

# DUNTON HILLS

BRENTWOOD

Representations to Brentwood Borough Council  
Draft Local Plan, January 2016

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**Soundness of Draft Local Plan**

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March 2016



ceg:



**REPRESENTATIONS TO BRENTWOOD BOROUGH  
DRAFT LOCAL PLAN 2013-2033**

**ON BEHALF OF:**

**CEG Land Promotions Ltd**

**Soundness of Draft Local Plan**

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## 1 INTRODUCTION

- 1.1 The purpose of this statement is to summarise the views of CEG and their consultant team about those draft policies relevant to the Regulation 18 Draft Local Plan's proposal to bring forward a strategic housing led development within the A127 corridor at Dunton Hills and referred to in policy 7.1 of the Draft Local Plan (DLP).
- 1.2 On behalf of CEG we have 'posted' comments on the online forms against each relevant policy and paragraph.
- 1.3 This statement considers the proposal against the four tests of soundness listed in paragraph 182 of the National Planning Policy Framework (NPPF). It is accompanied by additional technical notes and assessments related to relevant topics contained in the Sustainability Appraisal (SA).

## 2 CEG ROLE AND APPROACH

- 2.1 CEG is the retained promoter of land outlined in red on the plan in figure 1. The land under CEG's control measures 237ha and represents the land required to deliver Dunton Hills Garden Village.

