



Brentwood Borough Local Plan 2015-2030

Preferred Options Consultation (Regulation 18)

Representations

on behalf of

Countryside Properties

Land to the East of Thorndon Avenue, West Horndon

October 2013



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Appendix 1 Land East of West Horndon – An Opportunity for a Landscape-led Urban Extension

Rummey Design
October 2013



1.0 Summary of Representations

1.1 Objection is raised to the Brentwood Borough Local Plan 2015-2030, Preferred Options Consultation, on the basis that it is unsound as currently drafted, for the following reasons:

- The absence of an appropriate, comprehensive and up-to-date evidence base.

In particular the following key documents are referred to in the Draft Plan as “forthcoming” and not yet available for public consultation:

- Landscaping Sensitivity Testing and Green Belt Assessment;
- Objectively Assessed Needs Assessment;
- Transport Modelling Work;
- Brentwood Housing strategy;
- Utilities Assessment;
- Infrastructure delivery plan; and
- Strategic Housing Market Assessment (SHMA) Update.

A robust and credible evidence base must inform the content of the emerging local plan. Local plan policies must be justified by evidence in order to be considered sound. Failure to publish these and other technical documents will deprive interested persons of the opportunity to comment upon them and fully to comprehend how the preferred spatial growth strategy has been decided.

- The emerging plan does not propose to meet its full objectively assessed needs (OAN) as advised in the National Planning Policy Framework (NPPF). Seeking to meet such needs is part of the soundness test of being positively prepared (paragraph 182 of the Framework). Proposed provision of 3,500 new dwellings to be built in the Borough between 2015-2030, at an average annual rate of 233 dwellings per annum, is woefully inadequate to meet the needs of Brentwood over the next 15 years. Various studies commissioned by the Council place the housing need target closer to 5000 – 5500 (331 – 362 dwellings per annum) whilst the ONS/CLG projections point to a need for 6000 new dwellings over the plan period (400 per annum).
- There is no explanation given as to how the shortfall in housing would be addressed. In such circumstances the NPPF advises local planning authorities to accommodate unmet need which cannot wholly be met within their own areas, under a ‘duty to cooperate’. The explanatory text to the emerging local plan confirms that the Council is “exploring options to look to neighbouring authorities to meet unmet need through a duty to cooperate” (paragraph 2.21), but there is no evidence that this action has been progressed.
- The absence of an adequate sustainability assessment. We submit that the Brentwood Borough Local Plan is open to legal challenge on the ground that there has been a failure to comply with the relevant EU Directive and Regulations made to implement it.

1.2 The matters addressed above are so central to the Brentwood Borough Local Plan’s overall strategy that the emerging plan, as it stands, cannot be found sound. A substantive revisiting of the plan strategy is required, to include the preparation of a thorough and effective SA that takes into account a proper testing of the alternatives for growth in the context of the OAN for housing that is emerging.



- 1.3 On the basis that the above would need to be subject to full public consultation, it is submitted that the Council should withdraw the draft Local plan, carry out the work specified above, and republish the plan for consultation, together with a full evidence base.
- 1.4 The emerging local plan promotes a spatial strategy for the Borough that directs development growth to the existing urban areas of Brentwood, Shenfield, and West Horndon, in locations well served by existing and proposed local services and facilities (SO1). The strategy is also influenced by policy SO2 that seeks to manage development growth to that capable of being accommodated by existing or proposed infrastructure, services and facilities. Policy SO7 seeks to safeguard the Green Belt and protect and enhance valuable landscapes and the natural and historic environment. No change to the Green Belt is proposed other than that to accommodate a strategic allocation at West Horndon (1500 new homes as part of a mixed use allocation). Within this proposed growth strategy, a strategic allocation at West Horndon is justified on the basis that the location has good road and rail access, local shops, employment and community facilities. Furthermore the Sustainability Appraisal of the Plan, as far as this has progressed, finds that “The focus of a significant amount of growth on Green Belt land in West Horndon is understood to be relatively unconstrained from a landscape perspective”.
- 1.5 West Horndon as a settlement to absorb significant growth is strongly supported in the emerging plan. However since the settlement was first assessed as a potential growth location, the need for new homes has substantially increased. The Council is unable to meet its needs for new housing and in a Borough that has few opportunities for development, it should consider whether there is scope to maximise the potential of this location and increase the quantum of development being proposed.
- 1.6 These representations will demonstrate that there is the potential to develop land to the east and west of the existing settlement and provide a balanced urban extension that builds upon and strengthens the existing village centre by adding to its existing facilities and services. These representations are supported by a detailed landscape analysis and transportation assessment that have influenced an indicative masterplan layout.



