



**BRENTWOOD  
BOROUGH COUNCIL**

## **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.

**Section A: Personal Details**

	<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
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Post Code		CV37 6YX
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## 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).

Policy SP02, Figure 4.2 and Appendix 1: Housing Trajectory

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

There is not clear or sufficient evidence to demonstrate that the housing trajectory for the following sites in Appendix 1 is justified as required by the Framework to demonstrate a site is deliverable. This undermines the evidence within Figure 4.2 Demonstrating Housing Provision which therefore results in Policy SP02 being ineffective and not justified.

### **R01 Dunton Hills Garden Village**

It is noted that a Scoping Opinion has been submitted for R01. However, the Council has yet to reach a determination and it is understood that it does not intend to grant planning permission for any subsequent application until the adoption of the Local Plan.

Assuming the Plan is adopted in 2019/20 and a decision is taken shortly thereafter, this would give at best three years before the first 100 homes are completed on the site in 2022/23. No evidence has been provided to demonstrate the site is deliverable in accordance with the Framework, and one would expect a timetable with key milestones to reach a start date for construction and the completion of 100 dwellings.

Further, R01 is expected to achieve another 2,600 homes over the remaining 10 years of the Plan period (an average of 260 dpa). This average per annum is greater than the average identified in recent studies examining the delivery of large scale development. For instance, the Start to Finish Study (NLP, 2016) noted the annual average build for sites over 2,000 dwellings was 161 dpa. More recently the Letwin Review (Independent Review of Build Out, MHCLG, 2018) noted an average build rate of 6.5% of the total site for sites over 1,500. If the average was applied to R01, this would equate to 175dpa. No evidence is provided as to why a substantially greater build out rate will be achieved.

As evidenced by the length and detail of Policy R01, and the infrastructure requirements set out in the Plan, R01 is a complex site with a number of physical and policy constraints that need to be addressed. It is also a critical component of the housing supply and therefore the strategy to meet housing need. By way of example, if the start date for construction was delayed and the first 100 dwellings were not completed until 2024/25, this would result in 500 less dwellings being built within the Plan period. This equates to over a year worth of housing need not met.

In the absence of any evidence on delivery, Hallam Land Management do not believe the trajectory will be achieved.

### **R02 Land at West Horndon Industrial Estate**

As it stands, the site is currently occupied by various commercial enterprises all of which would need to be vacated for the site to be developed in full. The Housing Trajectory (Appendix 1) assumes these uses are all relocated in order to facilitate the completion of 65 dwellings in 2021/22. There is no evidence the current occupiers have found alternative premises such that they could relocate their businesses within the next 12 to 18 months in order to enable completions in Spring 2021.

There is therefore not clear evidence that housing completions will begin on site within 5 years as required by the Framework to demonstrate deliverability.

Further, the estimated number of units achievable on the site is considered over-optimistic with a net density of 57 dwellings per hectare contrasting sharply with the established character of the West Horndon village. The final capacity of this site may therefore be less than suggested in the Local Plan.

Finally, given the close proximity of R01 and R02, evidence should be provided on market saturation and the ability of the level of housing completions to be achieved. The Housing Trajectory suggests at their peak in years 2026 to 2029, 365 dwellings per annum would be achieved in the A127 corridor from these two sites alone. This is a significant proportion of the annual housing need for the Borough (over 80%) being delivered in one location.

### **R03 Land North of Shenfield**

There is no clear evidence that housing completions will begin on site within 5 years (2023/24) as required by the Framework to demonstrate deliverability.

Furthermore, the Trajectory assumes 155 dwellings to be completed in the first year of the development (2023/24). This is a significant rate of delivery for the first year of a development, and notably higher than other sites in Borough (e.g. R01 is 100 dwellings). The figure appears unrealistic in the absence of any evidence.

### **R04 & R05 Ford Headquarters and Council Depot**

As it stands, Ford have stated an intention to move but there is no certainty over when this will occur. The Trajectory assumes 40 dwellings being completed in 2024/25. In the absence of any certainty on the timescales as to when the site will be available for development, placing reliance on this site delivering housing completions in this year of the Plan period (which could well fall within the first five years of the Plan period) is not sound.

**R07 Sow and Grow Nursery, Ongar Road**

This site is identified to have delivered 18 dwellings by April 2021. As the site is in the Green Belt, this will only be achievable if the Plan is to be adopted in 2019/2020. It is therefore questioned whether this site will deliver housing as quickly as proposed within the Housing Trajectory.

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.

Hallam Land Management have identified in these representations (and representations made in relation to Duty to Co-operate and Housing Need and Requirement), that the housing supply identified in the Plan will not meet the housing required to be provided for within the Plan. This is both in terms of the Plan period as a whole, and in terms of the first five years of the Plan period.

Additional Site Allocations are therefore necessary to make the Local Plan sound. Further, given the absence of non-Green Belt alternatives, the requirement to meet housing needs would be the exceptional circumstances for the further release of land and alterations to the Green Belt boundary as set out within the Local Plan.