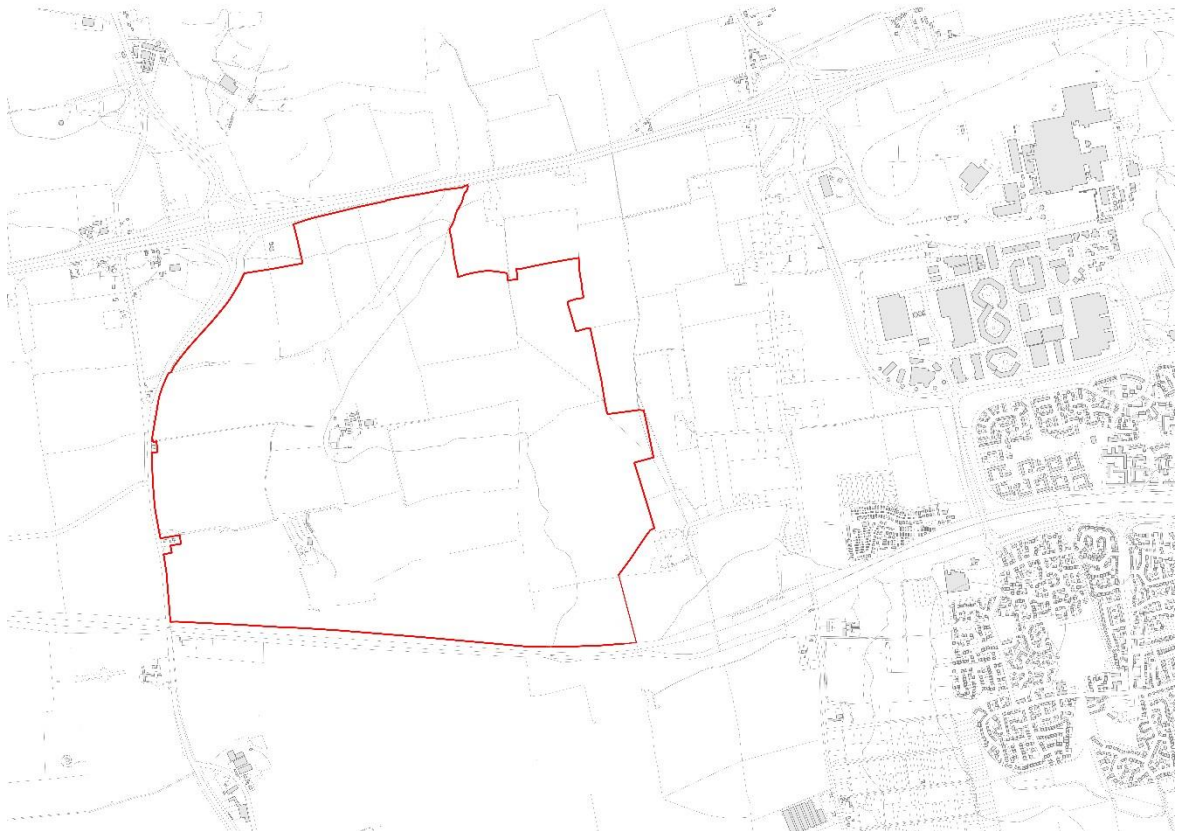


Figure 1



- 2.2 CEG is a major national property company which manages and promotes a diverse portfolio including town centre redevelopments, urban extensions, brownfield regeneration, new settlements and garden suburbs.
- 2.3 CEG is committed to the delivery of high quality design and the creation of new vibrant and integrated communities with a full range of necessary community facilities. The company's track record demonstrates its focus on working collaboratively with local planning authorities and existing communities.

### **3 APPROACH TO LOCAL PLAN PREPARATION**

- 3.1 CEG commend the approach taken by Brentwood Borough Council (BBC) in the staged preparation of the DLP, with a proportionate evidence base, extensive public consultation over an appropriate period of time and the modification of the development strategy in the light of evidence and opinion. CEG also note BBC's focus on moving forward as quickly as possible in order to ensure a plan can be in place to manage future growth and retain borough character (para 1.22 DLP).
- 3.2 The DLP has also been prepared having appropriate regard to the relevant guiding principles of the NPPF. These include:
- the achievement of sustainable development in the performance of the planning system's economic, social and environmental roles (paras 6-7 NPPF);
  - preparation of an aspirational but realistic plan (para 154 NPPF);
  - aim to boost significantly the supply of housing (para 47 NPPF);
  - preparation of a 'sound' plan which is positively prepared, justified, effective and consistent with national policy (para 182 NPPF).
- 3.3 In our view, the council has satisfactorily complied with these principles in the process of preparing the DLP so far. The identification of Dunton Hills as a strategic housing led development within the A127 corridor and referred to in policy 7.1 has emerged from this process.

### **4 SOUNDNESS OF RELEVANT POLICIES**

- 4.1 The council can have confidence that in accordance with paragraph 182 of NPPF the Regulation 18 DLP is positively prepared, justified, effective and consistent with national policy.
- 4.2 While the council will wish to consider additional evidence proportionate to the topic and the stage of the local plan preparation process and will wish to consider further representations made, the accompanying technical notes and assessments refer to the evidence already prepared on behalf of CEG in respect of development at Dunton Hills. This evidence supports the soundness of the DLP's approach.



### 4.3 Positively prepared

*“The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.”*

4.3.1 The local planning authority (lpa) has objectively assessed the borough’s development and infrastructure requirements. It has concluded a requirement for:

- 362 new dwellings per year “as the starting point to meet housing need” (para 5.37 DLP);
- 5,000 additional jobs to be provided at an annual average rate of 250 (policy 5.3 DLP);
- 4,844sqm of comparison retail floorspace and 3,833sqm of convenience floorspace (policy 5.4 DLP).

4.3.2 The lpa appears to have consulted widely and co-operated with neighbouring authorities to test the scale of requirement and any potential to ‘share’ the provision of development.

4.3.3 In the case of housing requirements, it is noted the SHMA concludes that Brentwood Borough can be considered a self-contained housing market area and that emerging evidence from adjacent authorities show wider surrounding market areas that do not include Brentwood (para 5.36 DLP).

4.3.4 CEG have not undertaken a full review of the council’s evidence on development requirements but as a matter of principle it would always be wise to recognise that development requirements can alter quickly and substantially. For example, changes in household projections, job requirements, affordability and housing market signals can often be the catalyst for increased requirements. CEG will be considering these matters further.

4.3.5 In such circumstances, we would recommend that the policies relevant to housing in particular remain as flexible as possible and constantly under review. At the very least, policy 5.2 should be amended to ensure the provision of 7,240 new homes in the plan period and the annual average of 362 homes is recognised as a minimum. We suggest an amendment to the first paragraph of policy 5.2 as follows:

*“Provision is made for **a minimum of 7,240 new residential dwellings (net)** to be built in the borough over the plan period 2013-2033 at a **minimum annual average rate of 362 dwellings per year distributed as follows ...”***

4.3.6 The DLP responds positively to the objectively assessed development requirements. The lpa accepts the need to meet its obligations to perform under the planning system’s economic, social and environmental roles.

