

To: **Planning Policy, Brentwood Borough Council**
 From: **Iceni Projects Ltd on behalf of EA Strategic Land LLP**
 Date: **23 March 2016**
 Title: **Written Representations to the Draft local Development Plan for Brentwood Borough**

These written representations respond to:

- The policies within the Draft Local Development Plan for Brentwood Borough (January 2016)

As outlined in detail below.

a. Draft local Development Plan for Brentwood Borough

Policy	Relevant text from policy	Comments – support/suggest/object
Policy 5.1: Spatial Strategy	All development sites will be identified having regard to whether they: <ul style="list-style-type: none"> a. are accessible to public transport, services and facilities; b. will have no significant impact on the Green Belt, visual amenity, heritage, transport and environmental quality including landscape, wildlife, flood-risk, air and water pollution; 	<p>Comment</p> <p>We do not consider the Council has fully assessed the impact on the Green Belt by absence of an independent and objective assessment, nor has the Council assessed the feasibility of the strategic sites put forward in their ability to be delivered in the plan period. Furthermore, the sustainability of settlements with underutilised public transport services should have been assessed. In this regard the policy is not justified or consistent with national policy.</p>

	c. are likely to come forward over the plan period.	As referenced at paragraph 5.20, we do not consider the Dunton Hills garden Village Suburb would achieve the Council's Spatial Strategy in that the plan lacks evidence confirming the timescales for key developments through infrastructure delivery and lack confirmation from relevant stakeholders that the delivery can be accomplished. We therefore consider the policy is not effective on cross-boundary strategic priorities.
Policy 5.2: Housing Growth	Provision is made for 7,240 new residential dwellings (net) to be built in the Borough over the Plan period 2013-2033 at an annual average rate of 362 dwellings per year.	<p>Object</p> <p>This policy is unsound as it is not justified or consistent with national policy. We do not consider the housing growth provision has been based on up-to-date or reliable evidence. The Council should consider updating its SHMA and undertaking further work on the OAN in understanding further how the Council has arrived at this growth requirement.</p> <p>A strategy which seeks to deliver 19% of its overall housing requirement on Windfall sites cannot be considered sound, in line with NPPF paragraph 48 which states that 'compelling evidence' to justify its inclusion has been identified.</p> <p>We consider the reliance on a strategic site at Dunton Hills Garden Village for 2,500 units should be approached with caution as it is highly unlikely this will site will be delivered in the plan period and this is therefore not an effective policy.</p>
Policy 6.1: Sustainable Development	When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved where possible, and to secure development that improves the economic, social and environmental conditions in the area.	<p>Support</p> <p>The Council's policy on sustainable development is consistent with national policy and positively prepared to enable a flexible approach to delivery.</p> <p>In achieving the overall aim of this policy, the Council should consider updating its evidence base to effectively promote and optimise the delivery of sustainable development.</p>

<p>Policy 6.2: Managing Growth</p>	<p>Within the Borough, best use of land within existing settlements will be made to meet local needs through the development, conversion and/or re-use of previously development land and buildings. New development allocations will make best use of land to meet local needs in line with the spatial strategy.</p>	<p>Support</p> <p>We support the Council's strategy to ensuring development allocations make the best use of land to meet local needs and therefore this policy can be considered justified and effective in promoting this delivery</p>
<p>Policy 6.3: General Development Criteria</p>	<p>Proposals for development will be expected to meet all of the following criteria: a. – i.</p> <p>Proposals for uses within or near residential areas which may give rise to unacceptable levels of pollutants will need to be addressed through sensitive siting or pollution abatement technology for planning permission to be granted.</p>	<p>Suggest</p> <p>This policy is sound, in line with paragraph 58 of the NPPF; however, in applying the policy the Council should ensure that each assessment is made on a case-by-case basis having regard to the local context. The Council should consider inserting this into the policy to ensure flexibility.</p>
<p>Policy 6.5: Key Gateways</p>	<p>Development proposals in the vicinity of key gateways into Brentwood Borough, as displayed on the Proposals Map, will contribute to enhancing a positive impression of the Borough.</p> <p>Rail Stations</p> <p>Locations around rail stations should contribute to these aims through the delivery of higher density development to meet local needs in central sustainable locations. Development should also consider its contribution towards the public realm.</p>	<p>Support</p> <p>Rail stations are considered a key gateway to the Borough and therefore the utilisation of surrounding sites to deliver sustainable development throughout the plan period should be considered, alongside the opportunity to deliver higher density development in the short term.</p> <p>In line with paragraph 30 of the NPPF the Council should support a pattern of development which facilitates the sustainable modes of transport. The Council's proposed spatial strategy encourages this and therefore the policy can be considered positively prepared or justified as the most appropriate strategy.</p>
<p>Policy 6.6: Strategic Sites</p>	<p>In order to meet identified local development needs for a mix of uses and in accordance with the spatial strategy, the following strategic sites are allocated:</p> <p>Housing-led Dunton Hills Garden Village</p>	<p>Object</p> <p>This policy is fundamentally unsound given the lack of evidence underpinning the Council's decision to allocate the site for development. The main letter accompanying this table provides further detail on this subject. The policy is not positively prepared in that the Council has not properly considered the infrastructure requirements to facilitate a development on this scale, nor is the policy justified due to a lack of credible and robust evidence base e.g.</p>

