



# **Brentwood Pre-Submission Local Plan Regulation 19**

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Land at Salmonds Grove, Ingrave

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Representations made on behalf of BPM Investments Ltd

March 2019

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**Contents**

1.0 Introduction and Background ..... 1  
2.0 Housing Need ..... 3  
3.0 Spatial Strategy for Growth ..... 9  
4.0 Land at Salmonds Grove, Ingrave ..... 12  
5.0 Conclusion ..... 14

**Appendices**

- Appendix 1 – Site location plan
- Appendix 2 – Illustrative layout
- Appendix 3 – Example 50 Unit Development
- Appendix 4 – Example 200 Unit Development
- Appendix 5 – Landscape and Green Belt Assessment – Salmond’s Grove, Ingrave

## 1.0 Introduction and Background

- 1.1 This representation for the Brentwood Pre-Submission Local Plan (PSLP) 2019 is submitted by Strutt & Parker of behalf of BPM Investments Ltd, who hold a Promotion Agreement for Salmonds Grove, Ingrave. The site has been promoted to the Council through the previous Local Plan consultations and has been assessed by the Council. The site is identified by the attached location plan (Appendix 1). Representations were submitted in March 2016 for the Draft Local Plan and the site has been considered by the Council through its Strategic Housing Land Availability Assessment (SHLAA) 2011, the Site Specific Sustainability Appraisal (SA), and the January 2018 Site Assessment Methodology, Site Ref. 067a and 067b. Representations to the Regulation 18 consultation were also submitted highlighting many of the same concerns.
- 1.2 The site is on land currently allocated as Green Belt in the Brentwood Replacement Local Plan (2005), but is situated immediately adjacent to the settlement boundary of Ingrave and Herongate. It is recognised that the settlement boundaries contained within the Brentwood Replacement Local Plan 2005 were predicated on the need to accommodate significantly less development than currently required, and this site is located in a sustainable position on the eastern boundary of Ingrave, in an area of residential character.
- 1.3 The specifics of the site, and its sustainability for allocation for residential development, has not been recognised in the PSLP. We have raised a number of concerns in respect of the proposed approach in the Brentwood Borough Council Preferred Site Allocations (PSA) Consultation, and set out that should the Council proceed in the current direction it will result in a plan that is unsound. Our concerns do not appear to have been addressed satisfactorily and it is considered that the PSLP, without modifications, is unsound for the following reasons:
- a. It fails to meet housing need over the entire plan period and is reliant on strategic allocations that will not deliver as promptly as set out in the PSLP Trajectory;
  - b. The PSLP fails to meet the housing needs in full, as there is no accounting for underdelivery in neighbouring authorities;
  - c. The PSLP provides only a very narrow margin compared to the calculation of housing need under the Standard Method, and is therefore inflexible; and

- d. The Spatial Strategy fails to meet the housing needs of settlements such as Ingrave.

1.4 It is considered that land at Salmonds Farm, Ingrave, should be removed from the Green Belt and allocated for residential development in order to assist with the soundness of the Plan. An illustrative development for the site, which would be sustainable and in keeping with Ingrave, is provided at Appendix 2 to assist in understanding the nature of the proposal. The site represents a modest extension to an existing residential area, within a sustainable location. It represents a deliverable site to assist in meeting the Borough's housing need in the short term with negligible impact on the Green Belt and surrounding landscape.

#### **Plan Period**

1.5 The proposed plan period runs until 2033. Assuming adoption in 2019, this means that the Local Plan will address development needs for a maximum of 14 years. The NPPF (Paragraph 22) is clear that strategic policies should look ahead over a minimum of 15 years from the date of adoption.

1.6 This deficiency in the PSLP is of particular relevance given that the Borough is predominately Green Belt, and failure to ensure that development needs are planned for over a sufficient period of time would likely result in an early review of the Green Belt being required – contrary to the NPPF (paragraph 136); and undermining one of the two essential characteristics of the Green Belt; its permanence (NPPF, Paragraph 133).

