
BRENTWOOD BOROUGH DRAFT LOCAL PLAN 2013 – 2033

RESPONSE TO DRAFT LOCAL PLAN (REGULATION 18) PUBLIC CONSULTATION

ON BEHALF OF
CROUDACE HOMES

March 2016

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DRAFT LOCAL PLAN 2013 – 2033**

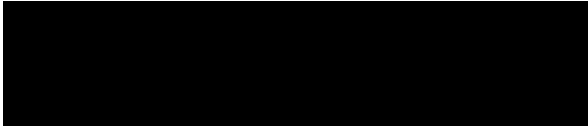
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CROUDACE HOMES**

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1.0 INTRODUCTION

i) Purpose of These Representations

- 1.1 These representations have been prepared on behalf of Croudace Homes and set out comments in response to Brentwood Borough Council's (BBC) Draft Local Plan (Regulation 18) 2013-2033 (DLP, January 2016). BBC has also published a Site Allocation Maps document (January 2016) and Pattern Book (January 2016) to support the DLP, in addition to an Interim Sustainability Appraisal (February 2016).
- 1.2 Croudace Strategic has a controlling land interest in 'Officer's Meadow, Shenfield' (hereafter referred to as 'the Site'). The Site forms part of a proposed allocation within the DLP for 600 dwellings, in addition to the potential for open space, sport uses and/or Crossrail Park and Walk facility. The supporting Site Allocation Maps (January 2016) document contains a proposed allocation boundary that contains 3no. sites. It should be noted that Croudace Homes has controlling land interest of Site 034 only, and therefore whilst development proposals have taken sites 235 and 087 into account, these representations are made in respect of Site 034.
- 1.3 These representations should be read in conjunction with the supporting Development Framework Document (DFD) (March 2016), enclosed at **Appendix A**.
- 1.4 Notwithstanding our Client's specific land interest, these representations have been prepared in objective terms and in the light of the prevailing planning policy framework – in particular the Government's guidance set out in the National Planning Policy Framework (NPPF) (March 2012), National Planning Policy Guidance (PPG) (March 2014) and Consultation on Proposed Changes to National Planning Policy (CPCNPP) (December 2015).

ii) Purpose of the SGOC

- 1.5 BBC previously consulted on its Strategic Growth Options document (SGOC), between January and February 2015, in advance of the formal preparation of a new Local Plan under the Local Planning Regulations. The SGO document sought representations on areas for potential growth in the Borough, focused on transport corridors, and included all "site options" put forward/promoted for development in previous stages of the emerging Local Plan.

1.6 The DLP, being the formal Regulation 18 consultation, now sets out BBC's proposed spatial strategy, including the level and locations of development, up to 2033. The potential growth areas, focused on transport corridors, is maintained in the DLP but redefined to focus on the 'A12 Corridor' and the 'A127 Corridor', in addition to the 'Rural North' and 'Rural South' in which growth will be limited to maintain local character. The Site is located in the 'A12 Corridor'.

iii) National Policy and Plan Making

1.7 Paragraph 182 of the NPPF requires Local Planning Authority (LPAs) to *submit a plan for examination which it considers is "sound" – namely that is*:

- **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 NPPF.

1.8 Paragraph 156 of the NPPF states that LPAs should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

1.9 Paragraph 157 of the NPPF advocates that crucially Local Plans should:

- Plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework;
- Be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;
- Be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations;
- Indicate broad locations for strategic development on a key diagram and land-use designations on a proposals map;
- Allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate;
- Identify areas where it may be necessary to limit freedom to change the uses of buildings, and support such restrictions with a clear explanation;
- Identify land where development would be inappropriate, for instance because of its environmental or historic significance; and
- Contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified.

1.10 The NPPF (Para 158) directs that LPAs should use a proportionate evidence base in plan-making. LPAs should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. LPAs should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.

iv) National Policy and Housing Need

1.11 The NPPF provides a 'Presumption in favour of Sustainable Development' (para 14). Accordingly, Paragraph 47 requires LPAs to use their evidence base to ensure that their Local Plan meets the full, 'Objectively Assessed Needs' (OAN) for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

1.12 LPAs must plan for a mix of housing that *“meets housing and population projections, taking account of migration and demographic change”* (Para 159). Significant weight should also be placed on the need to support economic growth through the planning system (Para 19).

1.13 With regards to the methodology of assessing housing need and establishing a future housing requirement, the PPG (March 2014) states the following:

Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need.

(Reference ID: 2a-015-2014-0306)

1.14 Although the official CLG household projections should therefore be considered, they only represent the starting point for assessing need. This is due to a number of reasons as the PPG explains:

The household projections are trend based, i.e. they provide the household levels and structures that would result if the assumptions based on previous demographic trends in the population and rates of household formation were to be realised in practice. They do not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour.

(Reference ID: 2a-015-2014-0306)

1.15 The CPCNPP reaffirms the Government’s commitment to significantly increase levels of housing delivery to meet widely recognised acute housing shortfall.

v) National Policy and the Green Belt

1.16 It is recognised that the ‘Presumption in favour of Sustainable Development’ (NPPF, para 14) does not apply to development within the Green Belt, which covers a large proportion of the Brentwood Borough.

1.17 Section 9 of the NPPF considers the protection of Green Belt land, in that its fundamental aim is to prevent urban sprawl by keeping land permanently open in order to maintain the essential Green Belt character of openness and their permanence. The NPPF (Para 80) states that the Green Belt is intended to serve five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;

- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

1.18 Paragraph 83 of the NPPF states that Green Belt boundaries, once established, should only be altered in “exceptional circumstances”, through the preparation or review of Local Plans. LPA’s should take account of the need to promote sustainable patterns of development and should consider channelling development towards urban areas, towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary (para 84).

1.19 Paragraph 85 of the NPPF considers that LPAs, when defining Green Belt boundaries, should:

- Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- Not include land which it is unnecessary to keep permanently open;
- Where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;
- Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;
- Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

1.20 This is supported by the PPG which states:

The Framework makes clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.
(Reference ID: 3-044-20141006)

1.21 The Government further amended the PPG on 06 October 2014, to add two paragraphs into the guidance on Housing and Economic Land Availability Assessment. The guidance confirms that the need for development is not the only factor to be considered when drawing up a Local Plan, and the following should be considered:

The Framework is clear that local planning authorities should, through their Local Plans, meet OAN unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding and coastal erosion.

- 1.22 With regards to meeting identified OAN, LPAs should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, as the first stage in developing a Local Plan. Once the need has been assessed, the PPG confirms:

Once need has been assessed, the local planning authority should prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need.

(Reference ID: 3-045-20141006)

- 1.23 Section 4.0 of these representations provides further detail on Case Law and the approach that BBC should take in assessing whether “exceptional circumstances” exist to justify alterations to current Green Belt boundaries.

vi) Content of Representations

- 1.24 The DLP has been assessed on the basis of the above National policies. In summary, these representations set out the following comments:

- Evidence of cross boundary discussions with neighbouring LPAs are required to demonstrate the Duty to Co-operate has been complied with;
- Notably, discussions with Basildon Borough Council should be undertaken, particularly in respect of the proposed allocations at Dunton/West Horndon;
- BBC must be satisfied that it has identified the full OAN (“Policy off”) for the Borough as the first stage in determining the housing requirement;
- BBC acknowledges that its identified OAN cannot be accommodated within brownfield sites in the urban area and therefore, with regards to the spatial strategy and sequential approach, additional allocated sites are required within the Green Belt to meet the housing target;

- The DLP does not make explicit reference to “exceptional circumstances” and does not set out whether BBC considers that the test for “exceptional circumstances” has been met to alter the Green Belt boundary;
- We consider that “exceptional circumstances” exist to release Green Belt sites and a suggested “exceptional circumstances” test is contained;
- However, to support such a conclusion we recommend that BBC undertakes a Borough-wide Green Belt Review;
- We support the identification of Shenfield as one of the most sustainable settlements, which will notably increase through the implementation of Crossrail, and therefore should receive an element of development to meet the Borough’s need;
- We support the allocation of Officer’s Meadow for residential/mixed use development;
- The Site makes a very limited contribution to the 5no. purposes of the Green Belt and its release for development will allow the creation of a sustainable development.

2.0 DUTY TO CO-OPERATE

2.1 This section considers the legal compliance and procedural matters associated with the DLP and the 'Duty to Co-operate'.

i) Policy Framework

2.2 The 'Duty to Co-operate' is provided for in Section 110 of the Localism Act 2011 which came into effect on 15 November 2011. The Duty was introduced under the 2011 Act to address the impact of the loss of the "top-down" effect from the Regional Spatial Strategy (The South East Plan) and to offer a transparent way in which authorities should relate to one another on cross boundary issues. The Duty is now shared between authorities requiring them to collaborate on cross-boundary matters and issues of sub-regional and regional importance, especially housing provision and related infrastructure issues.

2.3 Section 33A(2)(a) requires that local authorities "engage constructively, actively and on an ongoing basis" in the plan-making process. The NPPF refers to the 'Duty to Co-operate' in paragraphs 157 and 178-181. Crucially, paragraph 157 of the NPPF states that "*Local plans should be based on cooperation with neighbouring authorities...*".

2.4 Paragraphs 178-181 of the NPPF are clear in directing LPAs as to the importance of the 'Duty to Co-operate' and the proactive approach necessary to ensure a collaborative approach to reflect individual Local Plans. Paragraph 179 states:

Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this NPPF.

2.5 Paragraph 182 of the NPPF provides that an Inspector should assess:

Whether a plan has been prepared in accordance with the Duty to Co-operate, such that compliance with the duty must also be reflected in the assessment of soundness.

2.6 The PPG, published in March 2014 to "reflect and support" the NPPF, contains considerable guidance on the Duty to Co-operate.

2.7 The PPG states that LPAs must:

Engage constructively, actively and on an ongoing basis to maximise the effectiveness of the plan-making process

(Reference ID: 9-001-20140306)

2.8 The guidance emphasises the importance for LPAs to work together; stressing that:

Cooperation between local planning authorities, county councils and other public bodies should produce effective policies on strategic cross boundary matters. Inspectors testing compliance with the duty at examination will assess the outcomes of cooperation and not just whether local planning authorities have approached others.

(Reference ID: 9-010-20140306)

2.9 Furthermore, the PPG states (in part):

If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

(Reference ID: 9-001-20140306)

2.10 The PPG also advises on what actions constitute effective cooperation under the Duty to Co-operate and it states (in part):

Cooperation should produce effective policies on cross boundary strategic matters. This is what local planning authorities and other public bodies should focus on when they are considering how to meet the duty. Local planning authorities should bear in mind that effective cooperation is likely to require sustained joint working with concrete actions and outcomes. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone.

(Reference ID: 9-011-20140306)

2.11 In summary there are two aspects to the 'Duty to Co-operate':

- 'Duty to Co-operate' – the s33A legal test is a 'process' preparation test. The duty is incapable of modification at an Examination. Therefore, this is one of the first things that has to be examined because, if the legal requirement is not met, then the Inspector must recommend non adoption of the plan;

- Collaborative Joint Working – an aspect of soundness. It is primarily concerned with the ‘positively prepared’ and ‘effectiveness’ soundness tests set out in paragraph 182 of the NPPF. This relates to outcome rather than process.

ii) **Brentwood Borough Council’s Duty to Co-Operate**

- 2.12 The DLP (paras 2.22 and 7.9) notes that BBC has undertaken discussions with neighbouring LPAs and other bodies on cross boundary issues, and work will continue as part of the Duty to Co-operate.
- 2.13 Whilst it is noted that the current consultation is under Regulation 18 and therefore at the early stages of the Local Plan preparation, it is important that BBC takes record of all discussions and undertakings in order to be able to demonstrate that the Duty has been complied with. This should include details of actions to secure effective cooperation, respond constructively to requests for cooperation and also highlight the outcomes of cooperation (PPG Reference ID: 9-022-20140306).
- 2.14 The Duty to Co-operate has proved to be a contentious part of the NPPF, with numerous Local Plans being scrutinised (and subsequently failing) at Examination Stage due to lack of evidence that the Duty to Co-operate has been met. By way of example, a Local Plan Inspector (letter dated 07 January 2014) found the Aylesbury Vale District Council’s Local Plan to be “unsound” due to the lack of record of any substantive engagement with other authorities and outstanding significant issues of potential unmet housing needs from other authorities, despite giving consideration to the benefit of having an adopted plan in place.
- 2.15 In order for a Local Plan to be ‘Positively Prepared’, the strategy should seek to meet unmet requirements from neighbouring LPAs where it is reasonable to do so and consistent with achieving sustainable development. Nonetheless, LPAs are not obliged to accept the unmet needs of other LPAs if they have robust evidence that this would be inconsistent with the NPPF, for example, Green Belt policies (PPG Reference ID: 9-021-20140410).
- 2.16 As noted within paragraph 5.36 of the DLP, whilst BBC accepts there are linkages with other neighbouring LPAs, the Draft Local Plan seeks to fully meet the OAN within the Brentwood Borough boundary only. Therefore BBC is not seeking to assist any neighbouring authorities in meeting any unmet needs.

iii) Basildon Borough Council

- 2.17 Basildon Borough Council is currently consulting on its Draft Local Plan (January 2016) until 24 March 2016 under Regulation 18 of the Local Planning Regulations. It is noted within the strategic objectives of the Draft Local Plan, that the Council is seeking to provide sufficient new housing to meet the Borough's OAN.
- 2.18 BBC previously undertook a joint consultation with Basildon Borough Council, in conjunction with the SGO consultation, on a proposed 'Dunton Garden Suburb' (January 2016) to explore a potential opportunity for cross boundary development in the Dunton area, which could provide between 4,000 and 6,000 dwellings.
- 2.19 It is noted that both BBC and Basildon Borough Council (within their respective Draft Local Plans), have both allocated for development the proportion of the 'Dunton Garden Suburb' area within their administrative boundaries. However, the joint 'Dunton Garden Suburb' proposal is no longer proposed.
- 2.20 Whilst this may not be a failing of the Duty in itself, BBC must have due regard to the location of the proposed 'Dunton Hills Garden Village' (DLP Policy 7.1) adjacent to a neighbouring LPA boundary, and therefore the importance of cross boundary matters. Notably, Basildon Borough Council's Draft Local Plan states the following:

Brentwood Borough Council have not however carried out Green Belt, ecology, landscape and infrastructure assessments for their proportion of the site, and consequently it is not known if the proposal is the most appropriate option for their area.

