

# Brentwood Draft Local Plan Consultation Representations in support of surplus NHS land at Warley Hill, Brentwood

**BIDWELLS**



On behalf of South Essex Partnership University NHS Foundation  
Trust

March 2016



## Brentwood Draft Local Plan

South Essex Partnership University NHS Foundation Trust  
Land at Warley Hill, Brentwood  
March 2016



# Quality Assurance

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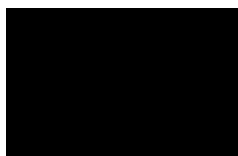
Site name: Surplus NHS land at Warley Hill, Brentwood

Client name: South Essex Partnership University NHS Foundation Trust

Type of report: Written Representation

Prepared by: Steven Butler BSc (Hons) MSc MRTPI

Signed



Date 23 March 2016

Reviewed by: Sam Metson BA (Hons) MA MRTPI AIEMA

Signed



Date 23 March 2016



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### **Appendix 1 Site Location Plan**

# 1 Introduction

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- 1.1 These representations have been prepared on behalf of South Essex Partnership University NHS Foundation Trust (hereby referred to as “SEPT”) in support of its landownership of the land at Warley Hill, Brentwood (“the site”). The site is attributed reference number “083” in the Council’s supporting evidence.
- 1.2 The site was formerly used to help deliver NHS services but is now surplus to healthcare requirements. It comprises a vacant, brownfield site that should be considered for release from the Green Belt to help address Brentwood Borough’s objectively assessed housing needs.
- 1.3 Set out below are our responses to the particular policies of relevance to SEPT’s land interests in the site. We offer comments in respect of policies 5.1 and 7.4.
- 1.4 Fundamentally, we are objecting to the Plan because the site appears to have been overlooked for release from the Green Belt and allocation to deliver housing. The Council is currently proposing to allocate greenfield Green Belt sites for housing development in less sustainable locations in preference to the release of this vacant brownfield, Green Belt site in a highly sustainable location on the edge of Brentwood’s urban area. This presents a major conflict with the Council’s proposed spatial strategy, which seeks to prioritise the release of brownfield sites adjoining existing urban areas before the development of greenfield sites elsewhere are considered, and national planning policy’s requirement to deliver sustainable development.
- 1.5 Taking this into account, we are not satisfied that the Plan is sound, because it does not propose the most appropriate strategy taking account of all reasonable alternatives and it is not consistent with national planning policy.
- 1.6 SEPT has undertaken a thorough analysis of the site’s main constraints and developed an initial masterplan for its development that responds to them. The Urban Design Framework accompanying these representations explains this process. SEPT has consulted with Brentwood Borough Council’s Planning, Conservation and Arboricultural Officers and the Highways Authority as the masterplan was prepared and received positive feedback, confirming that a scheme for around 40 dwellings was likely to be broadly acceptable subject to a review of the site’s designation as Green Belt in the adopted Local Plan.
- 1.7 SEPT urges the Council to review the Green Belt designation of the site to ensure that the opportunities presented by this vacant, brownfield site in a highly sustainable location are not ignored at a time when the Council is proposing to allocate more sensitive greenfield, Green Belt sites for development elsewhere in the Borough to address identified housing needs.