## 2.0 Housing Need

- 2.1. There is an acute housing shortage at both the national and the local level. Unless action is taken to address housing provision, the current and increasing shortage has the potential to lead to substantial social and economic harm, and the situation is recognised as a national crisis.
- 2.2. The National Planning Policy Framework (NPPF) attaches great importance to the need for Local Plans to meet objectively assessed housing needs. It is a requirement of a sound Local Plan. Furthermore, the NPPF calls for a significant boost to the supply of land for housing, and requires Local Planning Authorities to ensure a sufficient supply of sites to provide five years worth of land for housing against housing.
- 2.3. At paragraph 4.13 of the PSLP, it states that the Borough's housing requirement it plans for is 350 dwellings per annum. At paragraph 4.12 it states that this figure has been calculated using the Standard Method (as per the NPPF and accompanying PPG).
- 2.4. However, this does not appear to be the case having regard to updated guidance. The PPG now confirms that 2014-based subnational household projections should be used to calculate the housing requirement using the Standard Method.
- 2.5. The relevant subnational population projections indicate an average annual increase of 293.2 households in the Borough between 2019 and 2029. The latest (2017) ratio of median house price to median gross annual workplace-based earnings for the Borough published by the ONS is 11.23. Once the Standard Method is applied using these figures this result in a requirement of 452 dwellings per annum, not 350.
- 2.6. The Local Plan is required to meet this need as a minimum (NPPF paragraph 35); and with sufficient flexibility to be able to respond to rapid change (NPPF paragraph 11). In addition, the Local Plan is required to ensure that the revised Green Belt can endure beyond the plan period (NPPF paragraph 136), i.e. in amending the Green Belt boundary, the Local Plan should account for development needs beyond 2033 (or, more appropriately, a revised later end to the plan period, which will ensure strategic policies will cover at least 15 years).
- 2.7. A further factor is the need to consider unmet needs of neighbouring authorities (NPPF paragraph 35). In this respect, we note in particular that Epping Forest District Council is at an advanced stage in the preparation of a Local Plan (at the time of writing it is

currently being examined) which proposes to deliver 11,400 dwellings between 2011 and 2033 (518 dwellings per annum), against a requirement (based on the Standard Method) of 944 dwellings per annum. We are not aware of Brentwood Borough Council having objected to this approach, but neither is there any indication that the PSLP addresses any of this unmet need.

- 2.8. The PSLP considers it appropriate to apply a 20% uplift to the identified housing target of 350 dwellings per annum, resulting in a proposed target of 456 dwellings per annum.
- 2.9. The PSLP's rationale for this buffer is somewhat unclear: it states at Figure 4.1 that the buffer allows for an additional housing land supply to be maintained in the Borough throughout the plan period; but states at footnote 2 that the housing supply buffer serves to safeguard against any potential uplift to the standard methodology for calculating housing need, pending the outcome of the Government's 'Technical consultation on updates to national planning policy and guidance'.
- 2.10. In any case, the uplift means that the proposed annual housing target in the PSLP is only fractionally above the minimum housing requirement derived from the Standard Method, and does not provide any flexibility to ensure needs are met; does not ensure the Green Belt will endure beyond the plan period; and does not account for unmet need in neighbouring authorities.
- 2.11. Further to our comments in respect of the plan period, and the PSLP's failure to ensure strategic policies are in place to cover at least 15 years from adoption, as an absolute minimum the PSLP must be amended to ensure an additional years' worth of housing need can be accommodated. Given likely timescales for adoption of the Local Plan, we suggest a plan period to 2035 should be treated as a minimum, and an additional two years' worth of development needs to that which the PSLP currently seeks to address should be planned for.
- 2.12. Whilst we suggest 2035 should be treated as the earliest end to the plan period, it should also be recognised that the authority is predominantly Green Belt. The NPPF requires this Local Plan to ensure the Green Belt will endure beyond the plan period. As such, we suggest that even if the plan period is extended until 2035, policies should account for potential development needs beyond this period.

