



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

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	Mr
First Name	Richard
Last Name	Hatter
Job Title (if applicable)	Strategic Planning Manager
Organisation (if applicable)	Thurrock Council
Address	Strategic Planning Policy Civic Offices, New Rd Grays, Essex
Post Code	RM17 6SL
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	Mr Richard Hatter
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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 RO1 – Dunton Hills Garden Village (& supporting text)

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

Thurrock Council considers the Brentwood Local Plan is unsound due to the proposal for a large free-standing settlement identified as Dunton Hills Garden Village (DHGV). Thurrock Council has made representations setting out its concern at the previous consultation stages of the Brentwood Local Plan in 2016 and 2018 and in its correspondence and meetings with Brentwood Council officers. Other representations covering issues relating to DHGV are covered under Duty to Cooperate and Spatial Strategy and the evidence base.

Dunton Hills Garden Village

Dunton Hills Garden Village was introduced in the draft 2016 Brentwood Local Plan consultation as strategic location for a stand-alone garden village concept in the A127 Corridor and having a capacity of 2,500 dwellings. The Dunton Hills Garden Village is proposed to be located in the Metropolitan Green Belt east of West Horndon and on the east side of the A128.

In the Brentwood Pre-submission Local Plan the Dunton Hills Garden Village is regarded as a new borough village in the Brentwood with 2,700 new homes and supporting schools, shops, healthcare, employment and infrastructure. The Dunton Hills Garden Village concept is expected to make a significant contribution to Brentwood's housing supply (35%) and will have significant implications for the Brentwood Local Plan in terms of the overall spatial strategy, the Green Belt and policies including for the delivery of housing and infrastructure.

The site (259.2 ha) is identified as having a capacity of 2,700 dwellings during the plan period to 2033. It is understood the Council continues to develop a comprehensive masterplan for the site to detail the key garden village design principles and the development will be a landscape-led development.

Brentwood Council have identified a possible total dwelling yield from the site of 4,000 dwellings or a further 1,300 dwellings beyond the plan period. The Council is giving consideration as to whether the delivery of Dunton Hills can be accelerated to increase its dwelling yield during the plan period by an extra 1,000 dwellings (providing 3,500 in total) if the Council is required to meet the higher dwelling housing requirement over the plan period as a result of the Governments standardised methodology.

Prior to the 2016 draft Local Plan Brentwood Council had consulted on the Dunton

Garden Suburb which was a joint approach between Basildon and Brentwood Borough Councils to consider taking forward the concept of a strategic development proposal for land south of the A127, west of Basildon and east of West Horndon. The proposed development straddled the boundary between the two boroughs and is within the Metropolitan Green Belt. Thurrock Council strongly objected to the Dunton Garden Suburb for a number of reasons highlighted in more detail in previously submitted representations.

Reference is made below to the key Thurrock concerns regarding the free standing Dunton Hill Garden Village proposal (that are also covered in other representations) including:

1. Lack of Technical Evidence

It is recognised that the Dunton Hills Garden Village concept is still being developed and will be subject to a detailed planning application and masterplan. However Thurrock Council remains very concerned that considerable elements of the evidence base to justify such a concept have not been prepared and at this stage must call into question the robustness of the concept and the approach being undertaken. There is limited information available to comment on the detail of such a scheme and the existing technical evidence base does not include assessments for development of this scale. The Dunton Hills Garden Village concept in part appears based on assumptions that are not clearly evidenced or available for respondents to make an informed decision.

2. The concept of the Garden Village

It is not considered that Brentwood Council have provided a convincing case as to why a free standing settlement of 2,700-4,000 homes in the Green Belt in this location is the most suitable option to accommodate a large element of the borough's housing need. In addition to the other comments set out below the location does not have any public transport such as a railway station other infrastructure or services compared to existing settlements. It is also unclear as to the spatial extent or further mitigation required to increase site capacity from 2,700 to deliver another 1,300 dwellings.

Brentwood Council have produced a Housing and Economic Land Availability Assessment (HELAA) that identifies sites with just over 14,000 dwelling capacity that are deliverable and developable. It is unclear therefore why 35% of Brentwood's housing supply is focused on one large scale development in the very south of the borough.

The development of the Brentwood Local Plan spatial strategy appears to have:

- not considered a suitable range of reasonable alternative options that are easier to deliver and/or less constrained;

- developed the concept of DHGV in isolation from other options;
- put forward a large free standing settlement at Dunton Hills at an early stage which has pre-determined the spatial approach without being supported by the evidence;
- not assessed reasonable options for a free standing settlement or large scale settlement expansion elsewhere in the borough that should have been tested through local plan development evidence and SA process;
- developed a spatial strategy without key elements of the evidence base including land availability transport assessment;
- not taken account of the emerging spatial options being pursued by the adjoining authorities such as Thurrock and through the joint work of the South Essex authorities.