- 2.21 Cross boundary discussions should be undertaken with Basildon Borough Council in the context of both the proposed allocations at Dunton (including all matters listed above), and also in respect of strategic matters. The provision of a joint Area Action Plan should be considered by both Councils to provide policy and guidance for the specific area, particularly given that a joint approach is no longer pursued in the respective Local Plans.

3.0 PROPOSED HOUSING TARGET

i) Proposed Housing Targets – Background

a) *Preferred Options Local Plan (July 2013)*

3.1 BBC's previous Preferred Options Local Plan (POLP) (July 2013) proposed a housing target of 3,500 dwellings to be built in the Borough across the Plan period (2015-2030), with an annual delivery rate of 200 dwellings per annum (dpa) during 2015-2020, rising to 250dpa during 2020-2030.

3.2 The POLP also included an "alternative housing requirement" of between 331 to 362 homes per year, based on an assessment of OAN undertaken by Peter Brett Associates (PBA). However, this housing target was rejected due to concerns about Green Belt release, congestion in Brentwood Town Centre, limited infrastructure capacity and impact on the rural character of the Borough. Notably, the DLP (para 5.9) states that:

it was proposed that the Borough meet a higher development need than the abolished regional target, but due to capacity constraints not meet the full objectively assessed housing need

3.3 Our previous representations raised concerns with this approach. Notably, in accordance with National policy, plan making is a two-stage approach which first requires the full OAN to be identified, and secondly requires an exercise of planning judgement as to whether the policy constraints in the NPPF carry the consequence that the OAN should not be met.

3.4 This has been confirmed in a number of High Court Decisions, including Hunston¹ and Gallagher². The two-staged approach (as with any LPA, regardless of the existence of Green Belt) is as follows:

- 1) The first stage is to reach a conclusion as to the full OAN for market and affordable housing, which is a purely quantitative exercise;
- 2) The second stage involves an exercise of planning judgement (in relation to the development control or the formation of a Local Plan, whichever is applicable) as to whether the policy constraints in the NPPF carry the consequence that the OAN should not be met.

¹ R (Hunston Properties Ltd) v SSCLG and St Albans City and District Council [2013] EWHC 2678 (Admin) (05 September 2013) (Court of Justice) and [2013] EWHC Civ 1610 (12 December 2013) (Court of Appeal)

² Gallagher Estates Ltd and Lioncourt Homes Ltd v Solihull Metropolitan Borough Council [2014] EWHC 1283 (30 April 2014) (Admin) (Court of Justice) and [2014] EWHC Civ 1610 (17 December 2014) (Court of Appeal)

3.5 This is discussed further below, and in Section 4.0 and Section 5.0 of these representations.

b) Strategic Growth Options Consultation (January 2015)

3.6 Subsequently, BBC published the SGO document for consultation in January 2015, during which an updated PBA OAN assessment (December 2014) was issued, with a proposed housing target increase to 362 dpa. The DLP (para 1.10) notes the increased housing target (i.e. from 220 to 360) was included in response to objections to the POLP (including from neighbouring authorities) and recent Planning Inspectorate decisions on other Local Plans, which have been found “unsound” due to housing targets being less than full OAN, without suitable justification.

c) Draft Local Plan (January 2016)

3.7 The current DLP document, under Policy 5.2, maintains a similar housing target of 362 dpa for the Plan period (2013-2033) equating to 7,240 additional dwellings in total.

ii) Full OAN Requirement

3.8 As noted above, regardless of the existence of Green Belt, a LPA is first required to undertake an objective assessment of housing need and then a distinct assessment as to whether other policies dictate or justify constraint in meeting such need (and, if so, to what extent).

3.9 The PPG (Reference ID: 2a-015-20140306 & 2a-017-2040306) directs LPAs to take account of the most recent household projections and that these should provide the “starting point” estimate of overall housing need. The PBA OAN assessment (December 2014) was published prior to the release of the latest 2012-based CLG projection. The assessment acknowledges this, and provides an expectation that the 2012 Household Projections will be in line with the 2011-interim projections of around 330 dpa as the “starting point” estimate for Brentwood Borough.

3.10 The “starting point” only addresses demographic led need as the first step in establishing the OAN. As noted within our previous representations to the SGOC consultation (Barton Willmore, February 2015), the PPG directs that this should be adjusted to reflect economic forecasts and market signals. Notably, we consider the OAN for Brentwood should take account of:

- **Economic Led Need** – The PPG directs that an assessment should be made on the likely change in job numbers based on past trends and/or economic forecasts as appropriate and have regard to the growth of the working age population in the HMA

(Reference ID: 2a-018-20140306). It is important to note that the level of job growth underpinning PBA's conclusion on economic-led need is constrained by a housing provision target (362 dpa). This is considered in conflict with the PPG which advises that plan makers should not apply constraints to the overall assessment of need (Reference ID: 2a-004-20140306).

- **Market Signals** – The PPG states how a worsening trend in any of the indicators will require upward an adjustment to planned housing numbers compared to ones solely on household projections (Reference ID: 2a-020-20140306). In Brentwood, it is important to note the ratio of lower quartile house price to lower quartile earnings, which has worsened significantly from 5.98 (in 1997) to 10.10 (2013). Of the 12no. authorities in Essex, this represents the 3rd highest affordability ratio in 2013, and is significantly higher than Essex (7.78) and national (6.45) averages. The PBA assessment identifies that the affordability in Brentwood has not worsened compared to national and regional indicators and therefore an additional uplift is not required. As a result of this, BBC's housing target would simply allow the issue of affordability to continue and would not assist in addressing such a trend.
- **Greater London** – Brentwood borders the Greater London Authorities (GLA) and there is strong evidence to suggest that LPAs outside the GLA will need to accommodate London's housing shortfall. Notably, London's unmet need is approximately 7,000 dpa, and increasing as a consequence of an increasing number of LPAs not meeting London Plan benchmark target.

3.11 BBC must be satisfied that it has identified the full OAN for the Borough as in line with para 3.4 above, before considering its ability to meet such need in respect of the NPPF policy constraints.

3.12 In line with the National policy approach, and to meet the tests of "soundness", the DLP should positively seek opportunities to meet the development needs of its area. This is particularly important given that a number of surrounding authorities have confirmed, via representations to the previous iterations of the Local Plan, that they would not accept any shortfall from BBC within their own boundaries.

3.13 In this regard, BBC should be striving for as high levels of growth as possible. This should be considered in the context of the existing Green Belt sites being put forward for development, and those which could be released for development without significantly compromising the purpose of the Green Belt. This includes the Site.

4.0 CASE LAW – GREEN BELT

i) Case Law

4.1 The main practical issues that have resulted from Green Belt policy, and that have been the main focus under consideration in recent Case Law, are as follows:

- The correct interpretation of National planning policy, namely paragraphs 79-91 of the NPPF;
- The tests to be applied for altering Green Belt boundaries, specifically “exceptional circumstances” (NPPF, para 83)
- The relationship between Objectively Assessed Needs and Green Belt constraints.

4.2 The 4no. principal cases which address the above are:

- 1) R (Hunston Properties Ltd) v SSCLG and St Albans City and District Council [2013] EWHC 2678 (Admin) (05 September 2013) (Court of Justice) and [2013] EWHC Civ 1610 (12 December 2013) (Court of Appeal) – (“Hunston”);
- 2) Gallagher Estates Ltd and Lioncourt Homes Ltd v Solihull Metropolitan Borough Council [2014] EWHC 1283 (30 April 2014) (Admin) (Court of Justice) and [2014] EWHC Civ 1610 (17 December 2014) (Court of Appeal) – (“Gallagher”);
- 3) R(IM Properties) v Lichfield District Council and others [2014] EWHC 2440 (Admin) (18 July 2014) (Court of Justice) – (“IM Properties”);
- 4) Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gedling Borough Council and others [2015] EWHC 1078 (Admin) (21 April 2015) (Court of Justice) – (“Calverton”).

4.3 This Case Law is discussed below in summary, for the purposes of these representations. In summarising the cases, we do not rehearse the facts at length and therefore reference should be made to the text of the Judgments.

a) *Hunston*

4.4 As set out in Section 3.0, the Hunston Judgment confirms the two-stage approach in identifying housing targets in plan making. Therefore, any OAN assessment should look at housing need as a standalone assessment, i.e. what the housing target would be if there were no constraints to development. This is effectively a two stage approach:

- 1) Determine OAN in an unrestrained matter unfettered by policy (i.e. 'policy off' exercise);
- 2) A 'policy on' assessment to determine whether these needs can be met.

b) *Gallagher*

4.5 Solihull Metropolitan Borough Council was directed to reassess its housing target, following an application to the High Court by Gallagher Estates Ltd and Lioncourt Homes Ltd. The claimant's sites were placed into the Green Belt as part of the Solihull Local Plan. The claimant challenged the SLP on 3 No. grounds (i) it was not supported by an objectively assessed figure for housing need, within the meaning of the NPPF (ii) the Council had failed in its DTC, and (iii) the Council adopted a plan without regard to the proper test for revising Green Belt boundaries.

4.6 The main points of note that can be drawn from Gallagher:

- Reinforced the two-stage approach of paragraph 47 endorsed in Hunston, in that an objectively assessment of housing need is first required, and then a distinct assessment as to whether (and, if so, to what extent) other policies dictate or justify constraint;
- Reinforces that the identification of "exceptional circumstances" (NPPF, para 83) is a stringent test and reiterates the importance of ensuring that reasons for any decision concerning "exceptional circumstances" are clearly and unambiguously identified and explained;
- Preparing a new Local Plan is not, of itself, an "exceptional circumstances" justifying alteration to a Green Belt boundary.

c) *IM Properties*

4.7 IM Properties applied for a Judicial Review of Lichfield District Council's decision to endorse Main Modifications to the draft Lichfield Local Plan Strategy (28 January 2014) and sought the decision to be quashed. The main modifications included proposals to release two areas of land from the Green Belt, however during the Local Plan process, IM Properties submitted a planning application for a mixed use development on land not within the Green Belt, which was refused by the Council.

4.8 The IM Properties case provides the following:

- A thorough assessment of the "exceptional circumstances" test;
- The "exceptional circumstances" test requires a planning judgement, and direct reference to the test, and close to the Gallagher observations [125] (subject to the OAN position), will generally provide a sound, policy-compliant route to Green Belt alterations.

d) Calverton

4.9 Calverton Parish Council applied under Section 113 of the Planning and Compulsory Purchase Act 2004 to quash, in part, the Greater Nottingham Aligned Core Strategies (ACS) of Broxtowe Borough, Gedling Borough and Nottingham City as adopted in September 2014.

4.10 The case put forward by Calverton Parish Council was on the following 3no. grounds:

- 1) Failure to consider whether housing numbers should be reduced to prevent release of Green Belt land;
- 2) Failure to apply national policy in considering the release of Green Belt land;
- 3) Failure to comply with the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”).

4.11 On Grounds 1 and 2, Mr Justice Jay in the Court of Justice observed at [50]:

I agree with Mr Turney³ that it would be illogical, and circular, to conclude that the existence of an objectively assessed need could, without more, be sufficient to amount to “exceptional circumstances” within the meaning of paragraph 83 of the NPPF. No recourse to what I called during oral argument the “mantra” of planning judgment could save a decision from a successful section 113 challenge in such circumstances.

4.12 He further observed at [51]:

In a case such as the present, it seems to me that, having undertaken the first-stage of the Hunston approach (sc. assessing objectively assessed need), the planning judgements involved in the ascertainment of exceptional circumstances in the context of both national policy and the positive obligation located in section 39(2) should, at least ideally, identify and then grapple with the following matters:

- (i) **the acuteness/intensity of the objectively assessed need (matters of degree may be important);**
- (ii) **the inherent constraints on supply/availability of land prima facie suitable for sustainable development;**
- (iii) **(on the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;**
- (iv) **the nature and extent of the harm to *this* Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and**
- (v) **the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.**

³ Richard Turney (Landmark Chambers) – instructed by

4.13 Calverton provides the most recent case law on Green Belt considerations in plan-making and provides the most detailed consideration of “exceptional circumstances”.

ii) BBC “Exceptional Circumstances”

4.14 The DLP (paras 9.49-9.51) provides the context of the Green Belt designation in Brentwood Borough, in that 89% of the Borough lies within the Green Belt.

4.15 The DLP proposes the removal of land from the Green Belt, however the DLP does not make explicit reference to “exceptional circumstances” and does not set out whether BBC considers that the test for “exceptional circumstances” has been met, requiring alterations to Green Belt boundaries (NPPF, para 83). Whilst explicit reference is not made to “exceptional circumstances”, the DLP (para 9.51) states the following in the context of Green Belt as a constraint to available development land:

In order for Brentwood Borough to grow economically and to provide adequate housing for its population, land must be made available for such growth. Failure to do so might undermine the future prosperity of the Borough.

4.16 As noted from the above Case Law Judgments, a thorough assessment of “exceptional circumstances” is required and must be clearly and ambiguously identified and explained. It is therefore considered appropriate that BBC undertake such an assessment.