		Green Belt Review, Landscape Assessment and Infrastructure Delivery Strategy. We consider any development on this site will not be deliverable within the plan period and therefore cannot be considered effective and finally the allocation does not constitute sustainable development.
Policy 7.1: Dunton Hills Garden Village	The Council will work in partnership with the local community and other stakeholders to bring forward a new Borough village for the 21 st Century within the A127 Corridor at Dunton Hills. Applying garden village principles, a new self-sustaining community will be created providing for 2,500 new homes, at least 5 hectares of employment land, local shops, community facilities, open green spaces, schools and healthcare services. A Masterplan will be produced to agree the form, mix and siting of development, to form part of the Brentwood Local Development Plan.	Object Remove policy. The letter that accompanies this submission provides further details on the overall concept of this policy, but in summary: <ul style="list-style-type: none"> • The site has not been subject to any capacity or technical analysis; • Will require significant investment in new infrastructure; and • Is unlikely to deliver sufficient growth within the plan-period.
Policy 7.2: Housing mix, types and tenures	All developments should deliver an inclusive, accessible environment throughout. 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 and development viability.	Support An assessment should be made on a case-by-case basis having regard to the quality of the design, the mix of uses and the amount and quality of public realm and open space. We therefore support this policy.
Policy 7.4: Housing land allocations	Sites allocated for residential development over the plan period 2012-2033 are set out in figure 7.2, and identified on the Proposals Map.	Object Further assessment of this policy can be found in the letter which accompanies this submission; however, we have concerns regarding the site selection process which has resulted in this list of sites allocated for development, such as: We do not consider that the sites allocated for development over the emerging plan period could have been properly assessed on robust evidence, given that the SHLAA was last updated in 2011 and the Council's Urban Capacity Study was published in 2002.

		Furthermore, Appendix 3: Housing Trajectory outlines the Council's estimated delivery timetable which fails to include the delivery rates of Dunton Hill Garden Village, which leads to the assumption that the Council do not anticipate the delivery of the development within the plan period.
Policy 7.5: Affordable Housing	Provide a minimum of 35% affordable housing on sites of 11 or more dwellings, or on sites greater than 1,000 sqm gross residential floorspace irrespective of the number of dwellings.	<p>Support</p> <p>This policy provides a level of certainty to the developer as to what the Council expects to be achieved on the site, whilst providing flexibility to take into account when site constraints do not allow for a target compliant development.</p>
Policy 9.8: Green Belt	Development proposals will be assessed in accordance with national policy and guidance. Development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities.	<p>Comment</p> <p>It is noted that the policy considers the NPPF's five purposes of the Green Belt. We consider that each site should be considered on its own merits, and whether they meet the purposes of the Green Belt.</p>
Policy 9.12: Site Allocations in the Green Belt	<p>Sites allocated in the Green Belt will be expected to provide significant community benefit, both for surrounding existing communities and those moving into new homes on the site. There will be a mix of housing on site to provide for a range of needs as indicated by evidence.</p> <p>These sites will be de-allocated from Green Belt to allow development to take place and provide new defensible boundaries to protect open countryside for future generations.</p> <p>The extent of development at Dunton Hills Garden Village will be de-allocated from the Green Belt, to be set by a separate Masterplan for the garden village.</p>	<p>Object</p> <p>The Council has not undertaken appropriate forms of assessment to determine whether the proposed de-allocations from the Green Belt are justified and whether the sites would continue to fulfil their role as outlined at paragraph 80 of the NPPF. Given the perceived high quality of the landscape in the Borough, we consider the Council has not properly assessed the effects of releasing land within the Green Belt for a garden village concept. Fundamentally, a Green Belt Review has not been undertaken that determines which areas of the Green Belt do not fulfil the functions of the Green Belt designation.</p> <p>The latter proposal of the policy to release land for Dunton Hills Garden Village is considered to be unjustified and ineffective in seeking to meet the objectively assessed needs of the Borough due to the Council's failure to fully assess the impact of development.</p>

<p>Policy 10.1: Sustainable Transport</p>	<p>Future developments will be located in accessible locations to help reduce the need to Travel. Where travel is necessary (rail, bus, taxi), walking and cycling will be promoted as an alternative means of transport to the private car.</p>	<p>Support</p> <p>The Council is correct to seek new development in accessible locations. However, the approach to site allocations does not seem to follow this rationale. E.g. DGS is not located adjacent to any existing (sustainable) transport links and instead growth should be focused in locations that seek to ensure existing public transport networks are fully utilised to avoid expensive, unjustified infrastructure improvement works in locations which cannot be considered sustainable in transport terms. We do not consider the Council has approached this in a sequential way which would unlock the potential of sites surrounding underutilised public transport hubs.</p>
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