**Five-year housing land supply and housing trajectory**

- 2.13. The Council is required to demonstrate a five-year housing land supply at any point in the plan period.
- 2.14. In terms of the five-year housing requirement, the NPPF (paragraph 73) confirms a 20% buffer should be applied to the initial calculation in the event the results of the Housing Delivery Test show that delivery has fallen below 85% of the requirement. The PPG confirms the requirement to apply such a buffer in such circumstances also applies where the Local Planning Authority are seeking to confirm their five-year housing land supply through a recently adopted Local Plan.
- 2.15. The 2018 Housing Delivery Test measurement for Brentwood Borough shows that only 51% of the Borough's housing requirements were met over the last three years; well below the figure required to avoid a 20% buffer having to be applied.
- 2.16. The Borough's most recent reported five-year housing land supply (Five Year Housing Land Supply Statement as at 31 March 2018 (November 2018) ('HLSS') is 4.1 years.
- 2.17. However, this is predicated on a requirement which, when considered in relation to the latest guidance, understates need; and a supply which, again when considered in relation to latest guidance, overstates supply. As such, the actual housing land supply is considerably less.
- 2.18. Looking at this in detail, the HLSS considers an annual need of 343 dwellings, resulting in a total requirement once the 20% has been applied of 2,058 dwellings. However, applying the latest guidance and the Standard Method, the Borough's housing requirement is 452 dwellings per annum. Applying the 20% buffer, this results in a five-year requirement of 2,712 dwellings.
- 2.19. In terms of supply, the HLSS includes sites without detailed planning permission and without evidence such sites will be delivered within five years. As per the NPPF, such sites cannot be considerable deliverable for the purposes of the five-year housing land supply. Table 1 of the HLSS suggests that at least 1,042 dwellings in the reported supply did not have planning permission. Once these are removed from the supply calculation, the five-year supply comprises just 653 dwellings. It is unclear how many of the dwellings categorised as having extant planning permission are on major sites which only benefit



from outline permission. Such sites would also have to be discounted. As such, the figure of 653 dwellings may overstate housing supply.

- 2.20. A five-year supply of 653 dwellings compared to a requirement of 2,712 represents a 1.2-year housing land supply.
- 2.21. The acute housing land supply shortage underlines the importance of allocating sites through the Local Plan which can deliver early in the plan period, and the need to avoid over reliance on large strategic sites which inevitably take a considerable time to bring forward.
- 2.22. The housing trajectory provided as Appendix 1 to the PSLP projects that it will enable completion of 2,305 dwellings between 2019/20 and 2023/24.
- 2.23. Having regard to the Standard Method and the need to apply a 20% buffer to the housing requirement, the total five-year requirement for the Borough is 2,712 dwellings. Therefore, even before critical review of the supply, the PSLP will not provide a five-year supply of housing.
- 2.24. Furthermore, and in respect of the projected supply, we are concerned to note that Dunton Hills Garden Village is projected to deliver housing completions from 2022/23, i.e. falling within the first five years of the plan.
- 2.25. Dunton Hills Garden Village is a proposed major strategic development, intended to provide 4,000 dwellings, 5.5 hectares of employment land, two new primary schools, secondary school, new village shopping centre, new transport infrastructure, and new community and health infrastructure. Delivery will require the coordination and input of multiple landowners, developers, infrastructure providers and other stakeholders.
- 2.26. The site has yet to even be allocated. Once allocated, the PSLP proposes a masterplan and design guidance will be required to be prepared. Following this, an outline application will need to be prepared, submitted, and determined; followed by reserved matters. It will also be necessary to discharge all planning conditions and S106 obligations. All of this is required before development has even begun.
- 2.27. The ability of larger sites to come forward quickly has been the subject of recent assessments in the Independent Review of Build Out, the Letwin review (2018) and issues with their complexity have been ably set out in the Lichfield Study From Start to