Hallam Land Management are of the strong view that there is a suitable site adjoining the Brentwood Urban Area that would not undermine the purposes and importance of the Green Belt if it were to be released.

The site is referred to as Calcott Hall Farm, Brentwood, which is under the control of Hallam Land Management and could start delivery within five years of adoption of the Plan. The HEELA, October 2018 recognises the site as suitable, available and achievable (Site Ref 302c). Furthermore, the Sustainability Appraisal has already deemed the Site as a reasonable alternative (Table 5.2, SA of Brentwood Local Plan, January 2019).

Notwithstanding the Council's position that the site is suitable, available, and achievable, Hallam Land Management have submitted with these representations a suite of technical documents that demonstrate the site is both suitable and that its development would align with the Vision, Spatial Strategy and Strategic Objectives of the Plan. The key points to note are below:

#### Location

- As illustrated on the attached plan, the site is immediately adjacent to the Brentwood Urban Area (Settlement Category 1) as defined in the Settlement Hierarchy (Figure 2.3);
- The site lies to the immediate south of Pilgrims Hatch, and to the west of Brentwood and the A12;
- The site does not perform a role in maintaining separation between the already connected settlements of Brentwood and Pilgrims Hatch as evident from the plan and when viewed on the ground;
- The site falls within the Central Brentwood Growth Corridor; and,
- Its allocation would therefore be consistent with the Settlement Hierarchy and Spatial Strategy for the Borough.

#### Green Belt

- The site is already bounded on two sides by the Urban Area (to the north and east);
- The site has clear, physical defensible boundaries to the Green Belt to the south and west, namely Weald Road and Weald Country Park (a Local Authority owned parkland which is also a Registered Park and Conservation Area);
- These physical features are readily recognisable, and are permanent in accordance with paragraph 139 of the Framework, and an amended boundary for the Green Belt is appended to these representations;
- Any development would therefore be contained and the site has limited intervisibility with the wider Green Belt due to the presence of the urban area, and woodland and tree cover within the site;

- Paragraph 138 of the Framework requires first consideration to be given to releasing Green Belt land which has been previously developed or is well served by public transport. The site is well served by public transport as explained below under Accessibility and should therefore be a first consideration;
- Paragraph 138 also requires removing land from the Green Belt to be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land. The environmental quality and accessibility of Weald Country Park can be improved through the release of this land as explained below under Transport and Connectivity; and,
- The site's release from the Green Belt would therefore be consistent with National Green Belt Policy and would not undermine the integrity of the Green Belt within the Borough.

#### Accessibility

- The site is within 2km or 10 minute cycle distance/20 minute walking distance of local services within Brentwood Town Centre, and closer still to day-to-day facilities within Pilgrims Hatch;
- Brentwood Train Station is a 12 minute cycle distance/25 minute walking distance, with Shenfield Train Station around 15 minute cycle distance/30 minute walking distance;
- Safe, direct and convenient routes to the town centre and train stations from the site are achievable; and,
- Existing bus routes already pass the northern entrance to the site, and a public transport strategy has been agreed with the Bus Operator to improve connections from the site with the train station and town centre.

#### Transport and Connectivity

- The site has the ability to deliver a Community Link Road (CLR) connecting Ongar Road to the north, with Weald Road to the south. The Transport Feasibility Study prepared states that the CLR would provide an alternative route for traffic from Pilgrims Hatch heading south to the A12/M25 that avoids Brentwood Town Centre and the Air Quality Management Area;
- The CLR would also improve the environmental quality of the Weald Country Park through enabling the downgrading of Sandpit Lane that runs along the site's western boundary by preventing through traffic; and,
- The site also has the ability to provide safe, direct and convenient pedestrian and cycle routes from the Brentwood Urban Area to the Weald Country Park that do not currently exist, and thereby improving its accessibility to the local population.

#### Environment

- There are no environmental features of interest that would prevent development of the site as evidenced within the suite of technical documents appended to these representations covering arboriculture, drainage, ecology, heritage, noise and air quality;
- There is the ability to deliver environmental benefits on the site, including ecological benefits arising from the management of the High Wood Local Wildlife Site and provision of green infrastructure that would enhance habitat connectivity with the Weald Country Park;
- Benefits to the setting of nearby designated heritage assets through the downgrading and reduction in vehicular traffic along Sandpit Lane;
- The site has limited inter-visibility with the wider landscape, and its visual envelop is primarily limited to points along the boundaries of the site; and,
- The retention of landscape features within the site, and locating development within the lease sensitive areas will ensure the landscape and visual impact is limited.