4.17 We consider that “exceptional circumstances” exist to release Green Belt sites, as included within the DLP. A suggested “exceptional circumstances” assessment is contained in Section 5.0 of these representations. However, in order to support such a conclusion it is necessary for BBC to undertake a Borough-wide Green Belt review.

iii) Green Belt Review

4.18 It is noted that (as of yet) BBC has not undertaken a Green Belt Review of the Borough. We consider that such a Borough-wide Review is necessary for “exceptional circumstances” to be ‘Justified’ and ultimately for the Local Plan to be found “sound”.

4.19 Leeds City Council, in producing a new Local Plan, acknowledged that the identified level of growth needed could not be accommodated without the release of land from the Green Belt and therefore included a provision for a “selective” review of the Green Belt. However at Examination, the Inspector committed the Council to a review of the Green Belt in full (i.e. not “selective”) in order to ensure that the Green Belt Review was fair, comprehensive and consistent with the NPPF’s aim of directing development to the most sustainable locations. Notably, the Inspector in his Report (05 September 2014) stated:

A comprehensive review is also more likely to ensure consistency with the spatial strategy and increase the likelihood that boundaries will not need to be reviewed again at the end of the plan period.

- 4.20 The above is a requirement under the NPPF (Para 85) in that a LPA must satisfy themselves that Green Belt boundaries will not need to be altered at the end of the Plan period.
- 4.21 By way of further example, the Christchurch and East Dorset Core Strategy (adopted April 2014) proposed changes to the Green Belt boundaries to accommodate housing and employment development. Both Councils identified that employment and housing development needs could not be accommodated within non-Green Belt land and therefore, to address strategic priorities and plan positively for homes and jobs, the Councils considered the need for development on land currently in the Green Belt (the same conclusion taken by BBC). A full Green Belt Review was subsequently undertaken and the Inspector concluded that the Review had taken into account the NPPF requirements (Paras 80 and 83-85). Notably, the Inspector's Report (March 2014) states (para 39):

Taken as a whole, the evidence demonstrates that the GB review is underpinned by analysis of the five GB purposes and by the need to promote sustainable patterns of development. Therefore I am satisfied that the Plan is supported by an appropriate strategic review of GB boundaries.

- 4.22 The Inspector concluded that the Councils' approach to the review of Green Belt boundaries was justified and consistent with National policy (para 41), and therefore "sound".
- 4.23 It is therefore considered necessary that BBC undertake a full review of the Borough's Green Belt in order for the approach to be deemed comprehensive and fair, and to also satisfy themselves (and an Inspector) that the Green Belt is capable of enduring for the Plan period. This will also be required in order to ensure that the proposed spatial strategy has been informed by a suitable evidence base, in accordance with paragraph 158 of the NPPF.

5.0 EXCEPTIONAL CIRCUMSTANCES – GREEN BELT RELEASE

5.1 The following provides an assessment of “exceptional circumstances” for the release of Green Belt land within BBC’s emerging Local Plan.

i) **The Acuteness/Intensity of the OAN (matters of degree may be important)**

5.2 The intensity of the OAN identified by BBC is high, and there is an acute need for housing.

5.3 BBC accepts that there are linkages with neighbouring authorities and therefore regard must be given to the housing need of the HMA, most notably the high inter-connectivity between London and Essex County as identified in PBA’s OAN assessment (December 2014). This will only be strengthened through the implementation of Crossrail and notably the DLP’s objective to optimise the benefits of Crossrail.

5.4 In addition and as noted in Section 3.0, a number of surrounding LPAs have confirmed, via representations to the previous iterations of the Local Plan, that they would not accept any shortfall from BBC within their own boundaries.

ii) **The Inherent Constraints on Supply/Availability of Land Prima Facie Suitable for Sustainable Development**

iii) **The Consequent Difficulties in Achieving Sustainable Development without Impinging on the Green Belt**

5.5 As stated within the DLP at para 9.49:

The majority (89%) of the Borough lies within the Green Belt and comprises a mix of villages, residential properties and agricultural land. This significantly limits land available for development within the Borough and has created the sharp contrast between urban and rural areas with little or no urban fringe.

5.6 The whole of the Borough (outside of the existing built areas) is constrained by Green Belt.

5.7 BBC’s approach is to encourage the effective use of brownfield land in accordance with National policy. However as identified in Policy 5.2, only 1,296 dwellings can be accommodated on brownfield sites within urban areas. There is therefore an inherent constraint on the supply/availability of sites for sustainable development outside of the Green Belt. Consequently, BBC could not achieve sustainable development without impinging on the Green Belt.

- 5.8 As noted in IM Properties Judgment, there is clear advice to decision makers to take into account the consequences for achieving sustainable development in any review of Green Belt boundaries.
- 5.9 The release of the Site from the Green Belt will allow for the creation of a sustainable development, in line with the NPPF. Shenfield is identified by BBC as one of the most sustainable settlements and therefore should receive an element of development to meet the overall housing needs of Brentwood. As demonstrated in Section 7.0, the Site makes a very limited contribution to the NPPF (Para 80) Green Belt purposes as it is well contained by existing built form and infrastructure, exhibits defined and defensible boundaries and is strongly influenced by the adjoining urban/built elements.
- 5.10 Further information on the sustainability of the Site is set out in Section 7.0 of these representations and demonstrated in the supporting DFD (**Appendix A**).

iv) The Nature and Extent of the Harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed)

- 5.11 It may be possible to establish the nature and extent of the harm to the Green Belt in respect of those sites proposed in the DLP for Green Belt release and development allocation. However, this approach would not provide for a strategic review of Green Belt boundaries. We therefore consider that a Borough-wide Green Belt Review should be undertaken by BBC in order to ensure the Plan is supported by robust evidence and can be found "sound".
- 5.12 We have undertaken our own (site specific) assessment of the Site which demonstrates that it's from the Green Belt would have a limited impact on the 5no. purposes of the Green Belt (see Section 7.0).

v) The Extent to which the Consequent Impact on the Purposes of the Green Belt may be Ameliorated or Reduced to the Lowest Reasonably Practicable Extent

- 5.13 In addition to the general limited impact on the Green Belt (above), Section 7.0 and supporting DFD (March 2016) to these representations demonstrate that any future development of the Site would be landscape led, and this would ensure that the impacts on the purposes of the Green Belt are reduced.

6.0 SPATIAL STRATEGY/MANAGING GROWTH

i) Plan Period

- 6.1 As noted within the DLP (para 1.16), the NPPF (para 157) states that crucially, Local Plans should be drawn up over an appropriate timescale, preferably a 15-year horizon, take account of longer term requirements and be kept up to date.
- 6.2 We support the approach as stated in paragraph 1.17 of the DLP, in that the Plan will cover at least a 15-year period from likely adoption, as well as previous years' development shortfall since 2013. As a result, the DLP proposed Plan period is 20-years from 2013 to 2033.
- 6.3 It should be noted that there are a number of discrepancies in the DLP with regards to the Plan period. As noted above, the proposed Plan period is 20-years however reference is made to a 15-year Plan period within a number of DLP paragraphs, including 1.1, 5.43 and 10.2.

ii) Policy 5.1: Spatial Strategy

a) *Sequential Approach*

- 6.4 As noted above, the DLP categorises the Borough into four areas, namely the 'A12 Corridor', 'A127 Corridor', 'Rural North' and the 'Rural South' to take account of the Borough's character and key transport corridors (para 5.14).
- 6.5 It is considered appropriate that the growth strategy for the Borough includes a proportion of development within each of the broad areas, in line with the sustainability credentials of each of the settlements, informed by evidence base documents and strategic priorities for the Borough. However, we support the approach contained in Policy 5.1 for development to be focused in the 'A12 Corridor', which includes Brentwood and Shenfield as the most suitable and sustainable settlements to accommodate future growth.
- 6.6 In addition, the DLP advises that a sequential approach has been taken to the selection of sites for future development (DLP para 5.16), as follows:
- 1) Completions and existing planning permissions;
 - 2) Urban Areas – brownfield sites and sites within the existing urban area;
 - 3) Brownfield sites in the Green Belt;
 - 4) Strategic sites i.e. larger scale development;

- 5) Greenfield sites in the Green Belt – i.e. urban extensions;
- 6) Windfall – less than 10 dwellings.

6.7 It is suggested that the DLP is amended to make it clear that the “strategic sites” (1 in number) identified is also Green Belt (i.e. bullet No 4 above). In doing so, BBC should also confirm that the potential for non-green belt Greenfield sites have been considered, but no such site are available/suitable.

6.8 Whilst we do not dispute the “sequential approach” set out, it should be noted that:

- A range of development types, as included within the sequential approach (DLP Figure 5.4), should be utilised in meeting Brentwood Borough’s growth requirements. This should be based on an overarching vision of sustainable development, as underpinned by National planning policy. For example, larger Green Belt sites may be in a more sustainable location than brownfield sites, and/or able to provide a number of benefits that smaller brownfield sites cannot;
- The sequential test applied to the identification of sites in the DLP should not be stringently applied to the subsequent delivery of sites/the housing trajectory. This is considered further below.

b) Policy Tests

6.9 Policy 5.1 states that all development sites will be identified for development having regard to whether they:

- Are accessible to public transport, services and facilities;
- 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; and
- Are likely to come forward over the Plan period.

6.10 The policy test of “no significant impact” on the aspects listed is not considered to apply with National policy. Notably:

6.11 **For Green Belt** – As noted in Section 1.0, the ‘Presumption in favour of Sustainable Development’ (NPPF, para 14) does not apply to development within the Green Belt. The NPPF directs that Green Belt boundaries should only be altered in “exceptional circumstances” (Para 83) or development should only be approved where “Very Special Circumstances” can be

demonstrated. In addition, the NPPF (Para 80) outlines the 5no. purposes of the Green Belt against which land within the designation can be assessed. To require “no significant impact” on the Green Belt is therefore considered over prescriptive and beyond the wording of the NPPF. It is considered appropriate that reference is made to the 5no. Green Belt purposes.

- 6.12 **For visual amenity/environmental quality** – Unless the NPPF directs that development should be restricted (Footnote 9) the presumption in favour of sustainable development is applied, which states that for both plan-making and decision-taking, development should be positively sought unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
- 6.13 **For Transport** – The NPPF (Para 32) states that, in both plan making and decision making, development should only be prevented or refused whether the residual cumulative impact of development are severe.
- 6.14 **For Heritage** – when considering the impact of a development on a designated heritage asset, the weight be given to the asset should be attributed to the significance of that asset (NPPF, para 132). The test to be considered in the NPPF is whether such development would lead to substantial harm to/total loss of a heritage asset’s significance (Para 133), or less than substantial harm (Para 134).
- 6.15 Policy 5.1, as currently worded, does not therefore comply with national policy, a key test of “soundness”. The policy should be reworded in line with the above.

iii) Hierarchy of Place

- 6.16 Shenfield is identified as a Category 1 settlement, in addition to Brentwood, Hutton, Warley, Brook Street and Pilgrims Hatch. We support the identified of Shenfield and Brentwood as Category 1 settlements, and thereby under Policy 5.1, are the focus for development. However, we do question the designation of Hutton, Warley, Brook Street and Pilgrim Hatch under the same category.
- 6.17 Shenfield scored highly in the Settlement Hierarchy included within the POLP (July 2013), with Brentwood and Shenfield being identified as the only ‘main town’ settlements in Tier 1 of the settlement hierarchy. The POLP (para 2.13) concluded:

Brentwood and Shenfield offer the most scope to development in accordance with sustainable development principles;

Brentwood and Shenfield are considered sustainable locations for growth, given excellent transport links, access to jobs and services and town centre facilities.

6.18 The DLP (para 5.27) also notes that:

Brentwood and Shenfield offer the most scope to develop in accordance with sustainable development principles.

6.19 In addition, Appendix 1 of the DLP identifies that both Brentwood and Shenfield offer Town Centre and District Shopping Centre retail opportunities.

6.20 Housing should be largely proportionate and appropriate to each settlement and greater in number for the larger settlements that would be able to accommodate, and provide for, sustainable growth.

6.21 Therefore, whilst we do not dispute that the remaining Category 1 settlements (Hutton, Warley, Brook Street and Pilgrims Hatch) are sustainable and can support new development, it should be recognised within the DLP's hierarchy that Brentwood and Shenfield are the most sustainable locations and can accommodate higher levels of growth. It is therefore suggested that Brentwood and Shenfield are defined as Category 1A settlements and the remaining settlements as Category 1B to make this distinction and to also support the approach contained within the spatial strategy (Policy 5.1).

6.22 The allocation of the Site will:

- Make a substantial contribution to meeting local housing need, in an area that is likely to be in high demand following the introduction of Crossrail;
- Contribute towards securing an effective and balanced supply of dwelling types and tenures;
- Contribute toward the continued economic vitality of the settlement.

6.23 Further information on the suitability of the Site for residential development is set out in Section 7.0 of these representations and supporting DFD (March 2016) (**Appendix A**).

iv) Policy 5.2: Housing Growth

6.24 Comments on the proposed housing target are provided in Section 3.0 of these representations.

6.25 Please refer to comments on Policy 6.2 and Policy 7.4 regarding the sequential approach/housing distribution.

v) Density

6.26 The DLP (para 5.42) states that BBC has applied densities to potential development sites taking into account the surrounding development and its form, however has provided for higher densities in the most sustainable locations.