2.0 Introduction and Background to Representations

- 2.1 Land to the east and west of West Horndon has been promoted for development via the Local Development Framework for Brentwood, since 2009. It was first put forward in response to a call for sites by Brentwood Borough Council upon commencing a Strategic Housing Land Availability Assessment (SHLAA). This Assessment commenced in October 2009 and was concluded in May 2010. Atkins and Carter Jonas Ltd were commissioned to assist the Council. It was based on a housing target established by the East of England Regional Plan, adopted in 2008. The regional plan required Brentwood Borough to provide 3500 dwellings 2001-2021, i.e. 175 dwellings per annum.
- 2.2 The East of England Plan was revoked in January 2013 and the National Planning Policy Framework now requires local planning authorities to *“boost significantly the supply of housing”* and in doing so should *“use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing..., including identifying key sites which are critical to the delivery of the housing strategy over the plan period”* (paragraph 47).
- 2.3 Paragraphs 158 and 159 of the NPPF confirm that local planning authorities should have a clear understanding of housing needs in their area, and that requires an adequate, up-to-date and relevant evidence base. To form a clear understanding of housing needs in their area they should *“prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries”* that will *“identify the scale and mix of housing”* and should *“meet household and population projections, taking account of migration and demographic change.”* Furthermore local planning authorities are advised to *“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”*.
- 2.3 The base assumptions of the SHLAA, final report dated October 2011, are therefore considerably out-of-date. The supply of land identified may have shown sufficient potential to meet the regional plan target but is grossly inadequate in terms of meeting the current Objectively Assessed Needs (OAN) of the Borough based on the latest demographic statistics. The assessment was defined by its authors as a snapshot in time and it was clarified that additional sites will come forward, and sites discounted at that time may well become available for development in the future, as constraints associated with them are overcome. Added to that we submit that as housing need targets change, the SHLAA will need to adapt accordingly.
- 2.4 A SHMA proposed as part of the evidence base to the local plan and dated January 2010, was in fact undertaken in 2008 and looked at the period 2007 – 2026. More recent work on OAN undertaken by Peter Brett Associates (2013) to guide the Council in defining a preferred level of growth, is yet to be formally published. The explanatory text to the Draft Local Plan confirms however that various studies have placed this level of need at between 331 and 362 homes a year, whilst ONS/CLG projections point to a need for a figure of 400. These estimates all greatly exceed the target figure adopted in the draft plan of 3500 over the plan period, averaging at 233 homes per annum.
- 2.5 The Atkins Assessment of 2010, identified that land at West Horndon – promoted at that time by the West Horndon Development Consortium – was suitable available and achievable for development. This comprised two tranches of land:
- Land East of Childerditch Lane, now being promoted by E and A Strategic Land and identified as a preferred option for growth in the Draft Plan. 10 hectares of Grade 3 agricultural land to accommodate 300 dwellings, with a wider area of 80 hectares being rejected on the basis of insufficient housing need; and
 - Thorndon Avenue and West of Tilbury Road, now being promoted by Countryside Properties and the subject of these representations. This area is referred to in the Draft Plan as an



alternative location for growth. 10 acres of Grade 3 agricultural land to accommodate 300 dwellings, with a wider area of 75 hectares being rejected on the basis of insufficient housing need.

- 2.6 The SHLAA undertaken by Atkins made no substantial distinction between the above two alternative parcels of land, which would have led to the former being identified as the preferred option for growth. On considering the suitability of both sites the assessment confirmed: *“Any development that provides for more than the local needs of West Horndon would need to be based on an agreed change in the role of West Horndon Village, conformity with a spatial strategy based on Transport corridors and major infrastructure and service improvements for the village. An indicative maximum of 10 (hectares) has been used for this purpose, located adjacent to the village boundary but the extent of development of this area would also be considered alongside ...”* (in each case the corresponding alternative parcel of land was referred to). Minor differences in the assessment of the two parcels included comments that land to the east of West Horndon had existing vehicular access and no mention of the arrangements for land to the west, whilst the flatness of that to the east could potentially lead to flood risk. Overall in assessing a development timescale, land to the east was highlighted to come forward in advance of that to the west.
- 2.7 The Atkins report confirmed the need for regular updates and recommended this on a bi-annual basis. In May/June 2011 the Council undertook neighbourhood consultation that included consultation on potential housing sites in the SHLAA. Whilst the findings of this are reported in general terms it is clear that there were no overriding objections to the growth of West Horndon that warranted a special mention, as was the case for other sites and settlements.
- 2.8 Since then the emerging spatial strategy for growth in the Borough has continued to direct development to the existing urban areas of Brentwood, Shenfield and West Horndon, along with the redevelopment of existing land and buildings in the Green Belt. This approach will go a long way towards achieving the Council’s aim of protecting the Green Belt. However, the level of growth proposed falls considerably short of future development needs. The development opportunities that exist in these three identified growth areas require further detailed assessment to ensure that these are being utilised to the full, including the release of greenfield land at West Horndon.
- 2.9 Further Draft Site Assessment carried out by the Council and reported in a document dated July 2013 re-examines land at West Horndon. At this stage land to the west of the settlement (some 44ha of land) came forward as an allocation for mixed-use development as part of West Horndon Strategic Allocation. It would appear that the promoter – E and A Strategic Land – confirmed detail regarding viability and deliverability that gained an advantage relative to the promotion of land to the east. The outcome of re-assessment of land to the east of the settlement was that the current land use should be retained although it was highlighted as a *“Reasonable alternative for mixed use as part of the Strategic Allocation”*. Access continued to be a positive factor in respect of land to the east. It was reported that access from Station Road is considered satisfactory. The access arrangements for land to the west continued to be referred to in the following way: *“Access from Childerditch Lane is considered satisfactory as long as the boundary hedge is partly removed. However, access for pedestrians and public transport is considered poor.”*
- 2.10 At no time has there been any conclusive survey work or assessment that finds clear favour in land to the west of the settlement being identified as the preferred location for strategic growth. The Sustainability Appraisal fails to provide an outline of the reasons for selecting the alternatives dealt with, and a proper description of how the assessment was undertaken. It fails to identify, describe and evaluate the alternatives in a comparable way. There is no clear understanding of why land to the east of West Horndon was not promoted as the best option for growth.
- 2.11 The latest guidance from the government on meeting OAN and boosting the supply of housing, now requires further reassessment of the spatial strategy for growth and identification of more land to