4.3.7 The identification of Dunton Hills Garden Village addresses the need for development to contribute to the achievement of sustainable development, boost significantly the supply of housing, including affordable housing, contribute to building a strong, responsive and competitive economy, support



strong, vibrant, healthy communities and deliver protection and enhancement to the environment. Further detail is contained in the accompanying technical notes and assessments. By way of brief example the Dunton Hills development will deliver:

- i) 2,500 new homes; some 34% of the identified requirement over the plan period;
- ii) 5,010 new jobs within various sectors (includes 1,230 jobs during construction phases and 40 apprenticeships per year);
- iii) £443m in construction investment;
- iv) 87ha of new accessible open space including new biodiversity habitats;
- v) two new schools;
- vi) new healthcare facilities;
- vii) new community facilities;
- viii) £81m boost in GVA.

#### **4.4 Justified**

*“The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.”*

- 4.4.1 As detailed in paragraphs 1.5 – 1.11 of the DLP, the lpa has undertaken extensive consultation over a period from 2009. A number of alternative strategies have been considered and evidenced. The selected strategy is the product of extensive consultation and an updated proportionate evidence base.
- 4.4.2 In our view, the lpa’s efforts to identify the most appropriate strategy when considered against the reasonable alternatives have led to a robust and sound plan.
- 4.4.3 The objectively assessed development and infrastructure requirements identified in part in policies 5.2, 5.3 and 5.4 have led the lpa to consider evidence and consultation responses on the most sustainable strategy. Following a consideration of the ‘Strategic Growth Options’ document in January 2015 the lpa has concluded that the most sustainable growth could be accommodated in Brentwood, Shenfield and two strategic locations within the A127 corridor (para 5.1 DLP).
- 4.4.4 To meet the identified requirements in the most sustainable manner the DLP also confirms and the evidence explains, that given the scale of requirements it has been necessary to identify a sufficiently large scale opportunity to create the critical mass to provide for local services and infrastructure that otherwise could not come forward with several smaller sites (para 7.5 DLP).
- 4.4.5 The identification of a residential led garden village with 2,500 new homes, at least 5ha of employment land, local shops, community facilities, open green spaces, schools and healthcare facilities at Dunton Hills represents a fully justified response to the selected strategy. The technical/expert evidence submitted on behalf of CEG supports the identification of Dunton Hills as the most appropriate option to accommodate the Council’s preferred strategy for future housing growth.





- 4.4.6 The Dunton Hills site and development opportunity offers a variety of important sustainability benefits. These include the benefits of critical mass to deliver a variety of bespoke local services and facilities, new and planned links between the housing, facilities and employment areas, an appropriate mix of uses, substantial biodiversity gains, improved access to the green belt, sustainable transport links and a mix of housing types and tenures.
- 4.4.7 At the same time, the lpa has illustrated its proper consideration of reasonable alternatives within the overall development strategy in its focus of development within the A127 corridor. Paragraph 7.10 of the DLP properly identifies land around West Horndon village as a 'reasonable alternative' but also properly does not identify it as a preferred site. Paragraph 7.10 of the DLP confirms the importance of impact on the character of the existing village and surrounding land. It is entirely acceptable and sound for the lpa to favour an alternative scale and form of development at Dunton Hills which would be delivered on the basis of garden city principles providing its own local services available to both new and existing residents of the borough. This is in accordance with strategic objective 3 to create inclusive, balanced and sustainable communities.
- 4.4.8 In order to meet the objectively assessed development requirements of the borough the DLP confirms that not all new development can be accommodated within urban areas and outside the green belt. The draft plan has, therefore, sought to identify 'appropriate and sustainable locations within the green belt' (para 5.41 DLP).
- 4.4.9 The DLP rightly concludes that Dunton Hills represents the most sustainable and appropriate form and location of development within the green belt capable of meeting the objectively assessed development needs. The promotion of sustainable development is a key element to be taken into account when reviewing green belt boundaries (para 84 NPPF).
- 4.4.10 The identification of long term, permanent and enduring boundaries to a reviewed Green Belt is considered to be an essential element of the Dunton Hills proposal. Development would be confined within the clear and recognizable boundaries formed by the A127, A128 and railway line.
- 4.4.11 The commentary contained within the attached technical report prepared by Tyler Grange to address green belt and landscape matters demonstrates, with reference to the DLP and evidence base, how appropriate development of the site would be contained by long-term, permanent and enduring boundaries and would make a substantial contribution to the permanence and role of the remaining green belt.
- 4.4.12 The attached technical notes and assessments on flood risk, ground conditions, air quality and waste, highways, biodiversity, community and well-being, cultural heritage, green belt and landscape all confirm further that the identified allocation of the Dunton Hills site in policy 7.1 represents a justified and sustainable solution to meeting the borough's objectively assessed development requirements. The evidence also confirms that where there may have been adverse impacts, sufficient and proportionate mitigation can be engaged.



