

Brentwood Preferred Site Allocations Consultation (Regulation 19)

**Representations made on behalf of Barnoaks Management
Ltd.**

Land South of the B1002, Ingatestone

Reference: 078

March 2018



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1. Introduction and Background

- 1.1 This representation on the Brentwood Borough Proposed Submission Local Plan (February 2019) (PSLP) is submitted by Strutt & Parker on behalf of Barnoaks Management Ltd. The representation is made in relation to Land south of the B1002, Ingatestone.
- 1.2 The site is referenced as 078 in the Council's plan making process. A location plan showing the site is provided at Appendix A of this representation.
- 1.3 The site has previously been submitted through the Council's Call for Sites (2011) and the Strategic Housing Land Availability Assessment (SHLAA) (Ref: GO20). In the SHLAA, the site was defined as a 'greenfield parcel with potential'.
- 1.4 More recently, the site was submitted through the Housing and Economic Land Availability Assessment (HELAA) (2018) (Ref: 078). The site was defined in the HELAA as a suitable, achievable and available site for residential development, which could come forward within 1 – 5 years.
- 1.5 Representations were also submitted to Brentwood Borough Council through the Regulation 18 Consultation (2018).
- 1.6 The site measures at approximately 1.8ha and could support the delivery of up to 54 dwellings.
- 1.7 The site is located adjacent to the eastern edge of the settlement boundary of Ingatestone, on land, which is currently allocated as Green Belt.
- 1.8 Currently, the site is not proposed to be allocated for residential development. The rejection of the site for allocation is considered unjustified. The allocation of land south of the B1002, Ingatestone, for residential development would represent a sustainable and deliverable proposal to help meet housing needs over the coming plan period.

Plan Period

- 1.9 The proposed plan period runs until 2033. Assuming – optimistically – 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.
- 1.10 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. Total Housing Requirement

- 2.1 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).
- 2.2 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.¹
- 2.3 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.
- 2.4 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).
- 2.5 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.
- 2.6 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.
- 2.7 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'.
- 2.8 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

¹ Paragraph: 004 Reference ID: 2a-004-20190220

the Green Belt will endure beyond the plan period; and does not account for unmet need in neighbouring authorities.

- 2.9 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.
- 2.10 Whilst we suggest 2035 should be the 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 the PSLP 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

- 2.11 The Council is required to demonstrate a five-year housing land supply at any point in the plan period².
- 2.12 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.³
- 2.13 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.
- 2.14 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.
- 2.15 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.
- 2.16 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

² Paragraph: 038 Reference ID: 3-038-20180913

³ Paragraph: 037 Reference ID: 3-037-20180913

requirement is 452 dwellings per annum. Applying the 20% buffer, this results in a five-year requirement of 2,712 dwellings.

- 2.17 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.
- 2.18 A five-year supply of 653 dwellings compared to a requirement of 2,712 represents a 1.2-year housing land supply.
- 2.19 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.
- 2.20 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 (or, to be precise, it projects 2,305.1 dwellings).
- 2.21 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.
- 2.22 Furthermore, and in respect of the projected supply, we are concerned to note that Dunton Hills Garden Village is projected to delivery housing completions from 2022/23, i.e. falling within the first five years of the plan.
- 2.23 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.
- 2.24 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 before development has even begun.
- 2.25 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.

- 2.26 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.
- 2.27 The strategic sites are expected to deliver 1555 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. 078 to provide for more homes which have a far greater prospect for short term delivery, to ensure the plan is Sound.

