design, site and viability constraints – this has resulted in 324 houses and 63 flats (mostly the refurbished existing office building). This is set out in the attached schedule of accommodation.

2. Supporting documents SITE ALLOCATION MAPS

Page 11 Plan SUPPORT - sites ref 020 021 152 West Horndon Industrial Estates, Childerditch Lane and Station Road, West Horndon

3. The Interim Sustainability Appraisal Report.

The current Interim Sustainability Appraisal report is similar to the two previous versions, even though Dunton is now favoured option.

We have attached our letter of 20 February 2015 commenting on those draft SAs at that time (and referring to the draft from September 2013). It is clear the detailed our comments on previous SAs have not been addressed. Given that, and the previous comments appear to be largely still relevant, our client is content to let their comments to the previous SAs stand as their representation to the current SA.

Our client is, however, concerned about specific inaccuracies within the current SA's assessments for site's ref. 021 and 152. These assessments are for one allocations and show the following inaccuracies:

- there are no health or educational facilities within West Horndon – this is incorrect - the GP surgery is at 129 Station Road and the primary school at Thorndon Avenue;
- it also concluded the sites are within Green belt, which is not the case;
- the landscape Improvement Area is shown as amber, but there are no such landscape areas near the industrial estates; and
- finally, the ALC3 amber designation is inaccurate as both sites are previously developed and in industrial use.

These inaccuracies are not insignificant factors and they were found on just one allocation in the draft Local Plan. These should be rectified before proceeding further. However, our client is concerned that if these inaccuracies are repeated in the assessments of other allocations considered within the SA, it must undermine the whole document.

These are our client's comments on the draft local plan and the supporting documents. As ever, we are keen to discuss and resolve our concerns with officers before and outside the formal process of an LDP Examination - but we understand you might not be able to do so.

Even so, it is important that we reiterate our client's intention to carry on the masterplan discussions with the Parish Council, and then progressing on to a further round of public consultation in West Horndon, and an approach to Brentwood for pre application advice, using the contact you emailed previously (unless they have changed, in which case please let me know).

Finally, we would ask that you acknowledge receipt of these representations.

Yours sincerely

Christopher McGough BA (Hons), PgDip, MRTPI
Director