meet the Boroughs needs over the next fifteen years. As these representations will demonstrate, in a Borough that is heavily constrained by Green Belt (80% is covered by this designation) there is an urgent need to optimise growth at West Horndon, justifying the release of land on both sides of the settlement. Furthermore this solution to the expansion of the existing settlement will provide a balanced extension that follows the thinking in the early SHLAA documentation. A quantum of development to the east and west of West Horndon will ensure good accessibility to the village centre and facilitate its strengthening by adding new facilities and services. Crucially some development to the east of West Horndon will enable the entrance to the village to be properly addressed, and presents the opportunity to create an attractive main, new gateway into the settlement.



3.0 Representations to the Development Local Plan Policies and Key Evidence Base Documents.

- 3.1 This section of the representations examines the key policies of the plan that have influenced the proposed spatial strategy for growth in the Borough, notwithstanding our overriding submission that the plan as a whole is not based upon appropriate, or up-to-date evidence base; has not been prepared to meet the objectives of sustainable development: nor specifically to meet, or even come close to meeting housing need and demand within the borough. Due to fundamental concerns about the lack of an evidence base we confine our representations to broad strategic objectives of the plan.

Policy SO1 - Direct development growth to the existing urban areas of Brentwood, Shenfield and West Horndon in locations well served by existing and proposed local services and facilities.

- 3.2 In principle this policy is supported in its aim to protect the Green Belt and local character and foster sustainable communities. Support is also extended to criteria for identifying development sites including 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
 - are likely to come forward over the plan period.

The specific exception that the policy makes to allow development in the Green Belt at West Horndon is supported on the basis that it can absorb a significant amount of growth because it is unconstrained from a landscape perspective. Furthermore the location affords good road and rail access and the existing settlement is already served by local shops, employment and community facilities. These offer the potential for sustainable development over the long term.

- 3.3 It is submitted that this policy must be read in the context of the overall target for growth and whether the plan is then capable of delivering sufficient sites to meet the Borough's objectively assessed development needs. The issue of the quantum of development needed will be addressed in response to policy SO2 below.

Policy SO2 – Amount and Distribution of Residential Development 2015-2030.

- 3.4 Provision is made for 3,500 new dwellings to be built at an average annual rate of 200 new dwellings 2015-2020 rising to 250 new dwellings 2020-2030. These are proposed to be distributed between Brentwood and Shenfield Urban area (1800, or 51% of the requirement), West Horndon (1500, or 43% of the requirement) and the remainder distributed between villages both within and excluded from the Green Belt.
- 3.5 Support is extended to the distribution of the proposed new dwellings in accordance with the objectives of policy SO1. However, national planning policy is clear in advising local planning authorities that to comply with one of four 'soundness tests' the plan should demonstrate that it has been 'positively prepared'. This requires the plan to be 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 (NPPF paragraph 182).
- 3.6 The Council is clearly unwilling to depart from the proposed new dwelling total of 3,500 as set out in the draft plan because it considers that this would require significant Green Belt release (a national designation to which the NPPF does attach particular importance), the fact that it would significantly



worsen congestion in Brentwood Town Centre and irrevocably change the rural character of the Borough.

