



# **Brentwood Local Plan Regulation 19 Consultation Response**

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**Land at Hillcrest Nurseries, Herongate and Ingrave**

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**Prepared on behalf of Clearbrook Group PLC**

March 2019

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## Land at Hillcrest Nurseries, Herongate and Ingrave

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Site Name:	Land at Hillcrest Nurseries, Herongate and Ingrave
Client Name:	Clearbrook Group PLC
Type of Report:	Regulation 19 Local Plan Representation
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**APPENDICES**

Appendix A – Site Location Plan

## **1.0 Introduction**

- 1.1 These representations are submitted on behalf of Clearbrook Group PLC to Brentwood Borough Council's (the Council's) Regulation 19 consultation on the Pre-Submission Local Plan (PSLP).
- 1.2 Clearbrook Group have an interest in land adjacent to Hillcrest Nurseries, located within Herongate and Ingrave. A location plan showing the boundaries of the site is provided at Appendix A. The site has been promoted throughout the plan process for retirement housing.
- 1.3 As a consultation response to a Regulation 19 iteration of the Local Plan, the focus of this representation is the soundness and legal compliance of the PSLP.
- 1.4 We raised a number of concerns with the proposed approach being taken by the Local Plan, especially in relation to the provision of suitable and sufficient accommodation to meet the needs of the Borough's aging population, and put forward options to address this in our response to consultation on the Regulation 18 iteration of the Local Plan. However, these points do not appear to have been considered or addressed.
- 1.5 We do not consider that the PSLP as currently drafted can constitute a sound Local Plan in respect of its approach to specialist accommodation as per the requirement of the National Planning Policy Framework (NPPF), and paragraph 35 in particular. However, we are of the view that defects in the PSLP can be cured, as explained within this representation.

## **2.0 Local Plan Approach to Housing for Older People**

- 2.1 At a national level the population is ageing, with the Office for National Statistics (ONS) reporting that by 2039 the number of people aged 75 and over is expected to double from 5 million to nearly 10 million.
- 2.2 To contribute towards meeting this need, the NPPF (paragraph 50) requires Local Planning Authorities to plan for a mix of housing having regard to the needs of different groups, including older people. It goes on to state that Local Planning Authorities should identify the range of housing required in particular locations.
- 2.3 The importance of this is further emphasised within the Planning Practice Guidance (PPG), which describes the need to provide housing for older people as critical given the increase in this part of the population.
- 2.4 Within the Borough itself there is an ageing population, with the ONS projecting those aged over 65 as a percentage of the total population will increase from 20% in 2014 to 26% in 2037. This results in an increase of the population aged over 65 from 15,000 in 2014 to 23,000 by 2037. The ageing population is recognised within the PSLP at paragraph 6.6.
- 2.5 The NPPF and PPG are clear that Local Planning Authorities should seek to meet the needs of all residents, including older people. They further recognise that older people range from active people approaching retirement to the very frail elderly, having different housing needs.
- 2.6 Traditionally it has been sought to meet older persons housing needs through the provision of extra care housing falling within the C2 Use Class. As set out within the NPPF and PPG, older people require a range of housing and not just extra care, with providers of different products now active within the housing market to meet this need.
- 2.7 This is reflected within research by McCarthy & Stone, Retirement Housing: Integral to an ageing Britain (2017), which found that of those aged over 65, approximately 5.7 million people in the UK were potentially looking to downsize. This figure is projected to rise to 11 million by 2036.

- 2.8 In relation to the Borough specifically, Clearbrook Group commissioned their own research in respect of the need for retirement housing, as part of a previous planning application<sup>1</sup>. This confirmed such a need exists within the Borough and that there was a particular need for private sector retirement housing. The planning application was refused and appealed. The appeal<sup>2</sup> was dismissed, but the Inspector noted (paragraph 31) that a significant amount of evidence had been provided to demonstrate a need for accommodation of the type proposed; that the need was not disputed by the Council; and concluded that the proposed development would clearly make a contribution to meeting local need.
- 2.9 The research undertaken by Clearbrook also identified that a high percentage of the population within Ingrave and Herongate are over 65 years of age, demonstrating a clear need within the local area.
- 2.10 There is a clear need for a range of housing suitable for older people within the Borough, which should be addressed through the Local Plan in accordance with the NPPF and PPG.
- 2.11 However, we consider that the current approach within the PSLP does not meet the range of housing needs and in this respect is not positively prepared or consistent with national policy.
- 2.12 The PSLP's current proposed approach is through Policies HP01 and HP04.
- 2.13 Policy HP01 requires each dwelling to be constructed to meet M4(2) accessible and adaptable standards, with 5% of dwellings to be M4(3) on schemes of 60 or more. Where other Councils have sought to require all dwellings to meet M4(2) there have been multiple objections due to viability implications, with the requirement generally being significantly reduced. We are therefore concerned that the actual amount of housing meeting accessible and adaptable, and wheelchair user standards will be significantly below this level.