4.4.13 In summary, the findings of these technical notes and assessments specific to the Dunton Hills site conclude as follows:

**Flood risk**

4.4.14 The site lies within Flood Zone 1 and hence has a low probability of flooding from fluvial and tidal sources. Further assessments confirm a low probability of flooding from overland flow, ground waters and sewers.

4.4.15 Accordingly, the identification of Dunton Hills as a strategic housing led development is fully justified and sound in terms of flood risk. A suitable strategy for SuDs management has been developed and the system will also provide improvements to the quality of water discharge.

4.4.16 Related sound policies with which the Dunton Hills proposal will comply include policies 5.1, 6.3, 10.13 and 10.14.

**Ground conditions**

4.4.17 The evidence gathered to date confirms that a development on the Dunton Hills land can be brought forward without adverse risk or the need for significant mitigation in terms of ground conditions.

4.4.18 Related sound policies with which the Dunton Hills proposal will comply include policy 10.15.

**Air quality**

4.4.19 Sufficient for the purposes of this stage of the local plan process evidence demonstrates that there is not expected to be any adverse impact on air quality from a development of the form and scale envisaged by policy 7.1.

4.4.20 Related sound policies with which the Dunton Hills proposal will comply include policy 10.11.

**Biodiversity**

4.4.21 Preliminary habitat survey work carried out on the site demonstrates that the development envisaged in policy 7.1 and in a form properly master planned offers a unique opportunity to provide development in combination with respecting existing and delivering new high quality biodiversity. It is clear that there is ample scope for ecological enhancement given the dominance of habitats of low ecological value. A master planning process which retains and enhances the site's key green infrastructure, while creating high value interconnecting complementary habitats can deliver these aspirations.

4.4.22 Related sound policies with which the Dunton Hills proposal will comply include policy 9.2.



### **Community and well-being**

- 4.4.23 CEG have begun the process of master planning for the site. This has tested the site's ability to accommodate the scale and mix of development envisaged in policy 7.1. The master planning exercise has also taken the opportunity to consider the incorporation of features relevant to the sustainability requirements of a large scale development at Dunton Hills.
- 4.4.24 The early concepts and related assessments demonstrate the ability of the site to accommodate a high quality design which will deliver inter alia:
- a strong sense of place;
  - an appropriate mix of uses, local facilities and transport networks;
  - substantial areas of green space enhancing both landscape features and biodiversity opportunities;
  - a form of development reflecting and respecting local character and history;
  - safe and accessible environments which enhance the quality of life and community cohesion;
  - visually attractive architecture and appropriate landscape enhancement.
- 4.4.25 CEG fully support the requirement of policy 7.1 to produce a masterplan as an integral part of the Local Plan process.
- 4.4.26 Related sound policies with which the Dunton Hills proposal will comply includes policies 6.3, 7.1, 7.2, 10.4, 10.5, 10.6, 10.7, 10.8 and 10.10.

### **Highways and transportation**

- 4.4.27 Early assessments of road link and junction capacities demonstrate that with suitable mitigation measures in place there are no barriers to the achievement of site access or sustainable transport objectives.
- 4.4.28 Related sound policies with which the Dunton Hills proposal will comply include policy 10.1.