- 3.7 It is a requirement of the NPPF (paragraph 159) that local planning authorities should have a clear understanding of housing needs in their area. Evidence base documents that have been submitted are incomplete and out-of-date in this regard. The 2010 Strategic Housing Market Assessment was undertaken in 2008 and relates to the period 2007-2026. An update commissioned by the Council is said to be “forthcoming”. Crucially various factors have changed in the intervening period including the revocation of the Regional Plan and availability of more up-to-date population and household projections. Emerging figures such as those from Peter Brett Associates confirm an OAN of 4960 to 5600 (331 to 373 home a year). Recent ONS/CLG figures place this need even higher at 6000 (400 homes a year). The NPPF requires the assessment of future housing requirements in local authority areas to have regard to current and future demographic trends and profiles and take into account evidence including the government’s latest published household projections. The household projections provide an important part of the evidence base for the assessment of future requirements for housing.
- 3.8 By contrast the Council suggest that the total housing provision for the Borough should be 3,500 (an average of 233 per annum) because the adverse impacts of meeting its OAN would harm its distinctive quality and character. Availability of supporting services and infrastructure are also said to be key considerations that affect capacity. Although technical work has been commissioned to enable the Council to reach an informed view on OAN and the number of new homes that can be sustainably accommodated, this work has not yet been published. Crucially Transport Modelling, a Landscape and Green Belt Assessment, Utilities Study and SHMA Update, are not yet available. In the absence of these the draft plan makes unfounded assumptions that growth over 3,550 new homes would “significantly worsen existing traffic congestion problems; require sites to be developed in landscape sensitive locations; be difficult to service with necessary infrastructure; and have a generally urbanising effect through widespread loss of Green Belt...”
- 3.9 An up-to-date assessment of housing needs is required by paragraph 47 of the NPPF. Such an assessment should be properly undertaken in the context of a SHMA, the preparation of which is also a requirement of the Framework (paragraph 159). The absence of an up-to-date SHMA prepared in the context of the housing market area, is reason enough alone for the plan to be found unsound.
- 3.10 The draft plan states that the SHLAA identifies more land than would be needed to meet housing requirements. However the full objectively assessed needs of the area considerably exceed the now revoked Regional Plan targets upon which the SHLAA was originally based.
- 3.11 The significance of the Borough’s environmental assets and designation cannot be underestimated, especially given the advice in the Framework, which attaches particular importance to the Green Belt. However, any failure to meet the full, objectively assessed housing needs as a result of constraints arising from those designations would have to be clearly and specifically justified in the terms of the Frameworks policies. The policies of the NPPF do not set out ‘blanket bans’ on housing development. These policies must be read in the context of the Framework as a whole. A recent High Court case between Hunston Properties Ltd and the Secretary of State, determined in September this year, is of relevance. In this Section 78 appeal it was found that a shortfall between objectively identifiable housing need and the housing that could be provided on deliverable housing sites (as identified by the Council) was capable of being a ‘very special circumstance’ to justify what would otherwise be inappropriate development of the Green Belt. In Brentwood it would appear that the justification for not undertaking a Green Belt review derives from the Council’s view that housing sites largely outside the Green Belt (plus land at West Horndon) are available to meet the housing target of 3,500. However given that this target was itself influenced by the presence of constraints, including the Green Belt this is somewhat of a circular argument. We submit that the Council cannot justify its



opposition to a Green Belt review if it is providing less housing than required by a revised needs assessment, once this is complete. Many of the above comments point towards a substantive revisiting of the overall plan strategy.

- 3.12 Finally following on from a lack of housing needs evidence to support the draft plan, we submit that the Council has not satisfied the 'Duty to Co-operate'. In particular it remains unclear whether there are sites outside the Borough of Brentwood that could meet some of the assessed need. The neighbouring planning authority of Chelmsford has submitted strong representations of objection to the draft plan stating that Brentwood is choosing not to make provision to meet its full housing need and looking to neighbouring authorities that are similarly constrained by Green Belt. Brentwood Council's spatial strategy is further queried on the basis that the NPPF makes provision for Green Belt boundaries to be altered in the context of the preparation of a Local plan. Finally concerns are expressed about the failure to complete and publish its Landscape and Visual Assessment - a crucial piece of evidence base work in the light of the preferred spatial strategy for growth.
- 3.13 The draft plan at paragraph 2.21 confirms that the Council is exploring options to look to neighbouring authorities to meet unmet need through a duty to cooperate. However, we submit that to comply with the Framework the Council will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when the Local Plan is submitted for Examination. Coventry City Council is but one example of a Local Plan (in this case core strategy) being suspended by an Inspector and subsequently withdrawn until it has fully explored ways of meeting its shortfall via a joint SHMA with neighbouring authorities under a 'duty to cooperate'.

SO3 – Job Growth and Employment Land.

- 3.14 This policy makes provision for 5,400 additional jobs to be provided at an average annual rate of 285. The broad distribution includes 53 hectares on existing employment sites and 31 hectare within new allocations. We submit that more background work is required to inform the plan in this regard. The NPPF advises local planning authorities to 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. The Employment Land Review carried out by Atkins was undertaken in 2009 in the context of the abandoned Core strategy, and requires updating.
- 3.15 In the context of the above we submit that all or a large proportion of the existing employment in West Horndon should be retained in the interests of promoting a sustainable mixed use community. We would query the promotion of these areas for housing and the allocation of replacement employment elsewhere in less sustainable locations.

Policy CP1- Sustainable Development

- 3.16 Support is extended to the Council's aim to reflect the presumption in favour of sustainable development contained in the NPPF when considering development proposals.

Policy CP2 - Managing Growth

- 3.17 There is a distinct lack of evidence base to properly advise on the precise location of new development, not least the absence of a Landscape Sensitivity and Green Belt Assessment as well as an Infrastructure Delivery Plan and Transport Modelling.



Policy CP3 – Strategic Sites and CP4 – West Horndon Opportunity Area

3.18 Further background work is necessary to determine key strategic sites. Section 5.0 of these representations appraises the settlement of West Horndon as a location for strategic growth. It can be demonstrated that this is a sustainable location, however the West Horndon Opportunity Area as defined in Policy CP4 does not represent the best solution for an urban extension for reasons of transport and access, landscape and visual impact, drainage, and timing of delivery. Policies CP3 and CP4 are said to be based upon a Sustainability Appraisal. As we will argue in section 4 of these representations, the SA is fundamentally flawed because it fails to comply with the relevant EU Directive and Regulations made to implement it.

Policy DM 23, Housing Land Allocations – Major Sites, and Appendices 2 - Preferred Housing Allocations, and 3 - Housing Trajectory.