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<sup>1</sup> Application reference 14/01024/FUL | Construction of 27 residential retirement flats with communal facilities; separate staff, visitor and coach parking for Ingrave Johnstone Church of England Primary School and an extended school playground; construction of a new access to serve both developments; associated landscaping, and a new greensward to Brentwood Road. | Hillcrest Nurseries Brentwood Road Herongate Essex CM13 3NZ

<sup>2</sup> Appeal Decision APP/H1515/W/15/3132571 11 February 2016

- 2.14 Policy HP01 also sets out the Council will seek the provision of specialist accommodation on strategic residential schemes of 500 dwellings or more, with paragraph 6.13 stating this will ensure there will be sufficient housing to accommodate identified local need as set out in Policy HP04 Specialist Accommodation.
- 2.15 Given the high level of Green Belt within the Borough, any schemes over the 500 unit threshold will be the strategic allocations only. The PSLP sets out that the strategic allocations of West Horndon Industrial Estate, North of Shenfield and Ford Headquarters and Council Depot should all include the delivery of 60-bed care homes within Use Class C2, being a total of 180 beds of C2 accommodation.
- 2.16 Further specialist accommodation is also to be provided on Dunton Hills Garden Village, with Policy R01 seeking specialist accommodation in accordance with Policy HP04. No indication of the size or type of this specialist accommodation is given so it is unclear whether this will be another care home or a different form of accommodation.
- 2.17 With all of the specific provision within the PSLP being on large strategic sites, there will inevitably be a longer lead-in time for development to commence. There is also the challenge that major house builders do not deliver care homes themselves so will need to get an alternative provider involved, likely resulting in further delay to the care homes being delivered.
- 2.18 There is not only the risk that no care homes will be delivered until the medium/long term part of the plan period but also that through this approach a range of housing for older people will not be provided, contrary to paragraph 50 of the NPPF.
- 2.19 Policy HP04 states the Council will *'encourage and support proposals which contribute to the delivery of Specialist Accommodation'* subject to various criteria being met.
- 2.20 However, it is not clear how much specialist accommodation, where, or how, this will be delivered. Paragraph 6.25 states the Council will *'work with Essex County Council to secure provision of suitable sites'* for independent living schemes, strongly suggesting that the Council themselves are not clear where independent living or specialist housing will be located.
- 2.21 Furthermore, as part of the PSLP a review of site capacity has been undertaken which identified that development needs in general cannot be met within the existing developed

areas, with the Council considering exceptional circumstances exist to amend Green Belt boundaries in accordance with paragraph 136 of the NPPF.

- 2.22 With Policy HP04 still requiring proposals to comply with Green Belt policies, we question where additional sites can be identified within the Borough on non-Green Belt land. The Council have already identified that development needs cannot be met without amending Green Belt boundaries so it therefore logically follows that to provide additional specialist accommodation, Green Belt boundaries should similarly be reviewed. Under the current PSLP approach, it is difficult to see where a new site within the existing built up area will come forward for specialist accommodation, casting further doubts on the effectiveness of Policy HP04.
- 2.23 Without amendments, the PSLP is considered unsound in relation to its approach to meeting the accommodation needs of an ageing population. The approach is neither positively prepared, consistent with national policy, nor effective.
- 2.24 In order to make the approach to the needs of the ageing population sound, we suggest the Council should allocate deliverable sites to meet the diverse needs of older people. Such sites should include those that can come forward in the early part of the plan period to meet immediate needs, and should be distributed across the Borough to meet local needs and allow people to remain within their existing communities if they wish.