Finish (2016). Both provide empirical evidence that the early delivery of such sites can be problematic due to a range of factors, including establishing the required infrastructure, and the timings of housing delivery associated with those requirements as well as the prolonged or protracted nature of the planning process. The Litchfield's report confirms that the planning process takes on average 2.5yrs for the planning application determination period for schemes of up to 500 units, but that this can double for sites over 1,000 units.

- 2.28. BPM Investments Ltd is a company owned by housing specialists Arebray Development Consultancy, DAP Architecture and Silverstone Lane and they all deliver schemes consistently within Essex. They are able to provide detailed evidence on the delivery rates of minor and major developments. Two such hypothetical scenarios are provided with this representations (Appendix 3 and 4)
- 2.29. Scenario 1 provides a 50 Unit Brownfield site. This has outline planning consent and is to be marketed. It contains existing buildings that will require demolition and there is limited contamination. Access can be gained directly from the highway and all mains services are available to the edge of the site without any works required outside the site boundary.
- 2.30. Scenario 2 is a 200 unit Greenfield site at the edge of an existing settlement. The site is to have outline planning consent and is to be marketed. It is assumed there will be no significant delays due to Archaeology and Ecological constraints but recognise this could be greater depending upon the time of year the programme starts. It is assumed that the site is available for immediate development. Time is allowed for local infrastructure upgrades and new junction arrangements to provide access into the site.
- 2.31. These scenarios both assume that there are no delays and therefore represent a best case situation for two current projects. We have presumed that workflows will overlap where there are no commercial risks by doing so.
- 2.32. The scenarios confirm that large scale development can take up to 3yrs to provide the first dwellings after outline planning permission is approved, while smaller schemes are predicted to require two years for delivery of the first units. The timeframe is compounded by the scale of development, as recognized by the other reviews into delivery rates. For the strategic allocations in Brentwood, it is noted that the

masterplanning stages are likely to add significantly to these timeframes, which follow from outline planning permission.

- 2.33. For the above reasons it is unrealistic to project that 100 homes will be completed at Dunton Hills Garden Village as early as 2022/23. This does not in itself mean that Dunton Hills Garden Village proposals cannot form part of a sound Local Plan, but it does mean that additional smaller sites capable of providing homes in the early years of the plan period also need to be allocated in order to ensure the Local Plan is sound.
- 2.34. The strategic sites are expected to deliver 1,555 dwellings within 5yrs of adoption. Given the matters set out above, this is unrealistic and it would not be justified to rely on these sites to meet short term housing delivery. This emphasises the need to review sites such as ref. 067a and 067b to provide for more homes which have a far greater prospect for short term delivery, to ensure the plan is sound.

### **3.0 Spatial Strategy for Growth**

- 3.1. Ingrave is identified as a Category 3 settlement –Villages in sparse rural locations that provide day to day needs for local residents. Ingrave has an established community, with services commensurate with its population. This is highlighted in the Council's own report of November 2017, paragraph 103, which confirmed that Ingrave and other Large Villages provide opportunities for small edge of settlement release to support housing growth. It is important that the Local Plan manages the growth of the settlement to ensure the vitality of its communities is sustained or enhanced.
- 3.2. Notwithstanding the above, the PSLP proposes to direct no additional growth to Ingrave. This contrasts with the approach to Blackmore, but otherwise the Council's preferred approach for Category 3 and 4 villages is to direct no growth over the plan period. This approach is considered to be unsustainable for these settlements. These views were raised at previous consultation stages. The spatial strategy fails to ensure the sustainable growth of Ingrave. The proposal to direct none of the Borough's housing need to Ingrave is unjustified, and inconsistent with national policy.
- 3.3. To ensure the Local Plan is sound, the special strategy should be amended to direct a proportionate level of growth to Ingrave.