3.19 This policy and associated appendices confirms the list of sites allocated for development. West Horndon Strategic Allocation is defined as follows:

- Site reference 020 – owned by Threadneedle Property Investments. 6.39 hectares for housing and mixed use to be phased year 2017/18 to 2021/22 at a rate of 50 dwellings a year, (250 dwellings in total). Reference to PREAPP discussions 13/06008.
- Site reference 021 – owned by Hansteen Land Holdings. 9.84 hectares for housing and mixed use to be phased year 2017/18 to 2021/22 at a rate of 50 dwellings per year, (250 dwellings in total). Reference to PREAPP discussions 12/06173.
- Site reference 037A (8.42ha) and 037B (35.8ha – not all allocated). – owned by E and A Strategic Land and proposed for housing and mixed use to be phased year 2022/23 to 2025/26 at 100 dwellings a year and thereafter years 2026/27 to 2029/30 at 150 a year (total of 1000 dwellings).

3.20 The policy confirms that proposals for housing submitted on these allocations in accordance with the phasing indicated, will be approved where the proposed schedule is in accordance with other relevant policies of the plan. An application in advance of its phasing will only be approved where:

- a. early release would not prejudice the delivery of other allocated sites phased in an earlier time period;
- b. the site is required now to maintain a five year supply of deliverable sites; and
- c. infrastructure requirements of the development can be fully and satisfactorily addressed.

3.21 Objection is raised to the detailed allocation of land to provide a strategic allocation since the evidence base upon which it relies is incomplete. Furthermore the SA fails properly to test both the preferred options for growth and the reasonable alternatives. As section 5.0 of these representations will demonstrate there is a more sustainable development solution to growth at West Horndon that can meet the housing needs being promoted in the plan and potentially a higher requirement as reflected in the draft OAN assessment.

3.22 Strong objection is raised to the Council's willingness to consider early applications in advance of the completion of a full evidence base and SA to test the preferred options and the alternatives. Early applications would in this context be premature as they would seriously prejudice the outcome of the emerging plan and the need to promote sustainable development.

3.23 The explanatory text to policy DM23 confirms the Council's own uncertainty on the allocated sites. It states that "Some sites currently in other uses could be considered suitable to provide for residential use in addition to or instead of sites set out in Policy DM23. Where alternatives are considered more



appropriate (through further assessment) this could have potential effects on housing and economic growth over the plan period, both positive and negative.” It then goes on to list the alternative options that may be suitable in order to provide for growth opportunities at West Horndon in line with Policy CP4, as land east of Thorndon Avenue (038) and South of Station Road (126).



4.0 The Sustainability Appraisal process

- 4.1 Under Section 19(5) of the 2004 Act a local planning authority is required to carry out an appraisal of the sustainability of the proposals in each development plan and prepare a report of the findings of that appraisal. This is known as a Sustainability Appraisal (SA).
- 4.2 The Brentwood Borough Local Plan is required to be the subject to a Strategic Environmental Assessment.
- 4.3 The Strategic Environmental Assessment (SEA) Directive requires an SA to identify, describe and evaluate the likely significant effects on the environment of implementing the plan and reasonable alternatives taking into account the objectives and geographical scope of the plan. The objective of the Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans with a view to promoting sustainable development.
- 4.4 At the start of the public consultation process on the Brentwood Local plan the position with regard to the sustainability process was that the Council had reached the scoping report stage. The purpose of such a report is to indicate in general terms the scope of the issues that need to be addressed. On 6 September the Council posted an Interim SAR on its website and extended the consultation period on this document until 18 October. The 'Interim' report is described as having been prepared *"with the intention of informing the consultation and subsequent preparation of the draft Proposed Submission Plan, due to be published..."* As an 'interim' SA the authors (URS) confirm that it *"does not need to provide the information required of an SA report"*. The full SAR is not due to be published until later in the year, alongside the Proposed Submission Plan. We submit that this is contrary to the Planning and Compulsory Purchase Act 2004 that establishes a requirement for the process of sustainability appraisal to be carried out alongside plan making. In the absence of this, the Council rely on previous work undertaken between 2007-2009 in relation to the then emerging Core Strategy for the Borough (subsequently abandoned).
- 4.5 The final SAR when published alongside the Submission Plan, will take the form of a single report that retrospectively justifies the plan rather than an iterative process carried out during the preparation of the plan.
- 4.6 The sustainability appraisal process carried out to date in respect of Brentwood fails to set out the reasons for selecting the alternatives it has dealt with, and a proper description of how the assessment was undertaken. It fails to give any reasons for the rejection of the alternatives and why they are not considered to be the best option. The Directive is clear in this regard that *"Alternatives to the option being promoted should be evaluated on the same basis and to the same level as the option promoted in the plan..."* Recent case law establishes that a local plan will develop over a period of time. The best practice would be to consult on various draft proposals until the LPA is able to decide what it wants to put in place.
- 4.7 Reliance upon earlier assessment work is acceptable under the terms of the Directive providing that the earlier findings are up-to-date and accurate within the context of the new assessment. In order to form an identifiable report, the relevant information must be brought together: it should not be necessary to embark on a paper-chase in order to understand the environmental effects of a proposal.
- 4.9 One of the purposes of the Directive is to allow members of the public to be consulted about plans, which may affect them. The SAR should therefore enable them to understand why the proposals are said to be environmentally sound. The public must be given an effective and early opportunity to express their opinion on the plan and accompanying environmental report before the adoption of the



plan. If the SAR is not due to be published until the Proposed Submission Plan is consulted upon at the end of the year, then we submit that the public will not have had this opportunity. Since one of the purposes of the Directive is to allow members of the public to be consulted about plans, which may affect them, an early report should enable them to understand why the proposals are said to be environmentally sound. This is not clear from the limited SA work undertaken in respect of the emerging plan for Brentwood.