6.27 The NPPF (para 47) allows LPAs to set appropriate housing densities that reflect local circumstances. The CPCNPP (December 2015) recognises that there are significant benefits from encouraging development around new and existing “commuter hubs”. The CPCNPP proposes a change to National planning policy to expect LPAs, in both plan-making and decision-taking, to require higher density development around commuter hubs wherever feasible, which are proposed to be defined as:

- a) A public transport interchange (rail, tube or tram) where people can board or alight to continue their journey by other public transport (including buses), walking or cycling; and
- b) A place that has, or could have in the future, a frequent service to that stop. We envisage defined a frequent service as running at least every 15 minutes during normal commuting hours.

6.28 Currently, Shenfield Railway Station provides a service to London Railway Station approximately every 3 minutes in peak hours. In addition to this, new Crossrail trains will begin to operate between Liverpool Street and Shenfield from May 2017, and a full service (Reading and Heathrow to Shenfield and Abbey Wood) is expected to be operation by December 2019. Bus services run along Chelmsford Road and provide regular links to Brentwood and Chelmsford, and a dedicated cycle route exists along Chelmsford Road. On the basis of the above, it can therefore be concluded that Shenfield would be defined as a “commuter hub”, and for which the CPCNPP proposes to require higher density development.

6.29 We therefore support the approach to focus higher densities in the most sustainable locations. However, such an approach will need to have regard to the existing nature of the Site, including Landscape, Listed Buildings and Topography. It is therefore likely that any medium/large development sites will propose a range of densities across the site, responding to the surrounding area as appropriate as well as housing needs (i.e. family housing etc.).

vi) Appendix 2: Housing Trajectory

- 6.30 As noted within the DLP (paras 5.46), BBC has sought to be realistic about the likelihood of sites coming forward within the housing trajectory contained at Appendix 2. This seeks to deliver development within urban locations in the short term (DLP, page 47). Such an approach is supported.
- 6.31 Notably, the Site is identified to deliver housing in the first 5 years. Appendix 3 identifies 40 dwellings to be delivered in 2018, and 80 dpa thereafter, up to 2025.
- 6.32 A short term delivery of the Site will assist BBC in realising its Strategic Objective no. 7 to optimise the social and economic benefits arising from Crossrail, in operation from May 2017, for the benefit of residents, businesses and visitors to the Borough.
- 6.33 An application (15/01503/FUL) was recently permitted for a temporary change of use of an area of grassland/scrubland to land used in conjunction with the construction and implementation of Crossrail, and internal development, for a period of 2 years and 1 month to facilitate Crossrail works (Decision Notice dated 17 February 2016). It is noted that Condition 3 of the permission requires that, no later than 31 March 2018, the Site shall be returned to the same condition as it was prior to the commencement of development.
- 6.34 There is a possibility that the residential development of the Site could immediately follow the permitted Crossrail works. This would assist in reducing the level of construction necessary on the Site, and therefore reduce the associated impacts to the surroundings. This would be dependent on the timescales for the Local Plan's adoption, a date for which BBC has not currently scheduled. To assist BBC in meeting its development needs, we would seek the submission of an early planning application in respect of the Site. Such an approach should be supported by BBC, albeit it is recognised that, in the context of National Green Belt policy, permission may not be granted until after the adoption of the Local Plan.

vii) Policy 6.1: Sustainable Development

- 6.35 We support Policy 6.1 in that it reflects the context of paragraph 14 of the NPPF.

viii) Policy 6.2: Managing Growth / Policy 7.4: Housing Land Allocations

- 6.36 Policy 7.4 seeks housing proposals to be submitted on allocated sites in accordance with an indicated phasing plan. Policy 6.2 states, in respect of previously developed land (brownfield sites), that this supply of land should be prioritised. In relation to paragraph 6.9, it states that development shall first be directed to suitable and accessible locations.
- 6.37 As noted above, a sequential approach was taken to the selection of sites for future development (DLP Figure 5.4). This approach seeks to encourage the effective use of brownfield land in accordance with National policy. However as identified in Policy 5.2, only 1,296 dwellings can be accommodated on brownfield sites within urban areas. Therefore, in order to meet the housing target, BBC identified additional allocation sites within the Green Belt for residential development.
- 6.38 It should be recognised that whilst the sequential approach was appropriately undertaken for the identification and allocation of development sites, such an approach should not be stringently applied in relation to deliverability.
- 6.39 We support the proposed housing trajectory in Appendix 3, and the identification of the Site's short term delivery (0-5 years) in Appendix 2. However, it would be deemed inappropriate for BBC to delay the delivery of an allocated development site if, for example, other brownfield sites were yet to come forward.
- 6.40 In addition, Policy 7.4 refers to Figure 7.2, which provides a list of housing land allocations namely the site reference, site name and approximate dwelling capacity. The DLP does not seek to provide detail on form, scale and access as required under paragraph 157 of the NPPF. Whilst it is not considered appropriate that a Local Plan is overly prescriptive in terms of development requirements, it is deemed necessary that policies and criteria for each allocation site are provided to assist decision makers in considering development proposals (NPPF, para 154). Equally, an Applicant should be provided with guidance to ensure an appropriate planning application for those sites allocated can be submitted.
- 6.41 It is therefore considered appropriate that the DLP is revised to include individual policies on allocated development sites containing criteria against which subsequent proposals can be assessed. This will ensure that the Local Plan is '**Consistent with national policy**', '**effective**' and therefore "sound" in this regard.

ix) Policy 6.3: General Development Criteria

6.42 DLP Policy 6.3 seeks to outline development criteria against which proposals will be assessed in relation to visual amenity, access, highways, biodiversity and heritage matters.

6.43 As currently drafted, Policy 6.3 wording is not considered to be '**Consistent with national policy**' as per the following:

- Part (a) requires that no unacceptable effect on visual amenity, the character or appearance of the surrounding area;
 - This requirement is not contained within the NPPF. Instead, paragraph 58 directs that policies should ensure development responds to local character, reflect the local surroundings and is visually attractive, whilst not preventing or discouraging appropriate innovation.
- Part (c) seeks to ensure that the transport network can satisfactorily accommodate travel demand generated by a development and would not give rise to "adverse" highway conditions;
 - This wording is inconsistent with the NPPF (para 32), which states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are "severe".
- Part (d) states that developments should have no unacceptable effect on health, the environment or amenity due to the release of pollutants to land, water or air (light, noise pollution, vibration, odour, smoke, ash, dust and grit);
 - This wording fails to take account of the balance within the NPPF (para 109) in that both new and existing development should be prevented from contributing to or being put at unacceptable risk from, or being adversely affect by unacceptable levels of soil, air, water or noise pollution or land instability.
- Part (f) directs that development proposals should take full account of opportunities to incorporate biodiversity;
 - The NPPF (para 118) directs the planning applications should be encouraged to seek opportunities to incorporate biodiversity in and around developments, and therefore it is considered inappropriate to state that proposals "should take full account" of biodiversity opportunities.
- Part (g) advises that when considering the impact of proposals on the significance of a designed heritage asset, greater weight should be given to the assets conservation and enhancement;
 - This is considered to be largely in compliance with the NPPF (para 132), excluding the additional requirement to consider the assets enhancement. In

addition, "greater" should be reworded to state "great" in accordance with paragraph 132. The test to be considered in the NPPF, when considering the impact of a development on the significance of a designated heritage asset, is whether such development would lead to substantial harm to/total loss of a heritage asset's significance (Para 133), or less than substantial harm (Para 134).

- Part (i) states that new developments would be required to mitigate its impact on local services and community infrastructure;
 - This development criteria fails to take acknowledge the NPPF (para 204), in that planning obligations should only be sought where necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.

6.44 It is considered appropriate that Policy 6.3 is revised to take account of the above, to ensure that the Policy wording is reflective of the NPPF.

x) Policy 6.6: Strategic Sites

6.45 Please refer to previous comments on Policy 7.4 above in relation to the deliverability of allocated development sites and allocation policies.

xi) Policy 7.2: Housing Mix, Types and Tenures

6.46 DLP Policy 7.2 requires that developments of 6 or more dwellings, or greater than 0.2 hectares, provide an appropriate mix of dwelling types, sizes and tenures. This element of the Policy is supported where it is consistent with the NPPF (para 50) in requiring LPAs to identify the size, type, tenure and range of housing required in particular locations, reflecting local demand.

6.47 Supporting paragraphs 7.16 and 7.17 makes reference to the Strategic Housing Market Assessment (SHMA) (2013) and its conclusions in respect of particular dwelling sizes that are found to be in need. It is not considered necessary for such supporting text to be included within the Local Plan, in that it summarises the conclusions of the current SHMA, however will not remain up-to-date for the whole Plan period. The latest SHMA and Council's Housing Strategy is referenced within the Policy itself, and which is considered sufficient.

6.48 We question the appropriateness of the Policy's requirement for 5% of dwellings to be suitable and easily adaptable for occupation by the elderly or disabled, and in addition, a minimum of 5% self-build properties. The NPPF is clear that LPAs must assess the cumulative impact of

Local Plan policies on the viability of development. It is unclear from the DLP whether BBC has undertaken viability testing on such requirements.

- 6.49 In addition, we do not consider it appropriate to make reference to Building Regulations within Local Plan policies. BBC cannot require Applicants to comply with any standards other than the Building Regulations and the optional technical standards if these are adopted by the Council. As the Written Ministerial Statement (25 March 2015) states:

From the date the Deregulation Bill 2015 is given Royal Assent⁴, local planning authorities...should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by development.

- 6.50 The Policy also makes reference to imposing Conditions on planning permission to secure the provision of housing types provided in perpetuity and by tenure. Please refer to Section 8.0 in respect of comments on Condition requirements.

xii) Policy 7.5: Affordable Housing

- 6.51 Policy 7.5 requires that a minimum of 35% affordable housing on sites of 11 or more dwellings is sought. In addition, the Policy is very precise on the distribution and design of affordable housing within a development.
- 6.52 In supporting text to Policy 7.5, paragraph 7.57 notes that the SHMA suggests a 35% affordable housing target on "all suitable sites" to be justified, subject to viability and the balance of tenure mix. There is no evidence to demonstrate that BBC has undertaken a viability assessment to establish whether a 35% target is viable. This Policy requirement therefore does not accord with National policy (NPPF, para 173 & PPG, Reference ID: 10-001-20140306) in that sustainable development requires careful attention to viability and costs in plan-making and decision-taking, and therefore the scale of obligations and policy burdens (such as affordable housing) should not be such that development viability is threatened.
- 6.53 Policy 7.5 is not considered '**Consistent with national policy**' in this regard and therefore is not "sound".

⁴ Now enacted.

- 6.54 Part (e) seeks to require affordable housing standards to be equal to that of market housing in terms of appearance, built quality and materials. With regards to building standards and as stated above, Local Plans should not set local technical standards or requirements relating to the construction, internal layout or performance of dwellings. In addition, whilst the external appearance of affordable units can be sought to be indistinguishable from market dwellings, the internal layout is limited to the requirements of the Affordable Housing Provider.
- 6.55 In respect of Part (f), the relationship to viability matters should be noted within the Policy wording.
- 6.56 Part (g) bullet (i) of Policy 7.5 advises that affordable housing should be at a cost low enough for eligible households to afford. This is a matter for an Affordable Housing Provider, to be agreed, and such wording is therefore not considered appropriate in a Local Plan policy. In addition, part (g) bullet (ii) directs that affordable housing should remain at an affordable price for future eligible households. Similarly, this requires agreement with an Affordable Housing Provider or as part of a Section 106 Agreement, and such wording is not considered appropriate in this context.

xiii) Policy 7.8: Housing Space Standards

- 6.57 Policy 7.8 seeks to set out the nationally described space standards within a Local Plan policy. As required by the PPG, LPAs should consider the impact of using such national standards as part of their Local Plan viability assessment (Reference ID: 56-003-20150327). No evidence has been presented to demonstrate this, and no justification is provided on the appropriateness of adopting such standards.

7.0 OFFICER'S MEADOW, SHENFIELD

- 7.1 The Site is allocated within the DLP for 600 dwellings, in addition to the potential for open space, sport uses and/or Crossrail Park and Walk facility. As noted above, these representations are made in respect of Site 034 (20.4 hectares), for which technical work has been undertaken. However due regard has been given to Site 235 and Site 087 through subsequent development proposals.
- 7.2 The Site comprises a series of fields located immediately to the north-east of Shenfield. Historically, the Site has been in agricultural use, but is now mainly rough pasture/scrubland.
- 7.3 Although located within the Green Belt, the Site forms an enclave of open land framed for the most part by existing development and transport infrastructure. As a development opportunity that would have little environmental impact on the locality, the Site benefits from effective physical and visual enclosure. It is well placed to accommodate future development by virtue of its sustainable position in close proximity to Shenfield.

i) SHLAA (October 2011)

- 7.4 'Officer's Meadow, Shenfield' is identified in the SHLAA (October 2011) as a 'Potential Greenfield Site'. The Site (Ref G091) is considered suitable for a medium density typology having a net dwelling capacity of some 500 dwellings.
- 7.5 SHLAA sites are considered to be 'developable' and 'deliverable' if assessed as being 'available', 'suitable' and 'achievable'. As set out in the SHLAA, the Site meets all these criteria:
- **Available – the Site is available now.** There are no insurmountable site constraints or legal/ ownership issues which might prejudice development.
 - **Suitable – the Site is ideally located for accommodating a highly sustainable development.** For the most part it comprises unused scrubland and it is identified in the SHLAA as being located in a sustainable location, close to Shenfield shopping area and rail station. The Site is located on a bus route which provides direct access to the Town Centre. It is enclosed by the Chelmsford Road, woodland and railway lines which place limits on further encroachment into the countryside.
 - **Achievable – the Site is deliverable in the next five years.** The Site is not constrained by any landscape or environmental designations. As a Greenfield site it is not constrained by existing development or activities.

ii) Development Proposals

7.6 The accompanying DFD (March 2016) (**Appendix A**) sets out more detailed information on the development proposals, including a summary of the specialist technical assessments that have been undertaken for the Site and demonstrate that the Site can accommodate residential/mixed use development.

