



# Brentwood Pre-Submission Local Plan (Regulation 19)

January 2019

## COMMENT FORM

From Tuesday 05 February to Tuesday 19 March 2019 we are consulting on the next stage of the Brentwood Local Plan: Pre-Submission Local Plan (Regulation 19). You can view and comment on the consultation document online at: [www.brentwood.gov.uk/localplan](http://www.brentwood.gov.uk/localplan)

Alternatively, please use this form to share your views on the contents of the document.

All responses should be received by 5PM Tuesday 19 March 2019.

Please return forms either by attaching completed forms by email to [planning.policy@brentwood.gov.uk](mailto:planning.policy@brentwood.gov.uk) or alternatively by post to Planning Policy Team, Brentwood Borough Council, Town Hall, Brentwood, Essex CM15 8AY.

### How to complete the representation form:

This form consists of two sections – Section A: Personal Information, and Section B: Your Representation. Please note that your representation cannot be accepted without completing information identified in Section A.

The Local Plan Pre-Submission (Regulation 19) consultation consists of more formal and technical questions focused on the four Tests of Soundness and whether the Local Plan is compliant with relevant legislation. Comments are to be focused on three core areas – is the Plan positively prepared (referred to as ‘soundness’), does the Council adhere to the Duty to Cooperate, and is the Plan legally compliant (addressed by question 3 of this comment form). These terms are defined below:

- a) **Soundness:** Local Planning Authorities must prepare a Local Plan based on relevant and appropriate evidence base. They are required to publish these documents on their website. The evidence used to develop the Brentwood Local Plan can be found on the Council’s website under Evidence Base.
- b) **Duty to Cooperate:** Throughout the plan-making process discussions have taken place with various statutory consultees and neighbouring authorities. A summary of these meetings can be found within the Duty to Cooperate Statement, published as part of the Regulation 19 consultation. This is a live

document and will be updated prior to being submitted to the Secretary of State.

- c) **Legally Compliant:** Local Planning Authorities must prepare a Local Plan which adheres to the requirements as set out in the National Planning Policy Framework (NPPF), planning practice guidance, and other relevant planning regulations & legislation.

Question 4 of this comment form asks for further information on your opinion of the Plans 'soundness'. According to the National Planning Policy Framework (NPPF) para 35, Local Plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are 'sound' if they are:

- a) **Positively prepared** – providing a strategy which as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and consistent with achieving sustainable development
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

Please keep in mind the information provided above to assist with correctly completing your comment form. For additional information on what the difference is between a Regulation 18 and Regulation 19 Local Plan consultation, please view the FAQ's published on-line [www.brentwood.gov.uk/localplan](http://www.brentwood.gov.uk/localplan)

#### **Data Protection**

All personal information that you provide will be used solely for the purpose of the Local Plan consultation. Please note whilst all addresses will be treated as confidential, comments will not be confidential. Each comment and the name of the person who made the comment will be featured on the Council's website.

By submitting this form, you are agreeing to the above conditions.

<b>Section A: Personal Details</b>		
	<b>Respondent</b>	<b>Agent</b>
Title		Mr
First Name		Gary
Last Name		Stephens
Job Title (if applicable)		Planning Director
Organisation (if applicable)	Hallam Land Management	Marrons Planning
Address	c/o Agent	Bridgeway Bridgeway House Stratford-Upon-Avon
Post Code		CV37 6YX
Telephone Number		01789 339 963
Email Address		gary.stephens@marrons-planning.co.uk

## Section B: Your Representation

Please complete a separate sheet for each representation that you wish to make. You must complete 'Part A – Personal Details' for your representation to be accepted.

Representations cannot be treated as confidential and will be published on our Consultation Portal. Any representations that are considered libelous, racist, abusive or offensive will not be accepted. All representations made will only be attributed to your name. We will not publish any contact details, signatures or other sensitive information.

Full Name	Hallam Land Management Ltd
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Question 1: Please indicate which consultation document this representation relates to?

The Local Plan

Sustainability Appraisal

Habitat Regulations Assessment

Question 2: Please indicate which section of the indicated document identified above that you are commenting on (where applicable please clearly state the section / heading or paragraph number).

Sustainability Appraisal – See below

Question 3: Do you consider the Local Plan is:

Sound?

YES

NO

Legally Compliant?

YES

NO

Compliant with the Duty to Cooperate?

YES

NO

Question 4: If you consider the Local Plan unsound, please indicate your reasons below (please tick all that apply):

The Local Plan has not been positively prepared

The Local Plan is not justified

The Local Plan is not effective

The Local Plan is not consistent with national planning policy

Question 5: Please provide details of either:

- Why you consider the Plan to be sound, legally compliant, or adheres to the Duty to Cooperate; or
- Why you consider that the Local Plan is unsound, is not legally compliant, or fails to comply with the Duty to Cooperate

These representations contain both general and specific concerns in relation to the Sustainability Appraisal, January 2019.