- 4.10 Environmental reports are required to be of sufficient quality to meet the requirements of the Directive and quality is said to involve ensuring that a report is based on proper information and expertise and covers all the potential effects of the plan. In this regard the evidence base to the plan is substantially incomplete.
- 4.11 We submit that the emerging Local Plan for Brentwood is not accompanied by an SAR that adequately describes and evaluates the likely significant effects on the environment of implementing the plan and reasonable alternatives. With specific reference to West Horndon, it is not possible to understand the reasons for selecting the preferred option nor those for rejecting the alternatives. Furthermore there has been a material change in circumstances since the earlier assessment work, which is relied upon. Key changes to national planning policy guidance have changed the whole basis of the assessment and these are not given due consideration. We submit that they would lead to a wholly different conclusion on the preferred options for growth at West Horndon.



5.0 Sustainability Appraisal of Land at West Horndon – Development Proposals

- 5.1 It is acknowledged that there are limited opportunities for development in the Borough of Brentwood because it is so tightly constrained by Green Belt and other environmental assets and designations. In this context the emerging draft plan is not proposing to meet its objectively assessed need for housing.
- 5.2 Since assessment of potential development sites began back in 2009 (in the context of a SHLAA) there have been key national planning policy changes to influence plan preparation, reintroducing a presumption in favour of sustainable development and encouraging local planning authorities to positively seek opportunities to meet the development needs of their area. Furthermore, Regional Plans have been revoked and up-to-date population and housing projections published that identify a need to “boost significantly the supply of housing” (NPPF paragraph 47).
- 5.3 In the absence of a full evidence base and SA to support the draft local plan, we have sought to examine the settlement of West Horndon as a potential strategic allocation for housing and mixed use. We maintain that the settlement of West Horndon continues to be a sustainable location for growth, however there is no sound reason for solely identifying land to the west of the settlement to accommodate new housing and mixed use, and rejecting land to the east.
- 5.4 In earlier sections of these representations we have called for Brentwood Council to withdraw the draft local plan and complete the evidence base work and an SA necessary to inform its content. This would then need to be the subject of further public consultation. A re-examination of the spatial strategy is required in the context of a need to ‘plan positively for the development and infrastructure required in the area’ (NPPF paragraph 157). This in turn requires the plan to be based on a strategy that seeks to meet objectively assessed needs, consistent with achieving sustainable development.
- 5.5 Ultimately the Council will need to establish a revised, increased housing target and then identify sites to deliver this level of growth. If the Council is not able to find sufficient sites to meet the requirements of a revised needs assessment or find a solution to growth under a duty to cooperate, then it will come under pressure to undertake a review of its Green Belt. To support the above re-assessment work we explore below the full potential for growth that exists at West Horndon.
- 5.5 The settlement of West Horndon is found to be a sustainable location for growth in the context of the emerging local plan policy SO1. Using the criteria set out in policy SO1 for identifying development sites we submit that:
- the site is accessible to public transport, services and facilities. A Transport Appraisal of the settlement has been carried out by Odyssey Markides and its key conclusions are summarised below;
 - it can be demonstrated that new development at this location can be achieved without any significant adverse impact on the Green Belt, visual amenity, heritage, transport and environmental quality including landscape, wildlife, flood risk, air and water pollution. A Landscape and Design Report prepared by Rummey Design examines these issues and develops a landscape-led approach to development that seeks to create an urban extension rooted in its context and offers opportunities for biodiversity enhancement and restructuring. The full report of Rummey design is attached at Appendix 1; and
 - land is available at this location to justify a major strategic allocation to meet an urgent demand for sites and this can be phased to ensure early delivery and contribute towards the five year housing land requirement.



Transportation and Access.

5.6 A Transport Appraisal undertaken in September 2013, by Odyssey Markides examines the opportunity for growth at West Horndon, focusing on land to the west and east of Thorndon Avenue. The appraisal will be submitted to the Council in due course, to influence the emerging evidence base to the plan. In the interim we summarise its key conclusions below:

- The settlement of West Horndon represents a sustainable location for new housing in terms of its accessibility to a range of services and facilities by non-car modes.
- All existing services and facilities, identified as being of relevance in the SA Scoping Report for the Local Plan, will be within walking (and hence cycling) distance of land to the east and west of Thorndon Avenue. Land to the east will be slightly closer to existing facilities than the northernmost part of land to the west.
- Land to the west of Thorndon Avenue does not have a direct pedestrian link to the existing primary school and walking distances from part of this land would exceed the desirable maximum. (This assumes that in planning a new urban extension at this location, the existing school would be extended rather than new facilities provided to accommodate increased pupil numbers).
- Public transport services are within defined acceptable walking distances.
- Transport benefits for the existing community can be maximised by economies of scale. The greater the number of new homes the more support and justification arises to improve rail and bus services.
- Supporting documentation to the local plan seeks the following transport related benefits in permitting new homes at this location;
 - Railway station improvements
 - Improvements to the local rail service (in and out of London)
 - Improved public transport (bus) links to Brentwood Town Centre
 - Road Improvements in terms of links to the A127 (no more HGVs through the village)
 - Footbridge over the A127 for better links to Thorndon Country Park.