#### **Housing Delivery**

- 3.4. Paragraph 41 of the PSLP states that affordability ratios in Brentwood require an upward adjustment to the housing supply to be made.
- 3.5. It is recognised that the Council is deficient in providing a five year supply of housing land. It is therefore important to balance the strategic allocations with smaller sites, as these will generally have fewer constraints and can be delivered quickly to assist with meeting the persistent undersupply of housing in Brentwood. Such sites include land at Salmonds Grove, which can be delivered within the first five years of the plan.
- 3.6. The NPPF expects LPAs to identify the scale and mix of housing the local population is likely to need over the plan period which, among other matters, meets household and population projections, taking account of migration and demographic change; caters for housing demand and the scale of housing supply necessary to meet this demand.
- 3.7. The proposed plan does not account for migration from London, as identified in the PBA OAN report. This is contrary to the NPPF.

### **Green Belt**

- 3.8. A detailed Green Belt Appraisal was prepared in respect of the Site by The Landscape Partnership and submitted at the Regulation 18 stage consultation. A copy is provided again here, for completeness (Appendix 5).
- 3.9. The Green Belt Appraisal considers the contribution of the site in relation to the five purposes of including land in the Green Belt, as per paragraph 134 of the NPPF:
- 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.
- 3.10. The Green Belt Appraisal provides a thorough review of the site in relation to these purposes, and concludes that: *“The initial landscape appraisal found that developing the site in the manner proposed, e.g. c.24 residential units, would be unlikely to result in any adverse effects on land with a landscape related designation, Conservation Area, or Ancient Woodland. Salmond’s Grove Farmhouse to the south of the site is a Grade II Listed Building; however, there is intervening built form between it and the site and it is thus unlikely that development of the type proposed would have a material effect on the farmhouse’s landscape setting”* (paragraph 5.1.2).
- 3.11. The Green Belt and Visual Appraisal further concludes that the removal of the site from the Green Belt and its subsequent residential development, would have no significant adverse effect on other landscape features such as topography, hedges, etc.:
- 3.12. A Part 3 Green Belt Appraisal (dated 31 January 2019) has been published by the Council. This considers specific sites, albeit in limited detail.
- 3.13. There is no evidence that the findings of the Green Belt Appraisal that was produced in respect of the Site by the Landscape Partnership, and which considered the Site in far greater detail than the Council’s Part 3 Green Belt Appraisal, have been taken into account.

- 3.14. We are concerned with the simplistic approach that appears to have been taken in considering the contribution sites make to the purposes of the Green Belt.

**Overview**

- 3.15. The Council's own evidence base states that the site is suitable, available and achievable for development. Development of the site is supported by a wealth of technical evidence that confirms its suitability, including in relation to the lack of harm to its development to the purposes of the Green Belt.
- 3.16. The reasons given for the rejection of the site are spurious and based on erroneous conclusions.
- 3.17. The rejection of the site is unjustified, and overlooks an opportunity to correct other soundness deficiencies in respect of the Local Plan, including in relation to the overall quantum of housing proposed over the plan period and the lack of support for any growth at Ingrave.