## 2 The Site

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- 2.1 The site extends to 2.13 hectares and is located on the edge of Brentwood's existing urban area in Warley, as identified in the accompanying Urban Design Framework and the plan at Appendix 1 to this document. The site previously formed part of the wider Warley Hospital site which has now been redeveloped for housing. It contains six buildings formerly used to support the provision of NHS healthcare services. The buildings are in a mixed setting, comprising grassland and areas of mature trees and vegetation, providing enclosure and separation from the wider area. Water Tower Road provides vehicular access from Pastoral Way, alongside two unused access points along Warley Hill (one vehicular and one pedestrian).
- 2.2 The site lies in a highly sustainable location, illustrated by the following:
- It is well connected to Brentwood town centre, which lies approximately 1.5km walking distance to the north, and therefore benefits from the facilities and services associated with a large town. It is approximately 850m walking distance from Brentwood train station which hosts regular services towards the strategic employment, retail and leisure centres of London, Southend, Chelmsford, Colchester, Ipswich and Norwich.
  - Regular bus services are provided on Warley Hill, providing further links to Brentwood town centre, Billericay, Southend, Epping, Harlow, Grays, South Ockendon, Lakeside, Ingatestone and Chelmsford. This enhances accessibility to local services, facilities and employment.
  - Warley Primary School is 300m from the site and Holly Trees Primary School is approx. 1km away. The nearest mixed secondary school to the site is Brentwood County High School (c. 2.1km away), whilst Brentwood Ursuline High School for Girls (c. 1.8km away). The site is also well located in relation to a number of independent primary and secondary schools.
  - A large sports ground lies to the north of the site's entrance at Pastoral Way, whilst Warley Playing Field is approximately 150m walking distance due east. Warley Country Park, Clement's Wood and Barrack Wood nearby offer additional outdoor recreation opportunities.
  - The closest Doctor's surgery accepting new patients is the Beechwood Surgery approximately 260m from the entrance of the site at Pastoral Way. The close proximity of Brentwood town centre ensures easy access to additional GP surgeries as well as opticians, dentists and other community care facilities.
- 2.3 It is recognised that the site is subject to important arboricultural, ecological and heritage constraints that must be taken into account. These have been fully explored in consultation with Brentwood Borough Council Officers and addressed accordingly, as explained in the accompanying Urban Design Framework.
- 2.4 The principal factor preventing the site from making an important contribution towards the delivery of housing to meet the Borough's pressing needs is its Green Belt designation. It is located on the edge of the Green Belt boundary, adjacent to the settlement development boundary of Brentwood identified in the adopted Local Plan. The site has always been enclosed by existing development and woodland, limiting its Green Belt function, but since the Borough's Green Belt boundaries were last reviewed further residential development on the former Warley Hospital to the north-west and Mascalls Hospital to the south-west has unquestionably eroded the value of this area of Green Belt even further. It now offers the opportunity to deliver housing on previously developed, vacant land that performs little Green Belt function. This would clearly relieve pressure on greenfield, Green Belt sites in more sensitive and less sustainable locations elsewhere in the Borough.

## 3 Our Responses to the Draft Local Plan Policies

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3.1 In preparing our response to the policies contained in the Draft Local Plan, we have been guided by the National Planning Policy Framework's ("the Framework's") requirement to ensure that the Plan is 'sound'<sup>1</sup>. Namely, this means that it must be:

- **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;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.2 Our comments are as follows.

### Policy 5.1 – Spatial Strategy

3.3 We **support** policy 5.1 insofar as it relates to:

- Brentwood and Shenfield being the focus for new development within the A12 corridor;
- The use of a sequential approach to land uses which proposes the release of brownfield sites adjoining existing urban areas above the release of greenfield sites;
- The proposed allocation of sites on the edge of the existing Brentwood Urban Area in order to ensure certainty of delivery; and
- The proposal to meet the Borough's objectively assessed need in full.

3.4 We deal with each of these points in turn below.

### **Brentwood Urban Area as the focus for new development within the A12 corridor**

3.5 We agree with paragraph 5.19 of the policy's supporting text which says that:

*"Brentwood is a suitable location for growth, given excellent transport links, access to jobs and services and town centre facilities. Developing in the wider Brentwood Urban Area would support the redevelopment and regeneration, underpin the viability of the town centre and provide opportunities for development where access to services and jobs is greatest."*

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<sup>1</sup> Framework paragraph 182



3.6 Paragraph 5.25 provides further elaboration, stating:

*“Accessible and well served by public transport, with rail stations at Brentwood and Shenfield, the town provides a range of shopping, employment areas, secondary schools, health and leisure facilities in close proximity to residential areas.”*

3.7 It follows that available sites within or adjacent to the existing urban area of Brentwood should be prioritised for development. This approach is entirely consistent with the Framework’s overarching objective, which is to deliver sustainable development.