A greater scale of new development will assist in funding/delivering this list of benefits.

- It is understood that access to land to the west is proposed to be served principally from the A127 via a left in/left out arrangement. The main potential adverse traffic impacts associated with development on land to the west alone, are as follows:
 - Despite scope for improvement it is possible that the principal access and merge onto the A127 will still have insufficient capacity to accommodate all generated improvements to the A127 westbound and this will have implications on highway safety
 - As a result traffic may find alternative routes which will add traffic to the country lane network or within existing residential areas of West Horndon
 - Traffic to and from the A128 will pass through the existing residential area along Station Road
 - A significant proportion of outbound traffic and the majority of inbound traffic will be added to the A127/A128 intersection and the A128/Station Road junction. The latter will



require some improvement under all scenarios. The former is understood to operate with spare capacity at present so may be able to accommodate the additional traffic.

- Access to land to the east will principally be from the A128/Station Road. This would require capacity enhancements to accommodate growth although the intersection operates with spare capacity at present and could accommodate some additional traffic.
- The development of land to both the east and west will bring about some advantages. Adverse traffic impacts arising from development of land to the west only, would be reduced proportionally. These include limited capacity merges to the A127, traffic flows within the existing residential areas and on the country lanes.

Landscape and Design

- 5.7 Appendix 1 comprises a Landscape and Design report prepared by Rummey Design. The key findings of this report are summarised below. The report concludes with a masterplan layout to demonstrate that the settlement has significant development potential and is capable of accommodating a sustainable and balanced extension to West Horndon.
- 5.8 An environmental assessment of the settlement has been undertaken, focusing on site visibility, landscape character and urban character. Field and desk based assessment is drawn upon to establish whether land adjoining the existing built up area has the capacity for change and if so what form this might take. The analysis looks at key opportunities and constraints to development. It assesses how mitigation measures can be applied to address any adverse impacts of development as well as ways in which to enhance the existing landscape.
- 5.9 The principal area of land being addressed in these representations is located to the east of the main settlement of West Horndon. It lies within easy access to the A127 and A128, and connects well to the existing village and its key community facilities and services, including a primary school and local park. The site comprises low grade agricultural land, which is contained by a strong structure of hedgerows.
- 5.10 Appendix 1 provides an environmental analysis of the site. This examines the history, topography and geology, site visibility, hydrology, landscape character, site characteristics, site designations and technical features, and local settlement character.
- 5.11 Land to the east of West Horndon comprises eight fields within a low lying, level landscape, sloping imperceptibly from north to south. There is a large belt of trees associated with its north-western flank, close to the village of West Horndon. The fields are rectilinear in shape, lined by hedgerows and watercourses, which follow a broadly north-south and east-west orientation. This land is divided by Station Road, which runs broadly in a east-west direction. The early field pattern system appears largely intact. The site is bounded to the west by houses along Thorndon Road. To the north and east it is flanked by the A127 and A128 respectively. These two principal roads are themselves bounded by strong belts of vegetation that enclose the site.
- 5.12 Land to the west of West Horndon has an entirely different character. It comprises a mix of brownfield industrial land to the south, with an area of arable farmland to the north. It is made up of three fields that have a relatively weak hedgerow pattern. The northern boundary to this land is open and defined by a low ridgeline. The eastern boundary is defined by the housing along Thorndon Avenue. To the west the edge of the site is marked by Childerditch Lane, which is lined by hedgerows surrounding a small number of individual dwellings.



- 5.13 The well established network of hedgerows and hedgerow trees, combined with low level topography serve to significantly limit visibility of the eastern site. Land to the west is more visible due to a less well established network of hedgerows and no clearly defined edge to the site. Open views of both sites are possible from the footpaths and publicly accessible land associated with Thorndon Country Park to the north. However the expansive views experienced from the Country Park are defined by a mix of rural and urban elements including industrial chimneys and factories, bridges and major roads. The existing vegetation on land to the east of West Horndon, limits the visibility whereas land to the west, due to its open character and lack of vegetation, is highly visible. A landscape approach to development of land at this location is therefore proposed to enhance the existing character and restore landscape features typical of the area.
- 5.14 It is understood that the settlement of West Horndon is liable to flood risk. Land to the east of the settlement lies adjacent to the flood zone and alongside a main drainage channel. Potential development of this land would therefore present an opportunity to help minimise flooding downstream by capturing and storing surface water and releasing it at a slower rate during flood events. Further analysis is being undertaken into the current problems and potential for new development to offer some form of mitigation. This is necessary in the absence of a complete evidence base to the draft plan.
- 5.15 Land to the east of West Thorndon lies entirely within the Green Belt. However we maintain that the Council's severe shortage of land to meet its objectively assessed needs for housing, coupled with environmental assessment to demonstrate that change can be accommodated without an unduly adverse impact on the landscape, is sufficient reason to justify an exception to policy. Amendments to the plan to reflect an up-to-date SHMA will undoubtedly lead to increased housing targets and the need for a review of the Green Belt more generally within the context of the draft plan.
- 5.16 A masterplan layout presented by Rummey Design, shows a potential form of development at West Horndon to meet an urgent demand for sites in the emerging plan. A balanced extension is proposed that follows the thinking of the early SHLAA, by providing a quantum of development to both the east and west of the existing settlement. The masterplan shows a clear landscape structure with the creation of a new gateway to West Horndon, from the east. It proposes centrally located and connected public open space, wetlands and new residential blocks arranged in a rectilinear layout. Key to the development of a defensible edge are the linear hedgerows that run to the northern quarters of the land both east and west of the existing settlement. This linear feature could connect through the ancient woodland and assist in mitigation of the development by screening it from public viewpoints to the north.
- 5.17 The environmental analysis undertaken by Rummey highlighted a number of key drivers to deliver an appropriate and site specific masterplan. These are summarised as follows:
- enhance the north/south landscape structure;
 - create a new entrance/gateway into the settlement via Station Road/A128 junction. Care will be taken to improve the Station road character as an historic lane and thereby create a central feature to the masterplan;
 - use the north/south alignment of the site to arrange blocks of housing development, based on drainage corridors and hedgerows. This will lead to east/west facing properties that will maximise light;
 - strengthen the existing network of landscape structure to mitigate development on the site. Selectively add hedgerows, and strengthen the green grid. Include additional woodland buffer to the southern edge of Thorndon Country Park;
 - provide wetlands to reduce flood risk and create varying habitats within them. Create public routes through the wetlands to improve amenity;
 - connect new woodland into the ancient woodland to increase local ecological biodiversity;