7.7 The DFD sets out consideration of "Development Options" for the Site, including the wider land area, as initial explorative options, in order to demonstrate the potential opportunities that are available. The options included could accommodate approximately 350 – 600 dwellings, and provide positive contribution towards future housing needs in the Borough. There is also the opportunity to provide new/improved community facilities, to benefit new and existing residents.

iii) Green Belt Assessment

7.8 A Preliminary Landscape and Visual Appraisal of the Site has been undertaken, including an assessment of the Site against the 5no. Green Belt purposes (NPPF, para 80).

7.9 The Site is considered to make a very limited contribution to checking the unrestricted sprawl of large built-up areas, due to the following:

- It is bound to the north and south by existing built form and road networks; to the east by woodland and rail infrastructure and to the west by residential built form and the A1023;
- Therefore, the Site has the ability to accommodate residential development without contributing to an increase in the extent of unrestricted sprawl of Shenfield's settlement pattern;
- Due to the Site's position between existing residential properties, development of the Site would not constitute a disorganised nor unattractive extension of Shenfield;
- The vegetated framework within the Site in combination with the residential built form and road infrastructure would form a robust, defensible and permanent edge to development with the Site and legible boundary to the Green Belt.

7.10 The Site is considered to make a very limited contribution in preventing neighbouring towns merging. Notably:

- While development would result in a technical reduction in the distance between Alexander Lane and the residential properties bordering the northern edge of the Site, the perception of separation between these two areas is already weakened by the existing inter-visibility;
- Development of the Site would not alter the distance between Shenfield and Mountnessing as development would not extend any further north-east than the existing ribbon development on the A1023;
- Similarly, the separation distance between Shenfield and Doddinghurst would be maintained as development would not extend further north-west. Given the extent of existing settlement patterns to the east and south of the Site, the Site does not contribute to the prevention of the merging of Shenfield, Brentwood and Billericay.

7.11 The Site is considered to make a very limited contribution to the assisting in safeguarding the countryside from encroachment. Notably:

- The Site is enclosed physically by existing residential development, the A1023 and Alexander Lane;
- While there would be a technical reduction in the extent of countryside as a result of development within the Site, this would be very localised and very minor in extent; being perceived from adjacent to the Site only;
- The audible and visual intrusion of passing motorists along the A1023 and trains on the railway line influence the Site and reduce its perceived countryside characteristics, whilst the vegetation and built forms that enclose the Site limit a visual connection with the wider landscape.

7.12 As there are no historic towns within the vicinity of the Site, the Site is considered not to make any contribution to this purpose of the Green Belt. The development of the Site would not prejudice other derelict or other urban land being brought forward.

7.13 Therefore, the Site makes a very limited contribution to the NPPF (para 80) Green Belt purposes as it is well contained by existing built form and infrastructure, exhibits defined and defensible boundaries and is strongly influenced by the adjoining urban/built elements. Development, set within a robust landscape framework, would provide the opportunity to enhance the existing landscape and biodiversity of the Site whilst maintain defensible and robust boundaries to the Green Belt.

iv) Sustainable Development

7.14 The NPPF sets out three dimensions to sustainable development, these being economic, social and environmental. Paragraph 152 of the NPPF confirms that LPAs should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and deliver net gains across all three.

7.15 The NPPF confirms that pursuing sustainable development involves seeking positive improvements to people's quality of life including:

- Making it easier for jobs to be created in cities, towns and villages; and
- Improving the conditions in which people live, work, travel and take leisure; and
- Widening the choice of high quality homes.

7.16 There are many potential economic, social and environmental benefits which could arise from development at the Site. These include:

- Provision of a wide range of much needed housing in a highly sustainable location;
- Provision of generous areas of public open space;
- Strengthening of Shenfield's vitality and viability;
- Delivery of a significant number of affordable homes;
- Contributions towards improved community facilities;
- Making a substantial contribution to meeting the Borough's overall housing need on a well contained site, thereby protecting more sensitive and visual sites from development;
- The creation of direct construction jobs plus additional indirect jobs; and
- New Homes Bonus payment (over 6 year period) of £2.6M generated by the scheme.

7.17 More specifically, an Economic Benefits Statement undertaken by Barton Willmore (February 2015), based on 500 dwellings, confirms:

- The gross value added (GVA) generated by future residents of the proposals would total approximately **£23.3m per annum** (based on current values and **612** future residents in employment, figures subject to rounding);
- The provision of up to 480 dwellings will also generate convenience goods expenditure of **£2.7m**; comparison goods expenditure of **£4.4m**; and expenditure of leisure goods and services of **£3.6m per annum** (figures subject to rounding);
- BDBC would gain circa **£3.2m** from the New Homes Bonus Scheme;

- There will be **100 jobs** created through the construction of the Site (based on an average delivery of 50 units per annum over a 9 year construction phase). Local workers will be very well placed to take advantage of these opportunities during the build-out period (figures subject to rounding); and
- In addition, Croudace also offers local apprenticeships in carpentry and brick-laying.

v) Deliverability

7.18 The SHLAA (October 2011) recognised the Site's highly sustainable credentials and its suitability for residential purposes. We support the allocation of the Site in the DLP, and also BBC's identification of the Site's delivery within the early stages of the Plan period (0-5 years), thereby contributing towards BBC's housing land supply in the short term.

8.0 OTHER POLICIES

i) Policy 9.5: Listed Buildings

8.1 Policy 9.5 needs to be reviewed in the context of the NPPF, as its current wording is not '**Consistent with national policy**' and therefore not "sound". Notably, the Policy advises that proposals for development affecting or within the vicinity of a Listed Building will only be permitted where these are sympathetic to its character and setting.

8.2 National policy directs that in determining planning applications, LPAs should undertake an assessment of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (NPPF, para 129). Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, a LPA should refuse consent unless the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or if the following apply (para 133):

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

8.3 Alternatively, where a proposals leads to less than substantial harm to a designated heritage asset's significance, this harm should be weighed against the public benefits of the proposal (NPPF, para 134).

ii) Policy 9.12: Site Allocations in Green Belt

8.4 Policy 9.12 states that the sites allocated within the Green Belt will be expected to provide "significant" community benefits. In addition, the DLP (para 9.75) seeks to justify this requirement by stating that the loss of Green Belt is to be "repaid" through significant benefits to new and existing communities. This wording is not considered appropriate.

8.5 For the Policy to be '**Consistent with national policy**' (NPPF, para 204), planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

8.6 As detailed in Section 6.0, it is considered necessary that policies and criteria are provided for each allocation site. This will assist both the Applicant (in providing an appropriate development proposal) and decision makers (in considering a subsequent application). With regard to the above, such policies can identify new community benefits (including Use Classes) sought as part of new residential developments, to provide certainty on what deliverability expectations are.

iii) Policy 10.1: Sustainable Transport

8.7 Policy 10.1 seeks developer contributions for improvements to links from new development to key destinations and the wider network.

8.8 Reference should be made to the NPPF (para 204) and the tests of planning obligation, as outlined above, to ensure that the Policy is '**Consistent with national policy**'.

iv) Paragraph 10.27: Water Conservation

8.9 It is noted within this paragraph that the Code for Sustainable Housing has been withdrawn, however water conservation measures are sought. As per the Written Ministerial Statement in Section 6.0, Local Plans should not set any additional local technical standards or requirements relating to the performance of new dwellings. This requirement should therefore be removed to be '**Consistent with national policy**'.

v) Policy 10.6: High Quality Design Principles

8.10 It is considered that requirements contained within Policy 10.6 are sought to be addressed elsewhere in the DLP, and therefore can be removed for this Policy wording. Notably:

- Part (g) – Policy 9.5 addresses designated heritage assets, notwithstanding the comments made above;
- Part (n) – Policy 10.4 considers the quality and design of new developments; and

- Part (p) – Policy 10.3 concerns sustainable construction and energy requirements.

vi) Policy 10.8: Open Space in New Development

8.11 The supporting paragraph (para 10.45) to the DLP states that BBC will seek at least 15% of a development site to be set aside for public open space. However, no justification or relationship to evidence work is provided in relation to this and therefore is required before the Policy can be deemed to be **'Justified'**.

vii) Policy 10.11: Air Quality

8.12 In respect of air quality measures, Policy 10.11 states that BBC will expect development proposals to “reduce” sources of air pollution.

8.13 As noted above, the NPPF (para 204) requires planning obligations to be necessary to make the development acceptable, directly related to the development, and fair and reasonable in scale and kind. It is therefore considered beyond the remit of a planning application, for air pollution to sought to be reduced. Development proposals should mitigate against its own adverse development impact only. The Policy as currently worded is therefore not considered **'Justified'**.

viii) Planning Application Requirements

8.14 It is noted that a number of DLP policies set out specific requirements for planning applications, for example Policy 7.2, Policy 10.1, Policy 10.3, Policy 10.13 and Policy 10.15.

8.15 LPAs are required to publish a list of information requirements for planning application, proportionate to the nature and scale of the development proposals and reviewed on a frequent basis. National policy notes that local information requirements have no bearing on whether a planning application is valid unless they are set out on such a list. Such requirements should not therefore be included within policies. (NPPF, Para 193 & PPG, Reference ID: 14-038-20140306).

ix) Conditions

8.16 The DLP makes reference to the use of Conditions on planning permissions, namely Policy 7.2, Policy 7.7, Policy 9.2, Policy 9.9, Policy 9.13, Policy 9.14 and Policy 10.12.

- 8.17 It should be noted that National policy (NPPF, para 206) states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development as permitted, enforceable, precise and reasonable in all other respects.

9.0 CONCLUSION

- 9.1 In accordance with National policy, plan making is a two-stage approach which first requires the full OAN to be identified, and secondly requires an exercise of planning judgement as to whether the policy constraints in the NPPF carry the consequence that the OAN should not be met.
- 9.2 The DLP document, under Policy 5.2, sets a housing requirement of 362 dpa for the Plan period (2013-2033) equating to 7,240 additional dwellings in total. BBC must be satisfied that it has identified the full OAN ("Policy off") for the Borough as the first stage in determining the housing requirement. It must then assess, as the second "Policy on" stage, whether (and, if so, to what extent) other policies dictate or justify constraint in the ability to meet such needs.
- 9.3 A sequential approach was taken to the selection of sites for future development (DLP Figure 5.4). This approach seeks to encourage the effective use of brownfield land in accordance with National policy. However as identified in Policy 5.2, only 1,296 dwellings can be accommodated on brownfield sites within urban areas. BBC therefore, and with regards to the spatial strategy, identified additional allocation sites within the Green Belt for residential development, including Officer's Meadow in Shenfield, in order to meet its housing target.
- 9.4 Whilst we support the release of the Site from the Green Belt, we note that the DLP does not make explicit reference to "exceptional circumstances" and does not set out whether BBC considers that the test for "exceptional circumstances" has been met, requiring alterations to Green Belt boundaries (NPPF, para 83).
- 9.5 We consider that "exceptional circumstances" exist to release Green Belt sites, as included within the DLP. A suggested "exceptional circumstances" assessment is contained in these representations. However, in order to support such a conclusion it is necessary for BBC to undertake a Borough-wide Green Belt review.
- 9.6 Shenfield represents one of the two most sustainable settlements in the Borough, and is recognised as a sustainable location for future growth. Shenfield's sustainability will be increased considerably following the arrival of Crossrail. It is therefore considered that a suitable amount of future housing growth should be allocated to Shenfield in the emerging strategy.

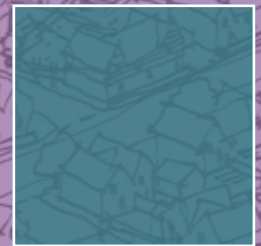
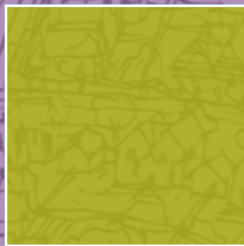
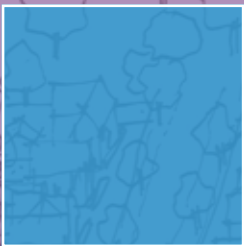
- 9.7 The release of the Site from the Green Belt will allow for the creation of a sustainable development, in line with the NPPF. The Site makes a very limited contribution to the NPPF (Para 80) Green Belt purposes as it is well contained by existing built form and infrastructure, exhibits defined and defensible boundaries and is strongly influenced by the adjoining urban/built elements.

APPENDIX A

OFFICER'S MEADOW, SHENFIELD DFD (MARCH 2016)

OFFICERS MEADOW SHENFIELD

Development Framework Document | March 2016





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1. INTRODUCTION

PURPOSE OF THE DOCUMENT

This document has been prepared on behalf of Croudace Homes, to accompany written representations (Barton Willmore, March 2016) to Brentwood Borough Council's (BBC) Regulation 18 Draft Local Plan (DLP, January 2016). 'Officer's Meadow, Shenfield' (hereafter referred to as 'the Site') forms part of a proposed allocation within the DLP for 600 dwellings, in addition to the potential for open space, sport uses and/or Crossrail 'Park and Walk' facility.

The Site Allocation Maps (January 2016) which support the DLP include 3no. sites in the proposed allocation. It should be noted that Croudace Strategic has controlling land interest in Site 034 only, and therefore whilst development proposals have taken sites 235 and 087 into account, this document is in respect of Site 034.

Barton Willmore submitted representations on behalf of Croudace Homes to the SGOC (January 2015), including a previous iteration of this document, in order to demonstrate the suitability of the Site for Green Belt release.

Since this submission, further site specific work has been undertaken. This includes further technical work, and the consideration of further "development options" for the Site. These are initial explorative options to demonstrate the potential opportunities that are available through the Site's allocation for development.