More specifically, with reference to the suite of technical documents, the site can be developed in accordance with relevant national and local planning policies as summarised below:

- A Desk Based Heritage Assessment has been prepared which demonstrates how harm to the setting of nearby designated assets, including Weald Country Park and South Weald Camp Iron Age Hillfort, can be avoided through the incorporation of suitable buffers from built development which are incorporated into the Capacity Plan;
- A Landscape and Visual Statement has been prepared which demonstrates how development of the site would not result in any sense of greater coalescence between Pilgrims Hatch and Brentwood than exists today, and how the site has limited intervisibility with the countryside to the south and west such that its visual impacts would be limited. Key landscape features have also been incorporated into the Capacity Plan;
- A Preliminary Acoustics Review has been prepared which demonstrates that potential sound sources, including from traffic on the A12, can be mitigated to acceptable levels through consideration being given to layout and the relationship of dwellings to the noise source, and incorporation of an acoustic bund which has been incorporated into the Capacity Plan;
- A Preliminary Air Quality Review has been prepared which demonstrates the effects of sources of air pollution near to the site, including the A12, on development can be mitigated through incorporating sufficient buffers within the layout which have been incorporated into the Capacity Plan;

- A Preliminary Arboricultural Assessment has been prepared which demonstrates how the woodland and trees of high quality within the site can be retained through the indicative layout incorporated into the Capacity Plan;
- A Preliminary Ecological Appraisal has been prepared which demonstrates how valuable ecological habitats on site will be protected and enhanced through the indicative layout incorporated into the Capacity Plan; and
- A Surface Water and Foul Water Feasibility Study has been prepared which demonstrates that surface and foul water can be appropriately managed in conjunction with onsite measures including attenuation ponds within the layout which have been incorporated into the Capacity Plan.

#### Infrastructure

- The site has the ability to accommodate a primary school should this be necessary to serve the development; and
- There are no constraints to development in terms of utilities infrastructure as illustrated on the appended Utilities Constraints Plan.

#### Delivery

- Hallam Land Management control the site, and as outlined above there are no impediments to early delivery;
- They have a strong track record of securing deliverable outline planning permissions that are attractive to the market. It is therefore considered that delivery could start within five years from plan adoption;
- In addition, as there are two points of vehicular access (at either end of the site) with a central spine road (CLR) that in part could accommodate sales outlets on either side, two to three sales outlets are achievable. On this basis the following trajectory is assumed:

<b>Year</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>25/26</b>	<b>26/27</b>	<b>27/28</b>	<b>28/29</b>	<b>29/30</b>	<b>30/31</b>	<b>Total</b>
<b>Dpa</b>	25	75	100	100	100	100	100	100	100	<b>800</b>

#### Review of the Draft Local Plan Evidence Base

Hallam Land Management have undertaken a review of the evidence base relevant to the above site.

As noted above, the HEELA, October 2018 recognises the site as suitable, available and achievable (Site Ref 302c). Furthermore, the Sustainability Appraisal deemed the Site as a reasonable alternative (Table 5.2, SA of Brentwood Local Plan, January 2019).

The site has also been assessed within the various Green Belt Studies that have been undertaken for the Council.

The Green Belt Studies Part 2 (January 2018) and Part 3 (November 2018) both assessed the site as making a moderate-high contribution to the purposes of the Green Belt.

However, this assessment changed when a new Green Belt Study Part 3 (January 2019) was published in February 2019 which assessed the site as making a high contribution to the purposes of the Green Belt. The reason for the changes to the evidence base after publication of the Draft Local Plan are unclear and should be explained.

Furthermore, there are a number of inaccuracies in the January 2019 assessment of the site as follows:

- The study considers the site as having clear separation from the urban area based on the A12 and A128, and limited association with the urban area.

In response, Pilgrims Hatch extends to both sides of the A128 and therefore the A128 does not separate the site from the urban area. The site, and features such as High Wood, sports pitches, and Calcott Hall Farm, have close association with Pilgrims Hatch which forms part of the Brentwood Urban Area in accordance with the Council's Settlement Hierarchy.

- The study assesses the site as 'not contained'.

In response, it is evident from the plan and on the ground that the site is contained on two sides by built development. The site abuts the built-up area, would be an urban extension, and should be regarded as 'partly contained'.

- The study considers the site would lead to a physical narrowing of the gap and 'potential' visual coalescence between Pilgrims Hatch and Brentwood. The study also refers to 'perceptual' coalescence.

In response, the A12 is the only gap between Pilgrims Hatch and Brentwood and this would not change. The boundary of the site is pulled back from the Ongar Road adjacent to the A12 to reflect the existing sports pitches such that there would be no change to visual coalescence as perceived on the ground than that which already exists as a result of development on the opposite side of Ongar Road.

- The study assesses the site as having 'significant separation reduction'.

In response, there is no reduction in the separation between Pilgrims Hatch and Brentwood, and they both form part of the Brentwood Urban Area.

- The study assesses the site as having a moderate relationship with a historic town.

In response, the site does adjoin Weald Country Park which is a Registered Park and Garden. However, Weald Country Park is not a historic town and therefore the assessment has unfairly considered the site.

These inaccuracies have led to the conclusion that the site has a high contribution to the purposes of the Green Belt. The weight to be given to this evidence in informing the Draft Local Plan is therefore diminished.

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.