- connect public open space on the site into West Horndon Park;
- potentially provide an improved access to the Country Park; and
- create opportunities from the site constraints such as location of water and gas mains, by designating a higher proportion of public open space.

5.18 The settlement of West Horndon represents a sustainable opportunity for growth. As the appraisal by Rummey Design demonstrates, there is no justification for the sole selection of land to the west of the existing settlement, in the draft local plan as clearly land to the east has considerable merit and relative advantages. To the contrary, land to the east has many advantages in transport and landscape terms, and in accommodating an urban extension is well placed to address create some benefits in landscape and biodiversity terms. Furthermore, new development could address some technical concerns associated with flood risk. It could also deliver a number of benefits to the existing community in the form of improved transportation measures and provision of additional community services and facilities.

5.19 These proposals are the subject of ongoing work that will be submitted to the Council in due course. This work will complement the evidence base to the emerging local plan and support a revised sustainable spatial strategy for growth in the Borough.

Delivery and Viability

5.20 As the current draft local plan indicates, land to the west of West Horndon is not capable of delivery until later in the plan period. In particular some industrial leases have lengthy durations that would prevent this land coming forward in the first five years of the plan and thereby helping to address the short term housing needs of the Borough. In contrast land to the east is relatively unconstrained and as the early SHLAA assessment indicated could be delivered early in the plan period to address the urgent need for sites



6.0 Summary and Conclusions

- 6.1 It is submitted that the Brentwood Borough Local Plan 2015 – 2030 (Preferred Options) is unsound as currently drafted. It is not informed by an appropriate, comprehensive and up-to-date evidence base. Failure to publish a full evidence base alongside the draft plan has deprived interested persons of the opportunity to comment upon them. In the absence of a robust and credible evidence base it is not possible to comprehend how the preferred spatial strategy for growth has been decided.
- 6.2 The local plan is not supported by an adequate sustainability assessment. There has been a failure to comply with the relevant requirements of the EU Directive and Regulations.
- 6.3 The matters addressed in 6.1 and 6.2 above are so central to the Brentwood Borough Local Plan's overall strategy that the emerging plan, as it stands, cannot be found sound. A substantive revisiting of the plan strategy is required. This should include the preparation of a thorough and effective Sustainability Appraisal that takes into account a proper testing of the alternatives for growth. The options for growth should be considered in the context of the objectively assessed needs for housing in the Borough which should give regard to current and future demographic trends and profiles and take into account evidence including the government's latest published household projections.
- 6.4 A revisiting of the plan as recommended above, would need to be the subject of full public consultation. Therefore the Council should withdraw the current draft plan, carry out the necessary work as specified above, and republish the plan for consultation together with a full evidence base.
- 6.5 Notwithstanding our principal objection that the plan is unsound and should be withdrawn to allow further work and public consultation, we have demonstrated in these representations that to meet the objectively assessed needs for the Borough, a significant number of additional sites will need to be identified. Furthermore, in the absence of the cooperation of adjoining local authority areas to help meet this need, a review of the Green Belt in Brentwood borough is required to accommodate current and future demands for growth.
- 6.6 Our assessment of landscape sensitivity and potential for change to the Green Belt reveals that land at West Horndon is capable of accommodating significant growth to meet the Council's housing needs. In the absence of a proper SA, land adjoining the existing settlement has not been fully assessed. Sites have emerged as preferred options without the benefit of full assessment under the guidelines of the EU Directive and Regulations for undertaking SA. Similarly this inadequate assessment has failed to properly test the alternatives.
- 6.7 These representations consider the potential for growth on land adjoining West Horndon and propose a sustainable and balanced approach to extending the settlement that conforms with government advice. These proposals are promoted within the context of revisions to the local plan and its evidence base, as called for in these representations.