### **Sustainability Appraisal Process**

The Sustainability Appraisal (SA) is an iterative process to help inform the stages of plan making and the key choices the plan must take in light of the findings. In this particular case, the SA has not informed plan making decisions but has responded to them. This is clearly evident from the narrative within the original SA prepared in October 2018 which appraised a different Draft Local Plan to that which is currently subject to consultation. Whilst the SA has been updated to reflect decisions taken regarding the Local Plan at the Extraordinary Council meeting in November 2018, the decision was not made in light of the SA of January 2019.

### **Establishing Reasonable Alternatives**

As noted in representations submitted by Hallam Land Management Limited (HLM) in relation to Housing Need and Requirement, the minimum local housing need (LHN) is 452 dwellings per annum (dpa), based on the standard method, and taking into account 2014 Household Projections.

The SA has only assessed alternative strategic options for the distribution of growth that as a minimum meets the LHN within the Draft Local Plan (350 dpa). Other strategic options should now therefore be appraised which appraise higher levels of growth to reflect the higher level of LHN that now needs to be planned for.

### **Unmet needs from Neighbouring Authorities**

As noted in representations submitted by HLM in relation to the Duty to Cooperate, the identified unmet needs of neighbouring areas have not been taken into account in establishing a housing requirement for Brentwood. The SA also recognises that there are unmet needs (box 5.2 and table 5.1), and notes that higher levels of housing growth would go some way to addressing these needs. Although the SA notes that there would be further environmental consequences of addressing unmet need from elsewhere, this would be inevitable given it is a higher level of growth requiring further land. However, this does not mean that a higher level of growth could be deemed unsustainable.

## **Additional Strategic Growth at Brentwood**

Indeed, the SA concludes:

*“A headline conclusion is that a strategy involving one or more strategic allocations within the A127 corridor performs well, relative to the alternative of supporting higher growth at Brentwood, in respect of a number of objectives. It does not automatically follow that a strategy involving higher growth at the Brentwood is relatively unsustainable overall; however, it is an indication. The appraisal has highlighted limited benefits to supporting higher growth at Brentwood, and some significant drawbacks, most notably in respect of ‘air quality’ and ‘biodiversity’, with significant negative effects predicted in both respects. However, the appraisal findings do reflect the merits of the particular package of sites assumed to deliver higher growth. There will be alternative packages of sites that perform better in certain respects.”*

As an example of a site that can perform better in certain respects, it will be noted from representations made in respect of the Site Allocations that Land at Calcott Hall Farm, Brentwood could have a positive effect on air quality and biodiversity as a consequence of the proposals for a Community Link Road and measures to enhance biodiversity and green infrastructure on site. Higher growth at Brentwood would not therefore automatically be appraised as unsustainable in the context of this site being allocated.

Furthermore, the SA also notes that in relation to Climate Change Mitigation, development around Brentwood urban area would be more sustainable than options elsewhere in South Essex where sustainable transport options are not available:

*“In **conclusion**, options involving a concentration of growth along the A127 corridor perform best, along with Option 7, which is higher growth options that could feasibly reduce pressure for growth at locations to the east within South Essex where commuting by train to London is less attractive as an option.”*

The SA should therefore re-assess its appraisal of additional growth at Brentwood in light of the evidence presented by Hallam Land Management within its representations in respect of Calcott Hall Farm. In particular, evidence in relation to air quality, biodiversity, heritage, landscape and transport all impact on how the site should be assessed with the SA. The SA should be updated to reflect this further evidence in the same way evidence prepared to inform the appraisal of Dunton Hills Garden Village has been taken into account.

Please continue on a separate sheet if necessary

Question 6: Please set out what modification(s) you consider necessary to make the Local Plan sound or legally compliant, having regard to the matters that you identified above.

You will need to say why this modification will make the Local Plan sound or legally compliant. Please be as accurate as possible.

The Sustainability Appraisal must be reviewed and updated in light of changes that need to be made to the Draft Local Plan, and in light of new evidence presented to the Council as to the positive effects of development of Calcott Hall Farm, Brentwood.



Please continue on a separate sheet if necessary

Question 7: If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination in Public (EiP)?

NO, I do not wish to participate in the oral part of the EiP

YES, I wish to participate in the oral part of the EiP

Question 8: If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

To elaborate and examine the matters raised which are critical to the soundness of the Plan.

Please continue on a separate sheet if necessary.

Please note that the Inspector (not the Council) will determine the most appropriate procedure to hear those who have indicated that they wish to participate in the oral part of the Examination.