3. Proposed Approach to Ingatestone

PSLP Approach

- 3.1 Ingatestone is defined as a Category 2 Settlement. The Borough defines Category 2 settlements as larger villages in a rural setting, with high levels of accessibility and public transport provision, including rail services. These settlements provide a range of services and facilities to the immediate residential areas and nearby settlements.
- 3.2 The PSLP states that appropriate urban extension and brownfield development opportunities will be encouraged to meet local needs.
- 3.3 In 2011, Ingatestone had a population of 4,812 (Census; 2011). It is the Borough's largest village, with a modest level of facilities, including a secondary school. Furthermore, Ingatestone Railway Station is located within the village, and provides frequent railway services to London Liverpool Street, Stratford (London), Chelmsford, Colchester and other surrounding settlements.
- 3.4 The PSLP confirms that although Ingatestone has relatively good facilities, a modest level of development is envisaged, due to infrastructure constraints and a lack of suitable sites.
- 3.5 As such, only two sites have been allocated for residential development in the PSLP – R21 and R22. This results in a total of 218 dwellings for Ingatestone over the plan period.
- 3.6 Site 078 has previously been defined in the HELAA (2018) as suitable, available and achievable site for residential development. The PSLP in this case is flawed, as it doesn't appropriately consider Site 078 as a suitable site for residential development.
- 3.7 It is considered that the PSLP fails to support the sustainable growth of Ingatestone. The failure to thoroughly consider Site 078 for residential development is unjustified.
- 3.8 To ensure the Local Plan is sound, further suitable sites within Ingatestone should be allocated to ensure the sustainable growth of Ingatestone.

The Site

- 3.9 The site measures at approximately 1.8ha and could support the development of up to 54 dwellings.
- 3.10 The site is located adjacent to the eastern edge of the settlement boundary, on land, which is currently allocated as Green Belt.
- 3.11 The site is bounded by existing residential development to the north and south and the B1002 to the west. To the eastern boundary of the site are agricultural fields.

3.12 A considerable amount of technical work has been undertaken in respect of land south of the B1002 and has previously been submitted to the Council through previous stages of the plan-making process. The technical work undertaken demonstrates that the site is sustainable, suitable, available and achievable and its development would help meet the Borough's housing need. Work undertaken, and previously provided is included in this representation for completeness:

- Proposed Site Plan prepared by Grafik (Appendix B)
- Landscape and Visual Issues Scoping Report prepared by Nigel Cowlin (Appendix C)
- Landscape Advisory Plan prepared by Nigel Cowlin (Appendix D)
- Access Appraisal by Ardent Engineers (Appendix E)

3.13 In previous representations submitted to the Council, we have commented specifically on the proposals for layout and landscaping, providing that the site would be allocated for residential development by the Council.

Layout:

3.14 A Feasibility Layout prepared by Graffik Architecture has previously been submitted to the Council and is included within this representation for completeness. The feasibility study demonstrates how 54 dwellings could be accommodated on the site.

3.15 The layout illustrates how the site could provide infill development to the already existing settlement of Ingatestone, without adversely harming the landscape character of the area or the character of Ingatestone itself.

3.16 The Feasibility Layout also shows the potential proposals for landscaping on site. These proposals have been formed through careful consideration of the existing landscape character of Ingatestone and in line with the Landscape and Visual Issues Scoping Report and Landscape Advisory Plan which has been prepared by Nigel Cowlin. The report and plan also accompany this representation.

Landscaping:

3.17 As set out above, a Landscape and Visual Issues Scoping Report and Landscaping Advisory Plan has been prepared by Nigel Cowlin and accompanies this representation.

3.18 It is proposed that there is to be retained and enhanced landscaping on site, specifically to the eastern and southern boundaries. This landscaping proposal takes into account the Grade II Listed Building – Rays – which is located beyond the eastern boundary of the site. By proposing dense planting at this boundary, it will ensure that the development proposal has no adverse effect on the nearby listed building.

3.19 The Feasibility Layout also illustrates that planting will be retained at the western boundary of the site at the High Street, where access to the site is proposed. Furthermore, it is illustrated that the existing oak tree at the western part of the site will be retained to provide a substantial area of open space on the site.

- 3.20 The Scoping Report suggests that these simple design controls and landscape mitigation measures, such as the protection of existing field boundary hedgerows, along with retaining an open space around the mature Oak Tree at the front of the site, would help to ensure that the proposed development would be as successful as possible in landscape and visual terms.
- 3.21 The Scoping Report found that the visual influence of the site to surrounding locations was found to be limited due to the built up nature of the surrounding area, for example the ribbon development to the north and the settlement edge of Ingatestone to the south. The report states that development of the site should be considered as a logical area for infill development along the B1002.