## **4.0 Land at Salmonds Grove, Ingrave**

- 4.1. The site was discounted from the Site Considerations as part of the Council's Site Assessment Methodology (January 2018). Larger Villages (Category 3 Settlements) are set out in Appendix 6 of the Methodology and repeated in this representation as Appendix 4. The site was discounted on the basis of 'Green Belt Impact'.
- 4.2. Discounting Salmonds Grove on this basis is unjustified. The Methodology report states that sites were selected based on initial high-level assessments of the key assessment criteria, being, amongst other matters, flood risk, Green Belt, landscape, highways, historic assets, ecological designations, utilities, education and health facilities. There was, therefore, a reasonably extensive set of criteria analysed for each site (para.3.22-23 of the Brentwood Draft Local Plan – Preferred Site Allocations Site Selection Methodology and Summary of Outcomes Working Draft). The conclusions for each assessment are summarised in the associated appendices of the Report, with Salmonds Grove in Appendix 6 (sites 067a&b).
- 4.3. For Salmonds Grove, the Site Assessment simply states that there would be 'Green Belt impact'. We are concerned that the assessment and the reasons for discounting an otherwise suitable, available and sustainable site, are not robust.
- 4.4. Salmond's Grove has been discounted at Stage 4 of the Site Assessments on the basis of an initial high-level assessment, which found that a site was (presumably) satisfactory and suitable on all criteria with the sole exception of impact on the Green Belt. If the site were unsuitable for other reasons, these would also be listed in Appendix 6 of the BBC Report.
- 4.5. Salmonds Grove adjoins Ingrave and is within Parcel 15 of the BBC Strategic Green Belt Assessment (SGBA). Parcel 15 is 458.4ha in extent, being a roughly square parcel extending from the east of Ingrave to the Borough Boundary. The Assessment concludes that the parcel is of high value to the purposes of the Green Belt. This is not surprising, given the extent of the parcel. However, this assessment is less helpful when assessing smaller sites that are well associated with the urban area, such as Salmonds Grove. The Assessment actually notes under Purpose 1 that the area is 'Very large parcel relative to Ingrave and Herogate'. This belies the unsatisfactory nature of the assessment when considering smaller sites and acknowledges the limitations of the Assessment for such sites. Tellingly, the Green Belt parcels with the least impact, Low-Moderate as identified

through the Assessment, are mostly the smaller sites on the edges of urban areas (parcel Nos. 32; 45; 56; 07a (BBC Green Belt Study Part II: Green Belt Parcel Definition and Review; p.43).

- 4.6. Accordingly, in order to assist the Council in identifying suitable sites within large GB parcels, it is considered that a more fine-grain assessment of sites should be undertaken. This is particularly important, given that the Council are not able to meet the housing needs of the Borough and would meet the tests set out in *Calverton Parish Council v Nottingham City Council & ors.* [2015] EWHC 1078 (Admin).
- 4.7. As set out above, the promotor of the site has prepared a Landscape and Green Belt Assessment, providing a full analysis of how it contributes to the five purposes of including land in the Green Belt (Appendix 5).
- 4.8. This focused assessment concludes that the site:
- would be unlikely to result in any adverse effects on land with a landscape-related designation, Conservation Area, or Ancient Woodland;
  - there would be no significant adverse effect on other landscape features such as topography, hedges;
  - the site exerts relatively little influence on the surrounding townscape and landscape beyond its immediate vicinity;
  - Salmond's Grove site makes a Low contribution to the Green Belt purposes, and it could be developed in the manner proposed without compromising the objectives of the wider Green Belt.
- 4.9. To ensure the plan is sound, it is considered that additional sites should be identified and allocated. Those sites should include those of less importance to the Green Belt, such as Salmonds Grove, Ingrave. Not to include the site in the Local Plan is unjustified.



## **5.0 Conclusion**

- 5.1. It is considered that the PSLP is unsound without modifications to the spatial strategy to ensure that some growth is directed towards Category 3 settlements, including Ingrave. There is a demonstrable justification for the release of Green Belt land in Brentwood and for the release of smaller sites to meet the housing need throughout the plan period, rather than relying on unrealistic delivery rates from strategic allocations, as the PSLP does at present.
  
- 5.2. Accordingly, the PSLP should be modified to include additional sites that are not currently identified, in order to deliver homes early in the Plan period. It is considered that those sites can be identified from the Council's site assessments with a more fine-grained approach to Green Belt impacts to identify suitable sites. It is considered that Salmond's Grove would be found suitable under such an assessment.