



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

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** 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**

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	
Title	Ms
First Name	Wendy
Last Name	Cohen
Job Title (if applicable)	
Organisation (if applicable)	
Address	
Post Code	
Telephone Number	
Email Address	

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	Wendy Ann Cohen
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Question 1: Please indicate which consultation document this representation relates to?

The Local Plan

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Sustainability Appraisal

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Habitat Regulations Assessment

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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).

Section 09: (Site Allocation)

- Policy R25, 9.197 - 9.200

- Policy R26, 9.201 - 9.205

Section 04: (Managing Growth)

- Policy SP01 - D (a) and D (f)
- Para 4.9
- Para 4.2
- Policy SP02

Section 08: (Natural Environment)

- Policy NE06, 8.5 - 8.64
- Para 8.85 (iv)
- Para 8.90
- Para 8.101
- Policy NE13

Question 3: Do you consider the Local Plan is:

Sound?

YES

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NO

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Legally Compliant?

YES

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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

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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

Unsound because :-

- Brentwood Borough Council has failed to provide a development strategy for the villages, including Blackmore, in the north of the Brentwood Borough. The LDP has not been prepared appropriately because it lacks any provision for meeting the village's needs, which have not been objectively assessed. This is clearly demonstrated by the lack of an assessment of the housing needs within the village.
- Brentwood Borough Council has not consulted adequately with neighbouring authorities and has failed to account for the impact of developments in close proximity to the village. This contradicts key requirements of the LDP, as a nearby development of around 30 houses is under way on Fingrith Hall Lane, having been approved by Epping Forest District Council. The residents of these homes will undoubtedly use Blackmore infrastructure and the impact of these properties has not been taken into account.
- Additional planned housing developments on Red Rose Farm and on Spriggs, near to Blackmore, have not been considered by the planners. These properties will rely on the village of Blackmore and further exacerbate the stresses on already overloaded infrastructure and services.
- Blackmore is a small village with modest services and infrastructure. Currently, Blackmore has minimal public transport providing access to the local towns of Brentwood and Chelmsford, a heavily oversubscribed primary school, a severely overstretched GP / Health services, narrow and heavily used roads, and desperately insufficient parking around the local shop. Additional housing on the scale proposed in the LDP will have a dramatically detrimental effect on these services and, subsequently, the quality of life of Blackmore's residents. The LDP fails to demonstrate that the level of proposed development in Blackmore can be sustained by the existing infrastructure and is, therefore, inconsistent with the requirement to achieve sustainable development.

- Far more suitable and sustainable locations are available within Brentwood Borough Council, that would provide much better access to urban development and services. Blackmore does not present the opportunity to achieve sustainable development.
- The proposed development is on Green Belt land – the Government and Brentwood Borough Council have given numerous assurances that high quality green field Green Belt land will not be sacrificed to housing unless no suitable brownfield alternatives are available. National Planning Policy Framework (NPPF) states that green belt boundaries should only be altered in exceptional circumstances. Amendments to boundaries around the village of Blackmore have not been fully evidenced and justified as required by national policy. Brentwood Borough Council has not demonstrated that it has examined fully all other reasonable options for meeting its identified need for development, in particular that there are no other brownfield sites available which should take priority over Green Belt land development such as the sites off Red Rose Lane. The LDP is therefore unsound because it does not take into account reasonable alternatives and the need to promote sustainable patterns of development and is therefore contrary to national planning policy. Paragraph 138 of the NPPF states “When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”
- Brentwood Borough Council has failed to demonstrate that the required housing could not be met by increasing housing density on other allocated sites within the LDP. The LDP is therefore not based on proportionate evidence.
- There has been no ‘Housing needs Survey’ undertaken to demonstrate why Blackmore is included in the LDP, and there is no justification of the numbers of dwellings proposed in the village. The LDP is therefore not based on proportionate evidence.
- The access off Red Rose Lane, Blackmore is entirely unsuitable for the volume of traffic movements that would result from the proposed development. The lane is very

narrow and two cars cannot pass each other without pulling to the side. The lane has ditches either side and does not have pavements or other provision for pedestrians. The lane is regularly used by walkers, cyclists and horse riders and the additional traffic would cause a major hazard. The LDP has not demonstrated that the proposed development off Red Rose Lane is sustainable.

- The proposed sites are liable to flood, and the proposed development of these sites will also increase the flood risk in the village which has been subject to severe flooding in the past. Red Rose Lane itself has flooded many times in the past, and a neighbouring field was rejected from the LDP proposals because of the risk of flooding. The proposed development is therefore not sustainable, and if ponds and extra drainage are required to alleviate the risk of flooding, then the development may not be deliverable.
- Site R26 is home to a number of protected species including turtle doves, skylarks, various species of bat, and barn owls. The turtle dove is a Section 41 species which is of principal importance for the conservation of biodiversity in England. They are vulnerable to global extinction and identified in the Red List of Endangered Species. The loss of this site to housing would inevitably mean the loss of this important breeding site and thus further loss of appropriate habitat. Loss of this habitat and impact on protected species is also contrary to national policy,

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 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.

- Brentwood Borough Council should conduct a 'Housing Need survey' of Blackmore village to demonstrate that the development is justified. This modification should be

included to ensure that the LDP is sound - as it stands the LDP is not justified because it is not based on proportionate evidence.

- Brentwood Borough Council are required to demonstrate that no other brownfield sites are available which should take priority over Green Belt development. As it stands the LDP is not justified in terms of overturning the Green Belt status of these sites. The LDP is unsound at present because the proposed development does not take account of reasonable alternatives.
- Highway/traffic assessments, flood risk/drainage assessment and detailed ecological surveys should be undertaken in order to demonstrate the sites R25 and R26 are deliverable.

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.

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

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

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.