### **Cultural heritage**

- 4.4.29 Preliminary assessments establish that the site is likely to have low potential for remains of all archaeological periods.
- 4.4.30 Particular consideration should be given to the potential harm caused to the grade II Dunton Hills Farm. The assessment concludes that with an appropriate master plan exercise as illustrated in the 'Community and Well-Being' statement accompanying these representations any limited harm arising out of the proposal would be substantially outweighed by the benefits.
- 4.4.31 Related sound policies with which the Dunton Hills proposal will comply include policies 9.1 and 9.5.



## **Landscape**

4.4.32 The proportionate evidence base of the DLP continues to be prepared. However, the SA “reflects a view that a Dunton Hills garden village scheme would be significantly constrained”. The SA acknowledges “there is a need for much further work to investigate issues”. This work is on-going but initial assessments undertaken to inform the masterplanning demonstrate that development on the site can be achieved in such a way which not only respects the existing landscape character and features but provides enhancements. These may include the introduction of sympathetic woodland and tree belt planting to strengthen the landscape structure whilst mitigating landscape and visual impacts associated with both the new development and existing detractors.

4.4.33 Related sound policies with which the Dunton Hills proposal will comply include policies 9.1 and 9.5.

## **Green belt**

4.4.34 The evidence base of the DLP includes a Working Draft Green Belt review. The incorrect interpretation of assessment criteria has led to the review incorrectly assessing land at Dunton Hills as making a high overall contribution to the green belt. The review has not taken account of the role that the A127, A128 and railway line have as strong boundaries that serve to restrict unrestricted urban sprawl, maintain separation between settlements and prevent encroachment into the countryside.

4.4.35 As recognised by the DLP, and supported by analysis undertaken by Tyler Grange, green belt release at Dunton Hills will be contained by clearly defined physical features (A127, A128 and railway line) which limit the potential for future unrestricted sprawl and prevent merging with nearby settlements.

4.4.36 Related sound policies with which the Dunton Hills proposal will comply include policies 7.1 and 9.12.

## **4.5 Effective**

*“The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.”*

4.5.1 Evidence prepared by both the lpa and the promoters confirm that the Dunton Hills strategic housing led allocation should be considered as deliverable. The attached technical notes and assessments identify some of the issues relevant to delivery and the mitigation works which would be required for the necessary delivery and development throughout the plan period.

4.5.2 A substantial amount of investigative work and consultation with infrastructure providers has already taken place. The promoters are confident that the critical mass of the opportunity and the incorporation of education, health and community facilities will assist in early delivery of a major inclusive, balanced and sustainable community.

4.5.3 The proposed development has been the subject of informal and formal consultation between Brentwood Borough Council and the neighbouring Basildon Borough Council. The proposal is predicated on the ability to provide the most appropriate option wholly within the administrative



boundaries of Brentwood Borough. The garden village design will contain sufficient flexibility to permit integration with any adjacent extension to Basildon should Basildon Borough Council's local plan choose to allocate its preferred option to support a westerly extension to the town to be contiguous with the joint administrative boundary of the two boroughs.

#### **4.6 Consistent with national policy**

*"The plan should enable the delivery of sustainable development in accordance with the policies in the framework."*

- 4.6.1 The NPPF encourages Ipas to identify the most appropriate and sustainable approach to development. In doing so Ipas should prepare their local plans in consultation and with the use of a proportionate evidence base.
- 4.6.2 The array of Ipa evidence, extensive consultation and further evidence gathered by the promoters and summarized in the accompanying technical notes and assessments demonstrate that the identification of Dunton Hills Garden Village is entirely consistent with national policy.

### **5 CONCLUSION**

- 5.1 In light of proportionate evidence prepared so far by both the Ipa and the promoters of Dunton Hills the policies of the DLP are clearly sound when measured against the tests of soundness referred to in the NPPF.
- 5.2 CEG are wholly supportive of the policies of the DLP with one or two suggested minor modifications. CEG believes that the Dunton Hills Garden Village allocation confirmed in policy 7.1 represents the most appropriate option to sustainably accommodate the Council's housing strategy. CEG will continue to investigate detailed matters further and therefore reserve the right to submit further empirical/technical evidence to demonstrate the soundness of this approach.

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