By progressing DHGV at this stage it is considered that reasonable alternative options in this corridor including at West Horndon are not being assessed in collaboration with the other South Essex authorities as part of the joint planning arrangements. Furthermore the current approach does not take into account any cross boundary options with adjoining authorities and therefore does not meet the requirements under the Duty to Cooperate.

The approach of Brentwood Council in pursuing the DHGV concept at this stage is also considered premature and prejudices the outcome of the evidence being prepared to inform the South Essex Joint Spatial Plan including the Spatial Growth Locations Study. The current evidence is deficient as it makes no reference to the work being undertaken to prepare and inform the South Essex Joint Strategic Plan.

The policies and supporting text refer to the DHGV concept as self-sustaining. What does this mean? It is not considered that DHGV is self-sustaining given the reliance on transport and infrastructure provision elsewhere including Laindon, West Horndon and given proximity to Basildon and the role of its town centre. Education at 4,000 scale would create some cross border issues in terms of early provision of places. It is questioned whether 2,700 to 4,000 dwellings is really a self –sustaining community.

3. Masterplan Approach

There is significant concern that so much of the detail for a strategic site would be left to master plan stage. Thurrock Council considers that more evidence should be provided on the suitability of the project as part of the local plan and its supporting evidence.

4. Green Belt Issues

The Dunton Hills Garden Village in itself would result in a major Green Belt release leaving a limited gap between Basildon and West Horndon and Upminster

settlements and therefore causing significant harm to the function of the Green Belt and the openness of Green Belt. It is considered such a development would reduce significantly the openness of this part of the Green Belt and result in urban sprawl along the A127 by spreading the extent of built development further into the Green Belt. The form and scale of the Dunton Garden Village would also cause significant harm to the other purposes of the Green Belt and would result in major encroachment into the countryside whilst also causing harm to the purpose of preventing the merging of neighbouring towns. It is noted that the location scores overall a Moderate to High in terms of meeting the purposes of the Green Belt in the Brentwood draft Green Belt Review.

It is considered any large strategic Green Belt release such as the Dunton Hill Garden Village on its own or in combination with a release at West Horndon will have significant harm to the openness and function of the Metropolitan Green Belt. The Green Belt surrounding West Horndon and along the A127 corridor meets the purposes of the Green Belt including preventing urban sprawl and coalescence between Basildon and West Horndon in the east and from West Horndon westwards to Cranham and Upminster in London.

The Government attaches great importance to the Green Belt as stated in the National Planning Policy Framework of 2018 (NPPF). Paragraph 133 of the NPPF confirms the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristic of the Green Belt is its openness and permanence.

Other proposals such as a significant urban extension west of Basildon would also undermine the function of the Green Belt in this location as stated above and was subject to formal objections by Thurrock Council at the previous stages of the current Basildon local plan consultation. Any Green belt release west of Basildon together with any Green Belt release east of the existing West Horndon urban boundary would also result in potential coalescence and urbanisation of the A127 corridor resulting in significant loss to the openness and strategic function of the Green Belt.

Additional Green Belt releases including employment land (Brentwood Enterprise Park) at Junction 29 of the M25 with A127 taken together with any longer term strategic release for housing at Basildon will have an even greater cumulative impact on the openness of the Green Belt in this corridor.

5. Landscape Impact

The DHGV concept is proposed as a Landscape-led development. Thurrock Council suggests that the potential of larger scale developments such as the Dunton Hills Garden Village would have a much greater negative impact on the landscape than stated by Brentwood Council.

The assessment of both landscape character areas and capacity for development can

be undertaken for a range of scale and type. The Dunton Hills Garden Village concept would be considered a large scale urban development likely to have significant impact to neighbouring local character areas.

The character assessments undertaken for Brentwood in the Mid Essex Character Assessment Area G3 South Essex Towns do not reflect the importance of the adjacent large landscape character area of fenland. This has been recognised by the Thames Chase Heritage Lottery Fund as a distinctive landscape character worth conservation and has been identified by Campaign for the Protection of Rural England as nationally significant area of tranquillity in the Metropolitan Green Belt.

Dunton Hill Farm site is on a highly distinctive rise on a raised plateau between Laindon Hills and the Brentwoods Hills and separates the catchments of the Mardyke River to west and the River Crouch to the east. Basildon descends north-east from Langdon Hills to the River Crouch. The urban edges of Brentwood and Basildon are set back from the steeper slopes and screened with woodlands from views across the fenland. The settlements of Upminster and South Ockendon are identifiable in distant views to the east and south-east.

There are built features within the open rural landscape which do not significantly impact the value of the area but may lower the quality or condition of the landscape in field by field character assessments. The impact to the wider fenland character is likely to be greater than the settlements of South Ockendon in the south west. It is highly likely from the finding of landscape capacity studies that any development greater than discreet infill plots would significantly harm the landscape character.