4. Strategic Environmental Assessment / Sustainability Appraisal

- 4.1 The Environmental Assessment of Plans and Programmes Regulations (2004) requires SA/SEAs to *inter alia* set out the reasons for the selection of preferred alternatives, and the rejections of others, be made set out.
- 4.2 In addition, the Planning Practice Guidance⁴ makes clear that the strategic environmental assessment should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives.
- 4.3 Sustainability Appraisal of the PSLP has been published: the Sustainability Appraisal of the Brentwood Local Plan January 2019 (the SA).
- 4.4 Paragraph 5.5.31 of the SA confirms that Site 078 is listed as 1 of 5 omission sites in the HELAA as it is “deliverable or developable”. The SA confirms that the two sites with the greatest potential for allocation are the adjacent “Parklands” Sites (Ref: 078 and Ref: 243), at the northern boundary of the village.
- 4.5 The SA states that the accompanying Green Belt Review found that both sites contribute to the purposes of the Green Belt to a ‘moderate’ extent, however neither site is fully contained in the landscape.
- 4.6 The SA concludes that the option of adding one or more omission sites was determined as “unreasonable”, for the purposes of establishing reasonable spatial alternatives.
- 4.7 No details are provided to explain in what way Site 078 is considered not to be fully contained in the landscape.
- 4.8 Furthermore, as per Section 3 of this representation, the accompanying Landscape and Visual Issues Scoping Report confirms that further planting can be provided on site at all boundaries, thus ensuring it is a contained site. The proposed planting would be effective in appropriately screening the proposed development and ensuring the village character of Ingatestone is retained.
- 4.9 In short, the SA does not provide a justified reason for the rejection of the site.
- 4.10 Turning to the specifics of the SA assessment of the site, these are set out in Table C of the SA. This provides a ‘traffic light’ assessment of sites’ sustainability. Green indicates sites perform well; amber - poorly; red- particularly poorly; against specific criteria.
- 4.11 Our first point in relation to the approach taken is that it is very simplistic – the assessment of site appears to be based purely on physical distance to various features / facilities / designations.

⁴ Paragraph: 038 Reference ID: 11-038-20150209

- 4.12 For example, in relation to criteria 10 (Conservation Area), our site is considered to score 'poorly'. Part of Ingatestone High Street is defined as a Conservation Area, however site 078 is not within this designation and is located at least 400m from the defined Conservation Area. As such, it is considered that the proposed development of the site would not unacceptably impact the Conservation Area.
- 4.13 Furthermore, in relation to criteria 1 (Air Quality Management Area (AQMA)), the site is considered to score 'poorly'. The site is located approximately 1 mile from AQMA BRW6 at the A12/Fryerning Lane. It is considered that the AQMA will not be adversely impacted by the site, given the distance between the two.
- 4.14 In relation to criteria 8 (Primary School), the site is considered to score 'poorly'. The site is located 0.5 miles from both an infant and junior school. It is considered that the primary school provisions within Ingatestone are within walking distance to the site and the site should not be scored as 'poorly' in relation to this criterion.
- 4.15 As per the reasons above, we therefore consider the SA's assessment to be flawed.

5. Green Belt

5.1 A Green Belt Study and Assessment has been undertaken by Crestwood Environmental Ltd as part of the Regulation 19 Consultation. The Assessment looks to assess specific green belt parcels in relation to the 4 purposes of the Green Belt. These are:

Purpose 1 – To check the unrestricted sprawl of large built-up areas

Purpose 2 – To prevent neighbouring towns merging in to one another

Purpose 3 – To assist in safeguarding the countryside from encroachment

Purpose 4 – To preserve the setting and special character of historic towns

5.2 Following this assessment, the parcel is given an overall assessment rating. The ratings are; Low; Low-Moderate; Moderate; Moderate – High; High.

5.3 Site 078 is within Parcel 9A of the Green Belt Assessment. Parcel 9a includes land to the northeast of Ingatestone. The parcel size is 41.94ha.

Purpose 1

5.4 Parcel 9a is defined by the Council as 'Partly Contained', as it abuts a large built up area. The assessment states that the 'Partly Contained' sites have weak/degraded/unclear boundaries.