The options included could accommodate approximately 350-600 dwellings, and provide significant and positive contribution towards future housing needs in the Borough. These could be delivered in the short term. There is also the opportunity to provide new/improved community facilities, to benefit new and existing residents.

SITE DESCRIPTION

The following description excludes the "potential additional land" areas set out within Section 8 of this document.

The Site is circa 20.6 ha and lies to the north east of Shenfield, within the Green Belt, as defined by BBC's Local Plan Proposals Map (2005).

The Site is greenfield and comprises a series of fields enclosed by a combination of hedgerows with mature trees, woodland and residential properties. The Site was formerly in agricultural use but is now mainly rough pasture/scrubland, although the field in the southern part of the Site remains in limited farming use. The eastern part of the Site (approximately 1.55 ha) comprises a belt of Ancient Woodland now separated from the original Arnold's Wood by the railway. A Public Right of Way (PRoW FP 272_86) passes along the eastern edge of the Site in a north-south direction, linking Alexander Lane and Chelmsford Road.

The Site is bound by Chelmsford Road (A1023) to the north-west and a ribbon pattern of residential properties with long gardens to the north. Arable farmland and the elevated Great Eastern Main Line/Southend railway line form the eastern boundary. The most southerly field has a frontage of approximately 100m to Alexander Lane. The southern-most sections of the Site adjoin Shenfield High School playing fields.

Anglian Water (AW) owns an unkempt, largely overgrown area of land which borders the south-eastern part of the Site. It is understood that the AW land functions as a Flood Detention Basin associated with the stream, which flows east-west through and alongside the southern parts of the Site before outfalling to watercourses beyond the Chelmsford Road. The stream is essentially a valley floor in the local landscape context and marks the low point of the Site, with the landform rising from this part of the Site to the northern and southern boundaries.

An application (15/01503/FUL) was recently permitted for a temporary change of use of an area of grassland/scrubland to land used in conjunction with the construction and implementation of Crossrail, and internal development, for a period of 2 years and 1 month to facilitate Crossrail works (Decision Notice dated 17 February 2016). It is noted that Condition 3 of the permission requires that, no later than 31 March 2017, the Site shall be returned to the same condition as it was prior to the commencement of development.

DOCUMENT CONTENT

The remainder of this document provides:

- An overview of Croudace Homes and its ethos as a high quality housebuilder throughout the south east of England (Section 2);
- An assessment of existing local amenities and connections, and existing settlement patterns and character (Section 3);
- Planning Policy Context, including Green Belt release (Section 4);
- An appraisal of the Site, including initial technical studies, which demonstrates that the Site is suitable for development (Section 5). This includes a Site specific Green Belt assessment;
- Outline the constraints and opportunities of the Site that formed the technical basis of the potential development options (Section 6);
- Information on the potential options for development and the estimated dwelling capacity of each option against varying densities (Section 7);
- A summary of the potential Social and Economic Benefits of the proposed development (Section 8); and
- Suggested way forward (Section 9).

Overall, the document demonstrates that the Site is suitable for development and should be included as a Strategic Green Belt allocation in future revisions of the Local Plan.

Rear Gardens of Neighbouring Properties



Ancient Woodland



Figure 1.1 Site Aerial Plan

2. CROUDACE HOMES

Croudace Homes is a family owned house building company operating in both the private and public housing sectors throughout the south east of England. Its philosophy is to create homes of the highest quality backed up with a first class customer service, regardless of value or tenure.

A successful, family owned business

Established in 1946, Croudace Homes remains steadfastly privately owned, the sole shareholders being the children and grandchildren of the founder. This is unusual for a company of this size and gives it a significant advantage over its competitors.

Croudace is ranked in the top three most successful house-building companies in the south of England in terms of turnover, profitability, quality and customer service.

Being a family owned business, a rare and genuine ethos of care is evidenced in every aspect of the company.

The company is proud of its history and traditional values – but the modern, stylish homes it produces are completely up-to-date and feature the latest home comforts. Croudace has a well-earned reputation as a producer of fine homes of excellent design, high build quality and contemporary internal specification.

A wide choice of housing

Croudace Homes offers an ever-widening range of homes, from affordable starter homes and apartments through to town houses and luxury family homes with up to six bedrooms in both traditional and contemporary architectural styles suited to the location of the site.

In 2015, Croudace Homes completed the sale of 407 dwellings. This included 120 sales of affordable homes to Registered Providers made under the provisions of Section 106 planning arrangements on private sale sites.

Approximately £12k per dwelling was paid in community contributions, totalling £5.7M for the year.

Attention to detail

Great attention is given to detail; both internal and external design, the specification of fixtures and fittings and an exceptional finish. This applies to the buildings and their landscaping to create attractive, viable and sustainable dwellings to serve the long-term needs of customers. The in-house design team's top priority is to achieve best value for customers; but thoroughly testing high quality products, that ensure that they not only look good but are thoroughly fit for purpose, rather than simply choosing to a budget.

Quality is paramount

Reputations for quality and service are hard earned. Croudace has a clear objective to remain in the upper echelons of those building high quality homes to suit the needs of a range of households. It was pleasing that in its first inclusion in the high profile annual survey conducted by the NHBC/HBF (having previously been excluded on volume thresholds) Croudace secured the maximum 5 star rating, and is delighted to have repeated their success for the third year running in the most recent awards for 2015.

Further independent recognition of high standards came from NHBC and Local Authority Building Control awards for build quality. In addition, Croudace won 'Best Family Home' for the second running at the prestigious London Evening Standard New Homes Awards; and two Site Managers won national quality awards for their work.



Developing communities with a sense of place

Croudace developments are designed to be communities with a real sense of place; attractive, safe and enjoyable environments in which to live.

The company contributes to local needs to create thriving neighbourhoods rather than simply housing estates. It takes its responsibility towards the immediate and wider community seriously, incorporating play and sports facilities, hosting community fun days and events, sponsoring local organisations and raising money for local charities – all part of its commitment to making a Croudace Homes' development a desirable and social place to make a home.

Staff and Training

Croudace acknowledges that there is a skills shortage in the construction sector and as a Company believes it has a responsibility to encourage young people into the industry. It is actively involved with the HBF in a number of areas at senior level, and contributes in initiatives to invest and encourage apprentices, graduates and school leavers into house building and more widely construction.

The 5% Club aims to encourage, train and invest in the future generation which fits very well with Croudace's ethos, vision and values. Croudace was keen to be part of this group, to network with other likeminded companies, share ideas and lobby relevant bodies where appropriate.



Since becoming a member it has exceeded the 5% target with 11% of its employees on sponsored programmes of some kind. It invests heavily in training and has structured programmes that are either two, three or four years in duration (depending on discipline and level) where apprentices and graduates are allocated a mentor and training programme specific to them.

3. SITE CONTEXT AND OPPORTUNITY

The DLP sets out a settlement hierarchy for the Borough. It identifies Shenfield as a Category 1 settlement and correctly recognises that, alongside Brentwood, Shenfield should be the focus for development (Policy 5.1).

Shenfield also scored highly in the Settlement Hierarchy within the previous POLP (July 2013), with Brentwood and Shenfield being identified as the only ‘main town’ settlements in Tier 1 of the settlement hierarchy and therefore offer the most scope for sustainable development, with a range of shopping, employment areas, secondary schools, health and leisure facilities, supported by shopping centres around the rail station and other local shopping parades.

LOCAL SERVICES AND AMENITIES

The centre of Shenfield is an ‘important local centre’ (as defined in the adopted Local Plan 2005), and contains a wide range of retail and leisure outlets.

There is a public library in Hutton Road, two dental and two doctor’s surgeries within a 2km radius of the Site. In addition, six places of worship, four play areas and six parks/open spaces exist within a 2km radius of the site.

There are six primary schools within a 2km radius of the Site and four secondary schools within a 4km radius of the Site.

According to the Commissioning School Places in Essex (2015-2020) there will be 765 surplus secondary school places by 2019-20 at Shenfield High School, located adjacent to the Site. The projections take account of new housing (i.e. the estimated phasing of housing developments published by each Local Planning Authority in its housing trajectory figures). The document notes that housing requirements should be treated with caution as they will be subject to potential amendment through the period 2013 to 2018, as some housing requirements have not been subject to formal adoption by LPA’s. If necessary, the proposed development would provide a financial contribution towards the improvement of primary schools within the catchment.

Shenfield Local Centre



Shenfield Library



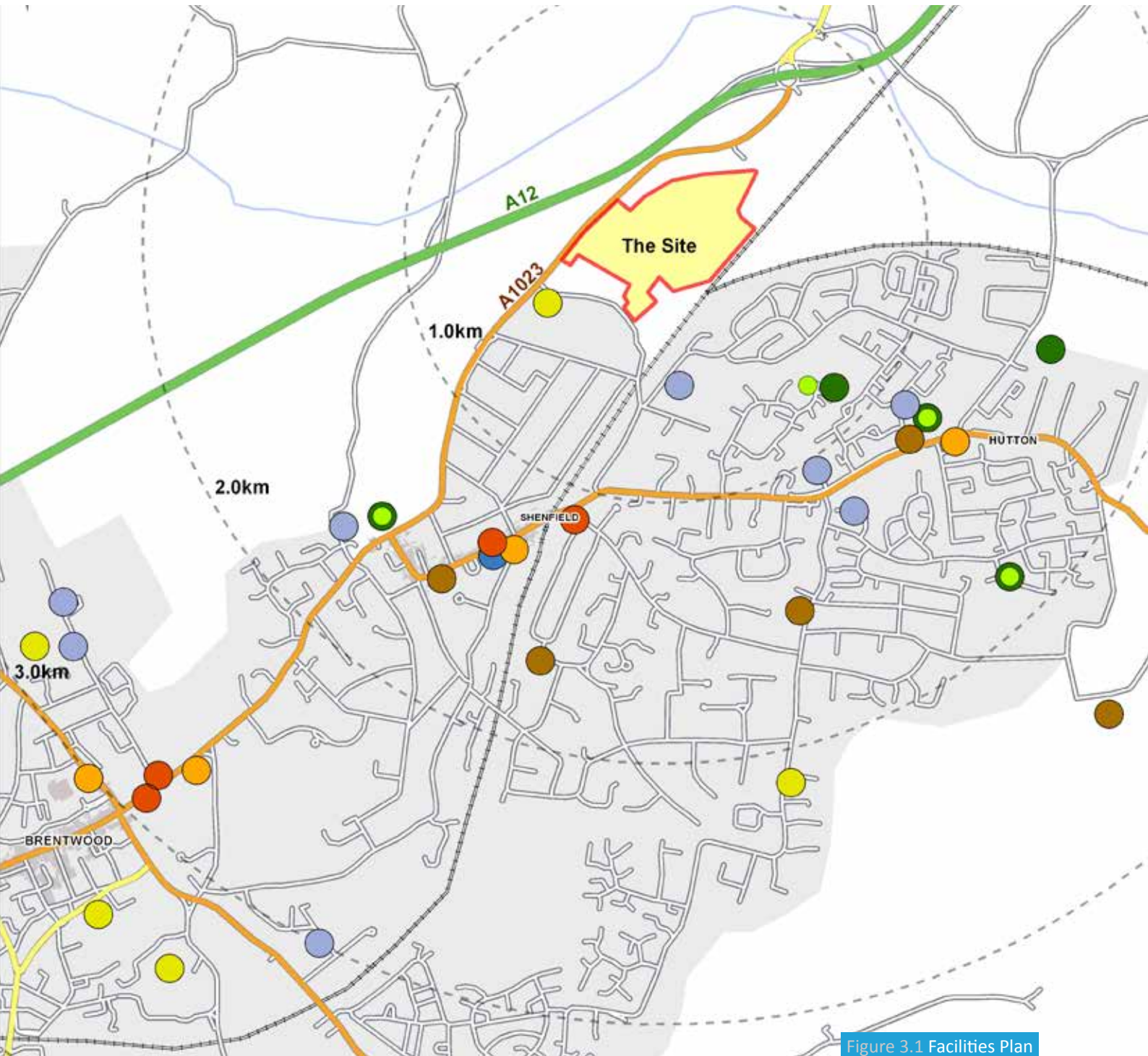


Figure 3.1 Facilities Plan

- | | |
|------------------|-----------------------|
| Primary School | Place of Worship |
| Secondary School | Library |
| GP Surgeries | Play Area |
| Dental Practices | Parks and Open Spaces |

ACCESSIBILITY

Shenfield is closely linked with Brentwood to the south and the settlement centre lies only 2.4km miles apart (Figure 3.1). The Site has direct access to Chelmsford Road (A1023) and is less than ½ mile from the roundabout junction with the A12, which in turn is only 4 miles from Junction 28 on the M25.

Shenfield Station is just over a 10 minute walk from the Site. Frequent and fast trains are available providing an excellent service to Liverpool Street Station, London in 23 minutes.

Such services are likely to be significantly improved when Crossrail is fully implemented. Shenfield is set to become the eastern terminus of the 118km Crossrail route, which will cross central London in tunnel, terminating at Maidenhead to the west. Crossrail is likely to transform the way people travel in London and the South-East and its completion would inevitably have positive implications for Brentwood/Shenfield.

Bus services run along the Chelmsford Road and provide regular links to Brentwood and Chelmsford. A dedicated cycle route exists along the Chelmsford Road which links the Site with Brentwood and Shenfield to the south. As previously mentioned a public footpath traverses the Site.

ENHANCING LOCAL SERVICES AND AMENITIES

All the above demonstrates that the Site has strong accessibility credentials, and it is a highly appropriate location for further development to meet the Borough's housing needs.



The increase in residents created through the development of the site will bring substantial social and economic benefits to the area, as well as the existing local services and amenities. This is explored further in Section 8.