Brentwood have since produced a Landscape Sensitivity and Landscape Character Assessment (LSLC) in 2018. The site scale level of the LSLC is helpful in general, however the sites on the Brentwood and Thurrock boundary are large and require, as the report recommended, further assessment. The methodology and findings are in general helpful. however there are points of concern with regards to sites 200E and 200W which are proposed as the preferred Option 1.

Firstly the description of landform under Geomorphology which describes Option 1 as two sites , 200E as a plane and 200W as rolling hills. This does not describe plateau of higher land in the east which descending by shallow slopes to the flood plain of the Fen to the south west. The landform of the sites affords long distance view across the fen to settlements of Buphan, Orsett and South Ockendon. The assessment of these long distance views to and from the site are not fully addressed in the report.

Landscape sensitivity and capacity sites 200 E band 200W is assessed to be mixed across the sites and the report recommends further assessment. Therefor the extent and dispersal of suitable areas of development is not known. In addition the views over the site from the wider rural areas would limit the height of any development.

It is questioned whether the DHGV can achieve the house numbers and facilities

without resorting to standard urban design, including significant alteration to the levels and landform.

6. Deliverability and Phasing

At present limited evidence has been provided by Brentwood Council to demonstrate the deliverability of this proposal or its acceptability in planning and infrastructure terms. Thurrock Council requests that more detail is provided as to how such a large scale development would be achieved and that all alternative options have been properly considered through the local plan process.

It is considered Brentwood Council have not produced convincing or robust evidence to back up the assertion that this is the best way in which to meet a significant element of its own dwelling requirement. It is noted at this stage that only indicative figures are given for housing and jobs at the Dunton Hills Garden Village and limited information on infrastructure. Without proper assessment of the potential of the site it remains questionable as to whether the concept is deliverable. There are currently no available studies associated with this development.

The Brentwood Plan and evidence indicate that delivery of the DHGV will commence in 2023/4 which is within the first five years of the plan and delivering rate of 100 dwellings a year that reaches 300 dwellings a year from 2026 onwards. These are considered optimistic assumptions for a such a large scale development. Clarification is sought as to whether all of the site is in single ownership to deliver the proposal within the timescales indicated.

The size and scale of the Dunton Hills Garden Village would require key partnership arrangements between the local authorities and presumably with key house builders. It has not been demonstrated at this stage as to how that could be achieved. In addition there are no details of the potential involvement and role of other public agencies and key stakeholders.

Insufficient evidence is provided for the overall cost associated with a project of this scale and there is limited indication given as to the level and the cost of infrastructure required or how this cost is apportioned between stakeholders. Infrastructure requirements and delivery are a key issue for a large scale development. For a large scale development on a greenfield site there is likely to be additional infrastructure requirements and costs. There is no information provided on the infrastructure requirements or its delivery and implementation.

Due to the size and scale of this development it will require significant upfront infrastructure investment and lead in times for house building are likely to be long term. This will have a significant impact on the ability of a development of this scale to contribute to the local plan requirements in the short to medium term. It is questionable therefore whether such a development of this large scale and in this location can be relied upon to significantly meet the dwelling and job requirements of

Brentwood Council during a significant part of the plan period. In particular this would undermine the case for Brentwood to rely heavily on such a development as part of its housing requirement.

It is considered that if these issues were not properly addressed and alternative options properly considered through the local plan process then development may not be delivered. This would result in a lack of sufficient housing provision within the council area unless alternative options are brought forward. Failure to deliver any strategic Green Belt release could also put further pressure on adjoining Councils to potentially accommodate such a requirement.

7. Viability

Limited evidence is provided on the viability of such a large scale development and how it would be brought forward. It is requested that viability testing would be a priority in assessing the suitability of such a scheme. There must be serious questions about the market ability to absorb such a large scheme in the short term.

8. Impact on Thurrock Housing Market

It is considered the Dunton Hill Garden Village concept would potentially have an adverse impact on Thurrock's ability to deliver its own housing requirement during the plan period and beyond due to the market becoming swamped by competing development including a potential Basildon west extension and in particular due to its scale and location close to potential broad locations in Thurrock (e.g. South Ockendon/North East Grays/East Tilbury).

It would undermine Thurrock's ability to deliver its existing and future housing requirement in and adjoining existing urban areas and the need to meet both the current and future economic, housing, social and community objectives. Such a project would also reduce economic benefits accruing from the co-location of new housing development within Thurrock's own centres and regeneration hubs as resident expenditure would potentially be diverted towards Dunton Hills Garden Village.