### **3.0 Land at Hillcrest Nurseries, Herongate and Ingrave**

- 3.1 As set out above, the Council should allocate sites specifically to provide housing for older people within the Local Plan. The site promoted by Clearbrook Group is suitable for such development and can help meet local needs within Ingrave, allowing elderly residents to remain within the existing community.
- 3.2 The site (reference 146 in the Council's plan-making process) is located outside of, but immediately adjacent to the existing settlement boundary of Ingrave in the current Development Plan.
- 3.3 The site assessed by the Council measures 0.74 ha and forms the northern part of Hillcrest Nurseries, which in total measures approximately 1.6 ha. It is rectangular in shape and was previously a paddock with the main stables sited on the northern edge of the nursery.
- 3.4 The site contains a number of trees (generally in poor condition, as identified through previous planning application work) and is characterised by scrub. In terms of topography, the site is relatively flat.
- 3.5 The site is on land which is currently allocated as Green Belt in the now out-of-date Development Plan (the Brentwood Replacement Local Plan (2005), which will be superseded by the new Local Plan currently being prepared. Land to the north, south, and east is outside of the Green Belt and forms part of the designated residential area.
- 3.6 Ingrave Johnstone Church of England Primary School is located immediately to the north of the site, beyond which are existing residential properties. The existing school access is via a narrow track adjoining the northern boundary of the site, which is understood to date back from the early 20<sup>th</sup> century, when the village school was considerably smaller.
- 3.7 To the west of the of the site is the existing village playing field, used by the residents of Herongate, Ingrave and the neighbouring school; to the south-west residential dwellings. To the east is Brentwood Road – the main road running through the village on a north-south axis. On the eastern side of this are, again, residential dwellings. The locality is very much residential in character.

- 3.8 The site is in a sustainable location, with regular bus routes available on the adjacent A128 Brentwood Road. Numerous services and facilities are also easily accessible from the site, including a convenience store, Marks and Spencer simply food, two public houses/restaurants, grocers, dentist and a church. Such facilities are within easy walking distance of the site.
- 3.9 The location of the site and its proximity to a range of services and facilities demonstrate its suitability for retirement housing, with elderly people highly likely to walk to such facilities or utilise public transport. We are not aware of any other site in the locality which is as well placed for such development.
- 3.10 Furthermore, as set out, residents of a retirement development have different travel patterns to those of a traditional market housing development. Elderly residents are significantly less likely to be travelling in peak hours and can provide footfall throughout the day to local services and facilities. The retirement housing proposed will not therefore add to traffic congestion and can help maintain the vitality of the area.
- 3.11 The Council assessed the site through the Housing and Economic Land Availability Assessment (HELAA) (October 2018), finding it to be suitable, available and achievable and able to deliver housing within the first five years of the plan period. This further highlights the deliverability of the site.
- 3.12 The site has a planning history which includes an application for 27 retirement flats with communal facilities; separate staff, visitor and coach parking for Ingrave Johnstone Church of England Primary School and an extended school playground (application reference 14/01024/FUL). The application was refused and was subject to an appeal, which was subsequently dismissed.
- 3.13 The reasons for the dismissal of the appeal can be summarised as follows:
- Inappropriate development in the Green Belt, which would harm openness;
  - Harm to the character and appearance of the area;
  - Failure to provide sufficient affordable housing.
- 3.14 In respect of the concerns relating to harm to the character of area and lack of affordable housing, these are functions of the details of the specific proposal that was subject to

appeal; as opposed to potential fundamental concerns as to whether the site could be suitable for development.

3.15 In respect of the development being inappropriate development in the Green Belt, it is very much relevant to note that whilst this is of course very much relevant to a Section 78 appeal; in respect of plan-making, and given that the Council acknowledges the new Local Plan must release some Green Belt in order to meet development needs, it is necessary to consider the site's contribution to the purposes of the Green Belt.

3.16 As per the NPPF, the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.17 A revised Green Belt assessment has been published as part of the consultation, which assesses the site under reference 146. Overall this found the site to have a moderate/high contribution towards the Green Belt purposes.

3.18 This is in part due to the consideration that development would reinforce and lead to coalescence of Ingrave and Herongate. It should be recognised that there is existing residential and retail development along the eastern side of Brentwood Road which runs south, past the southern boundary of the site being promoted for allocation and closer to Herongate than the proposed allocation. A gap between Ingrave and Herongate would be maintained by the village playing field, the southern part of the nursery site, and Ingrave Common (cricket pitch). It is not considered that the development of the site proposed would materially alter the separation between the two settlements insofar as it currently exists.