The development of the Site also offers the potential to provide further community facilities, or, where relevant/necessary, contribute towards their enhancement. This is explored further in Section 7.

EXISTING DENSITIES

Whilst the existing densities within Shenfield are relatively low, the NPPF requires LPAs to set their own approach to housing densities to reflect local circumstances. Whilst existing local character is an important consideration, other 'local circumstances' and policy considerations also need to be considered:

- Optimising the potential of Sites to accommodate development and make efficient use of land;
- Sustainability of the area and the level of accessibility to local facilities and public transport;
- The conclusions of Site specific technical work.

DCLG are currently consulting on proposed changes to the NPPF until 22 February 2016. The Government is proposing a change in the NPPF that would expect LPAs, both in plan-making and in decision-taking, to require higher density development around commuter hubs wherever feasible. Shenfield would be classed as a commuter hub, in accordance with the proposed definition, as it is a place which will have a service running at least every 15 minutes during normal commuting hours, and indeed Crossrail will run 12 trains per hour at peak times from Shenfield station. Subject to the outcome of the consultation, the development of the Site could provide an opportunity to encourage development in well-connected areas and take advantage of the availability of new transport infrastructure through the arrival of Crossrail.

Section 9 sets out further information on proposed densities.

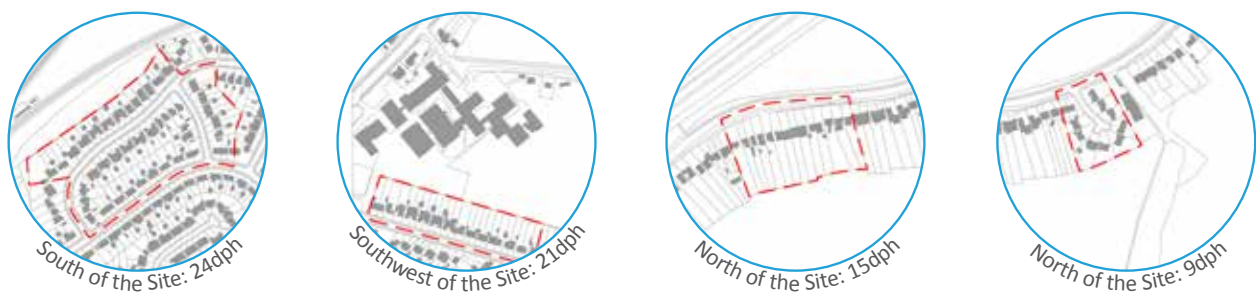


Figure 3.3 Existing Densities



Figure 3.4 Crossrail Route Plan

4. PLANNING POLICY CONTEXT / GREEN BELT RELEASE

STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT

BBC's SHLAA (October 2011) and subsequent preferred options site assessment (2013), both conclude that the Site is suitable for development in the short term (5-10 years). Furthermore, the initial site specific technical work summarised within this document supports BBC's conclusions, and collectively they demonstrate that the site is 'suitable' 'available' and 'achievable'. The Site is therefore considered 'Deliverable'.

MEETING HOUSING NEEDS

As set out in Section 1, this document is submitted to BBC's Regulation 18 Draft Local Plan, and accompanies written representations (Barton Willmore, March 2016).

The DLP document, under Policy 5.2, sets a housing requirement of 362 dpa for the Plan period (2013-2033) equating to 7,240 additional dwellings in total. BBC has undertaken a sequential approach to the selection of sites for future development. This approach seeks to encourage the effective use of brownfield land in accordance with National policy. However as identified in Policy 5.2, only 1,296 dwellings can be accommodated on brownfield sites within urban areas. BBC therefore, identifies additional allocation sites within the Green Belt for residential development, including the Site, in order to meet its housing target.

GREEN BELT

Section 9 of the NPPF considers the protection of Green Belt land, in that its fundamental aim is to prevent urban sprawl by keeping land permanently open in order to maintain the essential Green Belt character of openness and their permanence. The NPPF (para 80) states that the Green Belt is intended to serve five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 83 of the NPPF states that Green Belt boundaries, once established, should only be altered in exceptional circumstances, **through the preparation or review of Local Plans.**

The Site is assessed against the “five purposes” of the Green Belt, in the following Section. This assessment demonstrates that the Site could be released from the Green Belt without significant impacts on its purpose.

5. SITE APPRAISAL

The site is assessed against the “five purposes” of the Green Belt, in the following section. This assessment demonstrates that the site could be released from the Green Belt without significant impacts on its purpose.

LANDSCAPE AND VISUAL

A Preliminary Landscape and Visual Appraisal (LVA) of the Site and its surroundings has been carried out during December 2015 to assess the existing landscape character and visual context of the Site; relevant landscape policies and character assessments and the opportunities and constraints of potential residential development.

In summary, LVA concluded:

- The Site is considered to have the capacity for residential development as it is not covered by any national, regional or local landscape designations;
- The Site is very well contained in relation to the surrounding landscape by existing residential built form, road and rail infrastructure and vegetation;
- The proximity to existing residential dwellings, transport corridors and the Anglian Water facility has already eroded the agricultural character of the Site and results in an urban fringe character to the Site;
- Where visible, the Site is seen in the existing context of the surrounding residential settlement patterns;
- There is an existing vegetation structure within the Site which can form the basis of a new landscape framework and a Green Infrastructure layout;
- While there are a number of trees within the Site covered by Tree Preservation Orders (TPO 27/96) and Ancient Woodland, development can incorporate these features by being offset from their root protection areas;
- Development within the Site would need to be set within a robust landscape framework to soften and integrate the new built form; and
- Development on the Site would not have a detrimental impact on the surrounding landscape and visual amenity generally.

GREEN BELT ASSESSMENT

The LVA also includes an assessment of the Site in relation to the Green Belt purposes stated in Paragraph 80 of the NPPF (as set out in Section 4).

The Site is considered to make a very limited contribution to **checking the unrestricted sprawl of large built-up areas**, for the following reasons:

- It is bound to the north and south by existing built form and road networks; to the east by woodland and rail infrastructure and to the west by residential built form and the A1023.
- Therefore, the Site has the ability to accommodate residential development without contributing to an increase in the extent of unrestricted sprawl of Shenfield's settlement pattern;
- Due to the Site's position between existing residential properties, development of the Site would not constitute a disorganised nor unattractive extension of Shenfield.
- The vegetated framework within the Site in combination with the residential built form and road infrastructure would form a robust, defensible and permanent edge to development within the Site and a legible boundary to the Green Belt.

The Site is considered to make a very limited contribution in **preventing neighbouring towns merging**. Notably:

- While development would result in a technical reduction in the distance between Alexander Lane and the residential properties bordering the northern edge of the Site, the perception of separation between these two areas is already weakened by the existing inter-visibility;
- Development of the Site would not alter the distance between Shenfield and Mountnessing as development would not extend any further north-east than the existing ribbon development on the A1023;
- Similarly, the separation distance between Shenfield and Doddinghurst would be maintained as development would not extend further north-west. Given the extent of existing settlement patterns to the east and south of the Site, the Site does not contribute to the prevention of the merging off Shenfield, Brentwood and Billericay.

The Site is considered to make a very limited contribution to the **assisting in safeguarding the countryside from encroachment**. Notably:

- The Site is enclosed physically by existing residential development, the A1203 and Alexander Lane;
- While there would be a technical reduction in the extent of countryside as a result of development within the Site, this would be very localised and very minor in extent; being perceived from adjacent to the Site only;
- The audible and visual intrusion of passing motorists along the A1023 and trains on the railway line influence the Site and reduce its perceived countryside characteristics, whilst the vegetation and built forms that enclose the Site limit a visual connection with the wider landscape;

As there are no historic towns within the vicinity of the Site, the Site is considered not to make any contribution to this purpose of the Green Belt. Should the Site be brought forward for development, then it would not prejudice other derelict or other urban land being brought forward.

Therefore, the Site makes a very limited contribution to the NPPF Paragraph 80 Green Belt purposes as it is well contained by existing built form and infrastructure, exhibits defined and defensible boundaries and is strongly influenced by the adjoining urban / built elements. Development, set within a robust landscape, framework would provide the opportunity to enhance the existing landscape and biodiversity of the Site while maintain defensible and robust boundaries to the Green Belt.

ECOLOGY

As set out above, Ancient Woodland is present in the north east corner of the Site. This forms part of Arnolds Wood Local Wildlife Site, the majority of which lies to the other side of the railway line. There are no other identified statutory or non-statutory ecological designations present within the Site.

A Phase I preliminary habitat survey has been carried out on the Site. Further Phase II studies will be carried out as necessary. Opportunities are available for habitat creation and faunal enhancement such that the proposals have the potential to give rise to net gains for biodiversity.

ACCESS AND CIRCULATION

A preliminary appraisal of the potential vehicular access strategy has been undertaken. It is envisaged that the principal vehicular access will be provided from Chelmsford Road (A1023) and that subject to more detailed investigations a secondary/emergency access could be provided onto Alexander Lane.

Essex County Council has been consulted upon the principles of access and this is reflected in the proposals. A future Transport Assessment will have regard to the preliminary consultation with ECC and the Highways England, and would follow national guidance.

A sequence of proposed pedestrian and cycle routes will provide connections to local services, amenities and bus stops and will enhance and complement existing routes, and connect into the exiting PROW network.

FLOODING AND DRAINAGE

A small part of the Site adjoining Chelmsford Road lies within the Environment Agency Flood Zones 2 and 3. However the majority of the Site lies within Flood Zone 1 where there is the lowest probability of flooding and where new development should be steered.

A preliminary drainage strategy will be prepared, which will involve the controlled discharge of surface water to existing watercourses and connection to existing public foul mains. Studies are ongoing, but in terms of foul drainage, Anglian Water has confirmed no capacity issues with the existing network. Further studies will confirm if any further upgrades are required in order to accommodate the proposed development.

ARCHAEOLOGY

An Archaeological Desk-Based has been undertaken and concludes that apart from a Second World War bomb crater there are no records detailing heritage assets within the Site. However, given the proximity of a Roman Road, there is potential archaeological interest within the Site which might warrant further more intrusive investigation.

NOISE

A noise level survey has been undertaken. Railway noise and road traffic noise from the Chelmsford Road and the A12 does have an impact on noise levels, but all of the Site lies within either (former) noise exposure Category A or Category B. There is therefore only limited need for noise mitigation measures, and these will be taken into account through the design process for the Site.



6. CONSTRAINTS AND OPPORTUNITIES

From the above and the LVA the identified constraints of development of the Site are:

CONSTRAINTS

- Green Belt designation covers the whole Site; however the Site is considered to make a very limited contribution to the stated Green Belt purposes, due to the enclosure by existing built form, road and rail infrastructure;
- The sloping landform across the Site, which may require localised cut and fill to integrate new built form;
- While the Site is generally well contained from within the wider landscape, there are close range views from adjoining roads/residential back gardens; however the Site is seen within the context of existing built form and the incorporation of a new landscape framework would aid in softening and integrating the new built form;
- Existing vegetation: Ancient Woodland/County Wildlife Site. Mature trees (TPOs) on the Site; however the development can incorporate and enhance these features;
- Public Right of Way: FB86 crosses the eastern edge of the Site and can be incorporated as part of the new Green Infrastructure framework;
- Anglian Water access to Flood Detention Basin;
- Watercourses;
- Flood Zones 2 and 3: Slight impact;
- Rear gardens of neighbouring residential properties along boundary: Sensitive edge; to which the development can respond positively through new planting along this boundary; and
- Potential noise: From railway line and Chelmsford Road.

OPPORTUNITIES

- Proximity of new housing to Shenfield local centre. Provide new green links through the Site (pedestrian/cycleways) connecting to the north/south public right of way, Chelmsford Road and Alexander Lane;
- Affordable housing (inc Starter Homes) and family market housing;
- New areas of open space and play facilities to be shared by the local community as part of a new Green Infrastructure framework;
- Watercourses: potential green corridor/SUDS;
- Enhance structural landscape (trees/vegetation) across the Site using native species to enhance biodiversity;
- Retain existing mature trees, Ancient Woodland and TPO trees as key features for creating a series of green spaces across the Site; and
- Improved connectivity and contributions to existing public transport facilities through a sustainable Travel Plan;



Figure 6.1 Constraints & Opportunities Plan

- | | | | | | |
|--|--------------------------------------|---|----------------------------|--|--|
|  | Site Boundary |  | Green Belt ^^ |  | New native planting to provide landscape screening and structure |
|  | Existing Water Courses ^ |  | Listed Buildings ~ |  | Existing vegetation to be retained and enhanced |
|  | Contours/Spot Heights (Metres AOD) ^ |  | Ancient Woodland # |  | Potential open space |
|  | Public Rights of Way * |  | Tree Preservation Order ** |  | Partial Views |
| | |  | High / Medium Flood Zone |  | Potential residential development areas, set within a robust landscape framework and offset from root protection areas |

7. DEVELOPMENT OPTIONS

OVERVIEW

A number of explorative development options have been produced to demonstrate the potential opportunities that are available as part of any development of the Site. The wide range of options seek to demonstrate to BBC the opportunities that are available, which could be secured through the Local Plan development allocation.

The Options set out could accommodate between circa 350-600 dwellings, dependent of densities/uses/layout proposed, and could therefore make a significant and positive contribution towards meeting future housing needs in the Borough, in the short term. The development could also provide a number of community facilities.

This scale of development gives rise to an increased need for education provision, inc Primary school places. Following discussions with Shenfield High School, which are to be maintained, it is also understood that there is a desire to enhance existing sports/recreational facilities. These two considerations present an opportunity to provide for a new Primary school within the area, and deliver a cohesive development that incorporates the existing School and Borough playing fields to the south/west of the Site, in order to comprehensively provide for improved recreational facilities alongside a new Primary School.