Discussions with developers have already revealed that the market already has concerns about the ability of Thurrock's own housing market area to sustain and support competing large scale housing developments given the fragile nature of Thurrock's housing market and persistent problems of under delivery. The justification for also seeking to meet a large proportion of Brentwood's development needs in this location are difficult to justify given it's a location physically, functionally and perceptually separate from Brentwood's main urban area which is also in a separate and distinct Strategic Housing Market Assessment Area.

9. Infrastructure and Public Expenditure Funding

Given the need for significant investment in new infrastructure to support the development of a new village at Dunton Hills it would potentially divert already limited public resources away from existing priority areas. It would undermine the scope for new housing development to cross subsidise new community infrastructure and address existing deficits in provision.

Brentwood Council continues to develop the infrastructure planning evidence base and has been producing an Infrastructure Delivery Plan (IDP) which is being updated as a “live document”. It is considered that significant elements of infrastructure such as transport and Green infrastructure are not adequately addressed. Furthermore the assessments of infrastructure for Dunton Hills Garden Village are not adequately included in the assessments and it is stated this work is still ongoing including under master planning for the site.

Thurrock Council has made previous representations with regard to the lack of availability of evidence base and in particular with some aspects of infrastructure including transport. It is considered that significant elements of the infrastructure evidence base are still required to be produced and or published in order to justify the overall level of growth, the approach to the spatial strategy and the sites allocations being proposed by Brentwood Council in the local plan.

10. Road Traffic Impact and Transport Evidence.

Thurrock Council considers the transport modelling and impact on adjoining authorities has not been fully assessed by Brentwood Council or published as part of the evidence base.

Limited assessment appears to have been undertaken on the impact of such a scale of development on the main highway network of the A127, A128 and A13. Thurrock Council also notes the proposals for developments along the A127 at employment locations and West Horndon to the west of Basildon as part of the West Basildon Extension. These, potentially, could also have the great impact on Thurrock’s local road and highway network. It is considered the cumulative impacts on adjoining authorities do not appear to have been taken into account. It is also not clearly identified how the Dunton Hills Garden Village would be served by public transport.

Thurrock Council is also concerned at this stage that the proposals for development of the Dunton Hills Garden Village do not appear to have sufficient assessment of the mitigation and delivery measures regarding the transport and highway implications to ensure this development can be brought forward in a sustainable manner in the plan. Thurrock Council requests that further technical evidence on the matters identified be provided to justify the ability to include proposed development in these locations or to provide alternative locations.

11. Sustainability Appraisal of the Site

It is noted the Dunton Hills Garden Village site scores poorly across a range of SA criteria of the SA and when compared with other sites in the site options findings. It is considered that the appraisal of the SA score for the site should be reduced to reflect the distance that housing in such a development as Dunton Hills Garden Village would have from the main centres, services, transport and residents in Brentwood.

The impacts in the SA should be scored more negatively to reflect the isolated nature of the development from Brentwood and public transport. The lack of public transport at this development is a fundamental issue which calls into question the access and sustainability of the development. There would be considerable additional road movements and congestion.

Duty to Cooperate

Following representations on the earlier Preferred Site Allocation consultation 2018, a number of South Essex planning authorities including Basildon, Thurrock and Essex County Council sought further clarification with Brentwood regarding their concerns regarding the Dunton Hills Garden Village proposal including any comments on a draft of a DHGV development framework. Several joint meetings were held with Brentwood Council to identify the key issues and areas of concern.

Thurrock Council along with Basildon Borough Council and Essex County Council had submitted a joint report to Brentwood in September 2018 highlighting concerns to Brentwood Council regarding the Dunton Hills Garden Village proposal. No response on the matters set out in the document has been received from Brentwood Council.

The Pre-submission Brentwood Local Plan was approved by Brentwood Council in November 2018 without outstanding matters with adjoining the issues regarding Dunton Hills Garden Village having been clearly addressed and outcomes identified despite requests from the three other authorities including Thurrock.

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.

It is considered the Brentwood Draft Local Plan and supporting evidence base will require further major revision and consultation with ongoing duty to cooperate with adjoining local authorities. In particular the preparation of the draft Brentwood Local Plan should be reviewed to take account of the outcome of testing of other spatial options being considered including the evidence by the South Essex authorities as part of the preparation of a Joint Strategic Plan.

Further work is required to develop the evidence base including the justification for the selection of the spatial options and dismissal of reasonable alternatives, housing capacity and supply further transport evidence and other infrastructure.

Due to the issues highlighted in this response and to the earlier documents it is considered that Brentwood Council needs to carefully consider how it proceeds with the preparation of the Local Plan and the timetable for its production. It is recommended that the Brentwood Plan with its current spatial strategy and site allocations should not be submitted for Examination.

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.

Due to the significance of the representations submitted by Thurrock Council it is requested that it attends the oral part of the examination

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.