3.8 We also support the proposed designation of Brentwood as the Main Town within the settlement hierarchy (para 5.24).

#### **Sequential land use approach**

3.9 We acknowledge that there is insufficient previously developed land within the Borough to meet the Council’s objectively assessed housing need (OAHN), which is why the release of greenfield Green Belt land is proposed by the draft Plan.

3.10 We support the sequential approach to land use proposed in Figure 5.4 of the Draft Plan, which seeks to ensure that new development is first directed to available and suitably located brownfield sites, followed by suitable brownfield sites in the Green Belt on the edge of the Brentwood Urban Area, ahead of greenfield Green Belt land, in order to prioritise the use of brownfield land and strike a balance with wider sustainability objectives.

#### **Maintaining a five-year housing land supply**

3.11 We support the allocation of sites on the edge of the Brentwood Urban Area in order to enable a five-year supply of housing to be achieved, boosting local housing needs swiftly in line with the requirements of national policy and guidance (para 5.27). Allocation of smaller sites on the edge of existing urban areas well served by existing infrastructure will help strike an appropriate balance with the need to plan for strategic scale development to meet the Borough’s needs later in the Plan period and to ensure certainty of delivery in the short term, in accordance with the requirements of the Framework.

3.12 Allocating sufficient sites on the edge of the Brentwood Urban Area would enable development to be delivered in the short term and balance the longer lead in times for the delivery of larger sites elsewhere.

#### **Meeting full objectively assessed housing need**

3.13 The Plan is fully justified in proposing to meet its objectively assessed housing need (OAHN) in full through the release of Green Belt land, in accordance with the Framework guidance. The Local Plan process is the correct forum in which to release Green Belt land for development. The extent of evidenced local housing need is significantly higher than planned for under the previous Local Plan and the Plan would be unable to deliver the housing requirement on brownfield sites alone. These considerations combine to warrant exceptional circumstances<sup>2</sup> sufficient to justify the planned release of Green Belt land in order to meet OAHN and there is ample comparable case law to support this position.

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<sup>2</sup> Framework paragraph 83 definition

3.14 Furthermore, we consider that there are no insurmountable constraints that could reasonably inhibit the Local Plan from accommodating its full OAHN entirely within the Borough. Many other Green Belt local planning authorities, including neighbouring Basildon Borough Council, are also proposing Green Belt release as a means of delivering full OAHN. We fully support the proposals in this respect.

3.15 We therefore support Policy 5.1 – Spatial Strategy insofar as it relates to the Brentwood Urban Area, the sequential land use approach, maintaining five year supply and that it plans to fully accommodate OAHN.

#### **Policy 7.4 – Housing allocations**

3.16 We **object** to policy 7.4 because land at Warley Hill is not proposed for allocation. Taking account of the proposed approach of policy 5.1, which we support due to its consistency with national planning policy, there is no sound justification for the non-allocation of the land at Warley Hill, because:

- The site is brownfield land;
- The site is in a highly sustainable location and its allocation would accord entirely with the Council's proposed spatial strategy;
- The site has been assessed by the Council as having a moderate to low Green Belt impact, and is therefore well placed for release; and
- The site is vacant and serves no useful purpose in its current state.

3.17 On the basis of the above site 083 should be allocated for residential development.

#### **Site 083 is brownfield land**

3.18 SEPT's surplus land at Warley Hill is previously developed. It contains buildings formerly used to support the provision of NHS services and was formerly part of the wider Warley Hospital site that has now been redeveloped for housing. The site was originally developed in the 1930's and initially provided staff accommodation but more recently the existing buildings have also been used for various NHS health care-related purposes, including a drop-in service and care for people with learning difficulties. This was the case up until February 2012 when the need for the facility by the NHS ceased and the properties were vacated. The past uses of the site fall within use class D1 and C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Framework's definition of previously developed land.