3.19 Looking at this specific site's contribution to the purposes of the Green Belt, its relationship with the existing residential envelope is considered particularly relevant. To the north is existing residential development and a school. To the east, south and south-

west is also existing residential development. As such, the site is surrounded by existing residential development. The site does not represent open countryside, and as such its development would not entail encroachment into the countryside. Furthermore, given the site's relationship with existing development, its development could not constitute unrestricted sprawl. The site is very much contained by surrounding features.

- 3.20 In terms of impact on historic setting of a settlement, the scale of the proposed development is considered to result in nominal impact in this sense, as it would appear a proportionate and unobtrusive addition to the existing settlement. Herongate Conservation Area is the nearest Conservation Area, but is located some distance to the south of the site and is very much functionally separate from it. This is confirmed in the Green Belt assessment, which sets out the site has limited relationship with a Historic Town (the lowest score possible).
- 3.21 Overall we consider that the scoring given to the site within the Green Belt assessment is overly high, with the site being in an area characterised by residential development and not representing countryside.
- 3.22 The site has further been considered by the Council within the Sustainability Appraisal. We have some concerns with the scores given to the site, with the site assessed as performing poorly in relation to Conservation Areas. However, the site is functionally separated from the Herongate Conservation Area and development of the site can provide landscaping benefits compared to existing poor quality trees.
- 3.23 Furthermore, the site is assessed as performing well in relation to criteria 8 (Primary school) by virtue of it being located less than 800m from the nearest primary school. However, this overlooks the site's potential to contribute to enhancements to the school, as described elsewhere in this representation. Essex County Council's Commissioning School Places in Essex 2017-2022 projects the School will be close to capacity by 2021/22, even before additional growth is accounted for, and the potential for land to be made available (which could include improvements to access) should be considered a significant positive.
- 3.24 The SA report considers all sites as providing general housing and it does not appear that the Council have considered the distinct benefit of the provision of housing for older people at any stage of the site assessment and selection process. The Council should have considered the specific use of the site alongside the outcomes of the HELAA,

Green Belt Assessment and SA, with the provision of housing for older people and other benefits outweighing any harm to the Green Belt and justifying the release of the site from the Green Belt.

- 3.25 As identified through the previous application and appeal, the site can provide apartments for the elderly with communal facilities. Other benefits could also be provided that are unique to the site, including staff, visitor and coach parking for the nearby Ingrave Johnstone Church of England Primary School and an extended school playground.

## 4.0 Conclusion

- 4.1 Whilst the PSLP recognises the growing ageing population within the Borough, it fails to provide suitable policies to facilitate the delivery of a range of suitable housing to meet this need.
- 4.2 The current approach within the PSLP is to provide a total of 180-beds within care homes on strategic sites plus an unquantified amount of specialist accommodation within Dunton Hills Garden Village. With long lead-in times for strategic sites, this will not provide housing for older people within the short term and does not provide a range of housing to meet differing needs.
- 4.3 The other approach within the PSLP is through Policy HP04, which supports the provision of specialist accommodation but does not specifically set out sites to provide such housing. Furthermore, with the Council having already identified suitable sites for housing outside the Green Belt within the Local Plan and subsequently confirmed that land needs to be removed from the Green Belt to meet general housing need, we question where additional sites will be identified that are not within the Green Belt. With sites still needing to comply with Green Belt policies, we consider it very unlikely that sites will come forward that will not conflict with Green Belt policies.
- 4.4 For the reasons set out it is considered that Policy HP04 is not currently effective or consistent with national policy as it will not allow the housing needs of older people to be met over the plan period. Policy HP04 and the approach of the Local Plan to meeting the housing needs of older people is therefore unsound under paragraph 35 of the NPPF.
- 4.5 Land at Hillcrest Nurseries, as promoted by Clearbrook Group, can deliver retirement housing to meet the needs of older people and allow them to stay in their local community in housing suited to their needs, with the further benefit of releasing typically family housing back into the housing market.
- 4.6 Development of the site is suitable, available and achievable, as confirmed through the Council's HELAA. It could also deliver other benefits including the provision of a car park and additional playground for the nearby school.

- 4.7 Overall we consider the allocation of the site and its release from the Green Belt is justified and would assist the soundness of Policy HP04 and the Local Plan in its strategy for meeting the range of housing needs for older people.
- 4.8 As we have raised concerns with the soundness of parts of the PSLP and suggested modifications, we welcome the opportunity to explore these further with the Council and Inspector at the Examination Hearing sessions.

**Appendices**



**Appendix A**

# Land at Hillcrest Nurseries, Ingrave



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