Two of the four options set out below therefore include “potential additional land”, as follows:

- School Playing Fields- circa 6.7ha
- BBC Playing Fields- circa 1.65ha

These options will therefore provide either:

- improved recreational facilities to serve Shenfield High School as part of the proposed development; or
- a new primary school, to create a “through school” with the existing High School. This would include dual-use, new and improved recreational facilities.
- These options would maximise the number of units capable of being delivered as part of the development, meaning there is less reliance on the development of other less sustainable sites in order for BBC to meet its housing requirements.

SITE DESIGN PRINCIPLES

All options are based on a number of key design principles, which are set out below.

- Provide a sustainable development on the edge of Shenfield with safe pedestrian/cycle connections to the centre as well as to nearby schools, minimising the need for car journeys and promoting a healthy, active lifestyle.
- Deliver high quality family housing that reflects the ethos of Croudace Homes.
- Integrate the development into the existing landscape and adopt an environmentally sensitive approach, minimising the impact on the surrounding Green Belt and adjacent County Wildlife Site.

- Provide an enhanced green link north/south through the Site and a series of interlinking green spaces aligned east/west.
- Provide a distinctive, high quality development in terms of individual buildings, urban form and spaces, which draws on the traditions of the area.
- Create a safe and attractive place in which to live, which fosters a sense of community.
- An east/west green corridor across the Site, linking the existing public footpath to Chelmsford Road and comprising a multifunctional open space alongside the stream. This linear open space could accommodate surface water attenuation basins and provides an opportunity for enhanced biodiversity and informal recreation.
- A substantial north/south green corridor along the eastern edge of the Site which includes the ancient woodland, the East Field, two main groups of TPO trees (G2&G3) and the public footpath.
- New access road from Chelmsford Road.
- Reinforcement of existing hedgerow/tree screen along northern boundary to preserve the privacy of neighbouring residential properties fronting Chelmsford Road.
- Subject to detailed design, density of development will vary across the Site with higher densities in the central and southern parts of the Site and lower density housing on the northern part.
- The existing mature trees will be retained and protected, providing a mature, attractive setting for the development. The spaces around these trees will be designed as informal open space and play areas to encourage a variety of outdoor activities for all ages.

DEVELOPMENT OPTIONS

The overall deliverability of the Site will depend on the detailed layout, proposed uses and proposed densities. The density of the development will vary across the Site responding to the character of Shenfield and identified constraints and opportunities. It is envisaged that higher densities could appear in the central and southern parts of the Site, and lower density housing in the northern part. The density will also take account of National and local policies at the appropriate time.

The 4 No. Development Options are illustrated below/opposite, along with the key development components and net density ranges for each Option. Net density is based on the developable area, excluding areas of open spaces, landscape buffer and drainage features. Whilst the net density would be higher than neighbouring development, the overall gross density would only be between 16 and 23 dph because of the provision of significant areas of open space on the Site.



A12

Chelmsford Road A1023

Pen Close

School Playing Field

Anglian Water

Alexander Lane

Shenfield High School

Shenfield Railway Station

stream

OPTION 1

The illustrative Masterplan demonstrates how the Site could be developed and sets out the main design principles for access (vehicular and pedestrian), developable areas, open space and landscape strategy.

- Provision of circa 360 to 480 dwellings;
- Proposed Green Link to Alexander Lane;
- Proposed areas of open space/landscape buffer;
- Provision of a NEAP and potential Local Centre/Community Facility.

Developable Area	Density in dph		
	30	35	40
12ha	360	420	480

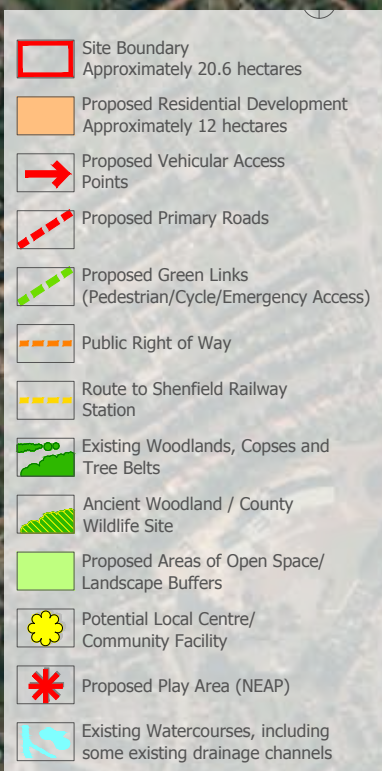


Figure 7.1 Option 1



Chelmsford Road A1023
A12

Fen Close

School Playing Field

Anglian Water

Alexander Lane

Shenfield High School

Shenfield Railway Station

OPTION 2

- Provision of between approximately 333 and 444 dwellings;
- Provision of Park and Stride to accommodate between 260 and 310 parking spaces;
- Proposed Green Link to Alexander Lane;
- Proposed areas of open space/landscape buffer;
- Provision of a NEAP and potential Local Centre/Community Facility.

Developable Area	Density in dph		
	30	35	40
11.1ha	333	389	444

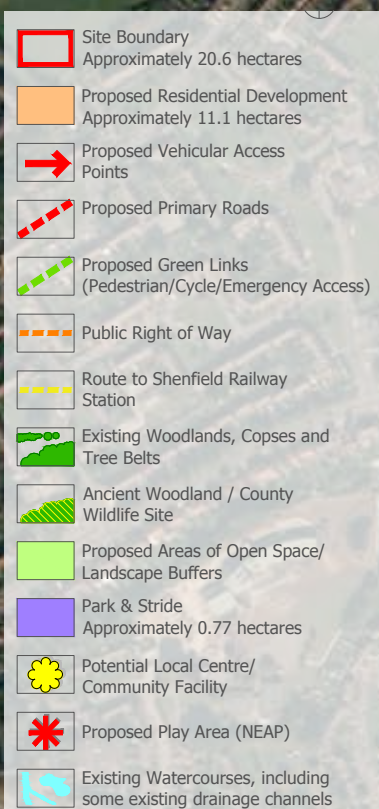


Figure 7.2 Option 2

OPTION 3

- Provision of approximately 360 to 480 dwellings;
- Provision of a 2FE Primary School comprising 1ha of building, and 1ha of school playing fields;
- Improved/dual use of existing playing fields located to the south;
- Provision of Park and Stride to accommodate between 260 and 310 parking spaces;
- Provision of bollards on Alexander Lane to prevent through traffic, with the exception of pedestrian/cycle/emergency access.
- Proposed Green Link to Alexander Lane;
- Proposed areas of open space/landscape buffer;
- Provision of a NEAP and potential Local Centre/Community Facility.

Developable Area	Density in dph		
	30	35	40
12ha	360	420	480

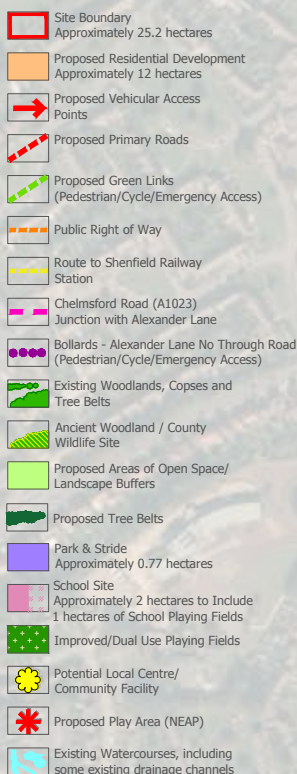


Figure 7.3 Option 3



A12

Chelmsford Road A1023

Fer Close

stream

Anglian Water

Alexander Lane

Shenfield High School

Shenfield Railway Station

OPTION 4

- Delivery of between 441 and 588 dwellings;
- Provision of Park and Stride to accommodate between 260 and 310 parking spaces;
- Improved/dual use of existing playing fields located to the south;
- Propod Green Link to Alexander Lane;
- Proposed areas of open space/landscape buffer;
- Provision of a NEAP and potential Local Centre/Community Facility.

Developable Area	Density in dph		
	30	35	40
14.7ha	441	515	588


-  Site Boundary
Approximately 25.2 hectares
-  Proposed Residential Development
Approximately 14.7 hectares
-  Proposed Vehicular Access Points
-  Proposed Primary Roads
-  Proposed Green Links (Pedestrian/Cycle/Emergency Access)
-  Public Right of Way
-  Route to Shenfield Railway Station
-  Existing Woodlands, Copses and Tree Belts
-  Ancient Woodland / County Wildlife Site
-  Proposed Areas of Open Space/Landscape Buffers
-  Proposed Tree Belts
-  Park & Stride
Approximately 0.77 hectares
-  Improved/Dual Use Playing Fields
-  Potential Local Centre/Community Facility
-  Proposed Play Area (NEAP)
-  Existing Watercourses, including some existing drainage channels

Figure 7.4 Option 4



Proposed
Development

Existing dwellings on
Chelmsford Road



Figure 7.5 Aerial Perspective based on Option 1

8. COMMUNITY BENEFITS

Paragraph 152 of the NPPF confirms that LPA's should seek opportunities to achieve each of the Economic, Social and Environmental dimensions of sustainable development, and net gains across all three.

COMMUNITY/SOCIAL BENEFITS AND OPPORTUNITIES

There are a number of potential community benefits which could arise from development of the Site, including contributions towards existing community facilities and/or the provision of community facilities on site.

This could include:

- Improved recreational facilities to serve Shenfield High School, and/or a new primary school;
- The provision of a Park and Stride facility to serve the Crossrail station. This would aid sustainable travel and utilise the benefits of Crossrail;
- Provision of the most needed type of family housing in a highly sustainable location;
- Creation of plays areas such as NEAP/LAP/LEAP for the benefit of existing and future residents;
- Provision of extensive open space to address the current accessible open space deficiencies in Shenfield;
- Strengthening of Shenfield's vitality and viability, which will shortly benefit from the arrival of Crossrail;
- Creation of pedestrian links via Alexander Lane to Shenfield centre and railway station;
- Delivery of affordable homes (inc Starter Homes) to meet local need;
- Development of a Site that would be well contained within the landscape, thereby meeting housing need, but protecting more sensitive and visual sites within the landscape; and
- Enhanced footpaths/green links to the wider countryside for dog-walkers and leisure users.

The above would need to be considered in line with the relevant planning "tests" on S106 set out within Community Infrastructure Levy Regulations (as amended) 2010 and the NPPF (para 204).

ENVIRONMENTAL BENEFITS

The Site is located on the edge of Shenfield which offers a wide range of retail, leisure and community facilities. Shenfield already benefits from excellent transport links which are likely to be further improved in the foreseeable future.

The Site lies within comfortable walking distance of the centre of Shenfield and the railway station in particular. By virtue of its location and the intention to provide new and improved pedestrian/cycle routes, development of the Site would play a significant part in reducing reliance on the car for local journeys. The arrival of Crossrail will further improve the sustainability of the site.

The surface water drainage strategy for the Site is based on SuDs principles and all necessary utilities/ services are understood to be available. This would ensure that there is no increase in flooding as a result of the proposed development.

It is acknowledged that there will be some adverse impacts on the Site by virtue of the change in land use and evident change from fields as a result of the introduction of new built form. However, these impacts would be localised to the Site only and close range views, as in the wider context the Site would be seen within the existing context of residential built form and Shenfield’s settlement pattern. The proposals will ensure appropriate ecological mitigation is provided to ensure limited impacts on wildlife and habitats, and overall biodiversity enhancements.

ECONOMIC BENEFITS

The following summary highlights the substantial need positive impact the proposed scheme will have on the local economy. .



Figure 9.1 Economic benefits infographic based on Option 1

9. SUMMARY AND NEXT STEPS

This document is submitted to accompany written representations to BBC's Regulation 18 Draft Local Plan consultation in respect of Officer's Meadow, Shenfield on behalf of Croudace Homes.

BBC's sequential approach to the selection of sites for future development has identified that its housing requirement cannot be accommodated on brownfield land within urban areas, and therefore, additional allocation sites within the Green Belt are proposed to be allocated for residential development. This includes Officer's Meadow in Shenfield, as part of a proposed allocation within the DLP for 600 dwellings, in addition to the potential for open space, sport uses and/or Crossrail 'Park and Walk' facility.

Shenfield represents one of the two most sustainable settlements in the Borough, and is recognised as a sustainable location for future growth. Shenfield's sustainability will be increased considerably following the arrival of Crossrail. It is therefore considered that a proportionate amount of future housing growth should be allocated to Shenfield in the emerging growth strategy.

The Site is assessed as 'suitable', 'available' and 'achievable' in BBC's SHLAA (2010). Further, the site is considered 'Deliverable' for the following reasons:

- The Site has strong sustainability credentials and significant locational advantages, being on the edge the built up area of Shenfield and well contained within the landscape;
- Investigations into Ecology, Access, Landscape, Drainage Archaeology, Utilities/Services, and Noise have indicated that there are no obvious barriers to the development of the Site;
- Apart from new high quality housing, the release of the Site for development could deliver a wide range of community benefits, including a new 2FE Primary School and 'Park and Stride'.
- The Site is currently available for development in the immediate future, and can therefore contribute to BBC's housing supply in the short term;
- No significant technical or environmental constraints to development have been identified;
- Croudace is a long established house building company with considerable experience in promoting and delivering developments containing a wide range of new dwellings throughout the South-East;
- Croudace is keen to secure the delivery of new housing at Officers Meadow at the earliest possible opportunity.

NEXT STEPS

Croudace Homes will continue to:

- Undertake further technical studies to gain a greater understanding of the opportunities and constraints of the Site, and to demonstrate its suitability for development;
- Continue to engage with BBC and Shenfield High School through the Local Plan process.

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