3.19 As a previously developed site in the Green Belt the site should be afforded significantly greater status in the Draft Local Plan's sequential land use approach than it currently receives. The Sustainability Appraisal says that *"the Council recognised that all brownfield sites should be allocated, as far as possible, thereby minimising the need to allocate Green Belt sites"* (paragraph 6.3.5). If the site were not to be allocated for development, the proposed allocation of greenfield Green Belt sites in less sustainable locations would run contrary to the Draft Plan's sequential approach to site selection and the spatial strategy.

3.20 The Council should take account of the likely fall back position should the site not be allocated for housing in the Plan. By virtue of the provisions of paragraphs 89 and 90 of the Framework, it could be redeveloped for housing in any case, and most likely would. However, the restrictions of Green Belt policy would mean that it would not be possible to make best or most efficient use of the land, presenting the potential for an



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important missed opportunity at a time when a substantial amount of greenfield, Green Belt land in less sustainable locations is being considered for release via the Local Plan.

**Development of site 083 accords with the spatial strategy**

- 3.21 The site's brownfield status is not the only reason why it should be allocated. As explained in section two, it is also situated in a highly sustainable location within the Brentwood Urban Area. It is at least as sustainable as the best located Green Belt sites proposed for allocation elsewhere around the Area. The land at Warley Hill is located no more than 800 metres (less than a 10 minute walk) from Brentwood railway station and it is close to Brentwood Town Centre which offers the best access Borough-wide to retail, employment, leisure and community facilities. In respect of sustainability it fully accords with the spatial strategy and, against this factor alone, should therefore be considered favourably for allocation.

**Site 083 contributes little to the function of the Green Belt**

- 3.22 Site 083 is considered favourably in the Council's Green Belt review paper, published alongside the Draft Local Plan. The site is said to make a "low to moderate" Green Belt contribution owing to its sense of containment and overall scoring against the stated Green Belt purposes. Importantly, site 083 does not serve any of the individual Green Belt purposes to a "high" assessment level, unlike all but just 10 of the 203 sites assessed across the Borough in total. By our calculation, this means that only 8% of all sites contribute as little to the Green Belt as site 083 and it is amongst the most suitable for consideration for release.
- 3.23 Green Belt considerations need to be balanced with site suitability, availability and wider sustainability objectives, including the Green Belt review paper's recommendation to "*direct development to brownfield land where available and practically achievable*."<sup>3</sup> As explained above, the site's brownfield status and highly sustainable location should weigh heavily in favour of the allocation of site 083, in addition to its minimal contribution to the purposes of the Green Belt and it should therefore be allocated.

**Site 083 would have a defensible Green Belt boundary**

- 3.24 When reviewing Green Belt boundaries as part of the Local Plan process, the Framework requires local authorities to use clear physical features that are readily recognisable and likely to be permanent<sup>4</sup>. The Framework also requires the definition of Green Belt boundaries to be consistent with the Local Plan strategy for meeting identified requirements for sustainable development<sup>5</sup>.
- 3.25 An area of established woodland is immediately to the west of site 083, the majority of which is designated as a Local Wildlife Site (Clement's Wood) and Tree Preservation Order TPO10/91. This area of woodland is owned by Brentwood Borough Council. It provides a strong physical feature that is readily recognisable and the various means of protection apply to it, including the planning policies contained in the existing and emerging Local Plans, confirm that it is likely to be permanent.
- 3.26 The site's highly sustainable location would accord with the aims of the Council's spatial strategy as well as Green Belt boundary criteria, so its allocation would further accord with the Local Plan's strategy for achieving sustainable development.