5.5 This is an overall assessment of the parcel and not specifically of Site 078. Site 078 has clear natural boundaries at the east and to the south. Furthermore, as detailed at Section 3, further planting is proposed at the site in order to contain the proposed development.

Purpose 2

5.6 Parcel 9a has been assessed as an 'Important Countryside Gap'. The Assessment states that the parcel forms either a large proportion of countryside gaps between towns or the development of the site would result in the physical narrowing of the gap and potential visual coalescence.

5.7 As per the accompanying Landscape and Visual Issues Scoping Report, it is considered that the site would result in a coherent infill development between two existing areas of developed land. The Scoping Report also confirms that the proposed development of the site would not result in the coalescence of Margaretting and Ingatestone.

Purpose 3

5.8 Parcel 9a has been assessed as 'Functional Countryside' (FC). This again, is an overall assessment of the parcel and not specifically of Site 078. As such, we do not agree that Site 078 can be defined as Functional Countryside. The site is between existing development and can therefore be considered as an infill site.

Purpose 4

5.9 The assessment states that Parcel 9A has a 'limited relationship with Historic Town'. We agree with this assessment.

5.10 Overall Brentwood Borough Council have assessed Parcel 9a, as having a 'moderate' contribution to the 4 purposes of Green Belt. The above review of Parcel 9a recognises that this assessment is not necessarily reflective of the qualities of every site within the parcel.

5.11 In respect of this, we wish to highlight the findings of the Inspector in the Welwyn Hatfield Local Plan Examination, which we consider helpful in the consideration of the PSLP. Following the Stage 1 and 2 hearing sessions at Welwyn Hatfield, the Inspector provided a note to the Council in December 2017 on its approach to review of the Green Belt (EX39 of the Welywn Hatfield Local Plan Examination). Within this note, the Inspector stated:

"The Council has suggested that it is unable to meet its housing need because of Green Belt restrictions among other concerns. In my concluding remarks ... I pointed out that I did not consider the development strategy put forward in the plan to be sound, in part because there was insufficient justification for the failure to identify sufficient developable sites within the Green Belt. That is largely because the phase 1 Green Belt Review was at such a strategic level as to render its findings on the extent of the potential harm to the purposes of the Green Belt, caused by development within the large parcels considered as a whole, debatable when applied to smaller individual potential development sites adjacent to the urban areas."

"Additionally, the phase 2 Green Belt Review, which did look at a finer grain of sites, does not appear to have examined all of the potential development sites adjacent to the urban areas..."

"The actual development strategy finally arrived at is a matter for the Council... However, if that strategy fails to meet the FOAHN and assuming that all realistic development opportunities outside of the Green Belt have been put forward in the plan, then it is effectively saying that there are no exceptional circumstances justifying a further release of additional land from the Green Belt and that presumably means for as long as current national green belt policy and its interpretation prevails. That may be the case but unless all of the Green Belt has been forensically analysed in some detail then it is difficult to prove." [emphasis added].

5.12 Having regard to all of the above, key issues to consider include:

- Whether all potential sites' impact on the Green Belt has been assessed;
- Whether such assessment was undertaken at a sufficiently fine grain to properly consider individual sites' impact on the Green Belt.

5.13 In respect of the PSLP, it is clear that not all potential development sites were subject to a sufficiently detailed analysis which could enable BBC to justifiably conclude it has identified a reasonable strategy to meet its housing needs, particularly where the plan is

not meeting those needs in full. At the very least, there was one site that was not properly assessed: Land to the South of the B1002, Ingatestone.

6. Conclusions

- 6.1 The Council's own evidence base states that Site 078 is suitable, available and achievable for residential development. Development of the site is supported by technical evidence that confirms its suitability, including in relation to the lack of harm to the landscape and Green Belt.
- 6.2 The reasons given for the rejection of the Site are based on erroneous conclusions in the evidence base and should be re-examined.
- 6.3 The rejection of Site 078 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 in Ingatestone.
- 6.4 The allocation of Site 078 for development will assist in curing defects in respect of the Local Plan, enabling it to be a sound plan.