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<sup>3</sup> Para 3.3.1

<sup>4</sup> Framework paragraph 85, final bullet point

<sup>5</sup> Framework paragraph 85, first bullet point

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**Site 083 is vacant and currently serves no useful purpose**

- 3.27 The site has been vacant and surplus to NHS requirements since 2012 when the wider Warley Hospital site was redeveloped for residential purposes; it therefore serves no useful purpose in its current state and would give rise to no unintended consequences if developed, such as loss of employment.
- 3.28 By way of comparison, two other brownfield sites in the Green Belt proposed for residential allocation – the Sow and Grow Nursery and the Ingatestone Garden Centre sites – both currently serve useful purposes by providing a retail and employment offer to their respective local communities. These uses would need to be extinguished in order to facilitate the housing allocations and under normal circumstances this planning issue would be subject to a policy presumption against the change of use, unless it could be demonstrated otherwise – similar in spirit to clause (c) of draft policy 8.4<sup>6</sup>. By contrast, if site 083 were to be allocated no such harm or land use issues would occur. The use of site 083 is no longer needed by SEPT so its retention would not run contrary to any other policy in the Draft Local Plan.
- 3.29 As site 083 is suitable, available and serves no useful purpose in its current state. This provides another compelling factor to indicate that it should be allocated for residential development.

**Summary of objection to Policy 7.4**

- 3.30 Policy 7.4 misses the opportunity to allocate this highly sustainable brownfield site in the Brentwood Urban Area. Site 083 currently makes little meaningful contribution to the function of the Green Belt, is well related to existing infrastructure and services and is currently vacant; confirming that its development for housing would lead to no loss of employment or other services. It is also bordered by a strong physical and permanent feature, Clement's Wood, which would clearly provide a defensible Green Belt boundary if it were allocated for development in the emerging Plan. Taking these factors into account, we object to its non-allocation under this draft policy. In its current form the Plan is unsound because it is not justified – it is not adopting the most appropriate strategy, when considered against the reasonable alternatives.

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<sup>6</sup> Requirement to demonstrate an unsuccessful marketing campaign for current use



## 4 Conclusion

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- 4.1 Fundamentally, SEPT objects to the Plan because it is currently proposing to allocate greenfield, Green Belt sites for housing development in less sustainable locations whilst ignoring surplus previously developed NHS land in a highly sustainable location on the edge of Brentwood's urban area. This presents a major conflict with the Council's proposed spatial strategy, which seeks to prioritise the release of brownfield sites adjoining urban areas before the development of greenfield sites elsewhere are considered, and the Framework's requirement to deliver sustainable development.
- 4.2 Taking this into account, SEPT is not satisfied that the Plan is sound, because it does not propose the most appropriate strategy taking account of all reasonable alternatives and it is not consistent with national planning policy.
- 4.3 SEPT has undertaken a thorough analysis of the site's main constraints and developed an initial masterplan for its development demonstrating how they can be satisfactorily addressed. The Urban Design Framework accompanying these representations explains this process. SEPT has consulted with Brentwood Borough Council's Planning, Conservation and Arboricultural Officers and the Highways Authority as the masterplan was prepared and received positive feedback, confirming that a scheme for around 40 dwellings was likely to be broadly acceptable subject to a review of the site's designation as Green Belt in the adopted Local Plan.
- 4.4 The Council should take account of the likely fall back position should the site not be allocated for housing in the Plan. By virtue of the provisions of paragraphs 89 and 90 of the Framework, it could be redeveloped for housing in any case, and most likely would. However, the restrictions of Green Belt policy would mean that it would not be possible to make best or most efficient use of the land, presenting the potential for an important missed opportunity at a time when a substantial amount of greenfield, Green Belt land in less sustainable locations is being considered for release via the Local Plan.
- 4.5 SEPT therefore urges the Council to review the Green Belt designation of the site to ensure that the opportunities presented by this vacant, brownfield site in a highly sustainable location are not ignored at a time when the Council is proposing to allocate more sensitive greenfield Green Belt sites elsewhere in the Borough to address identified housing needs.



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# Appendices

# Appendix 1

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Site Location Plan





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