



**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	Nicholas
Last Name	Pryor
Job Title (if applicable)	Planning Consultant – Senior Partner
Organisation (if applicable)	The JTS Partnership on behalf East Horndon Developments Ltd
Address	44 St Peter's Street Canterbury Kent
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Telephone Number	01227 456633
Email Address	Nick.pryor@jtspartnership.co.uk

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	Nicholas Pryor on behalf of East Horndon Developments Ltd
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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).

Chapter 7 Prosperous Communities, Delivering Economic Growth

Policy PC03 Employment Land Allocations

We write to support allocation of East Horndon Hall as employment allocation and release from the

green belt. The northern part of the site has a complex background planning history and is previously developed land with lawful use as a storage and transport yard, vehicle maintenance buildings and former farm buildings converted to office use. It is a site we have promoted as far back as 2009 thus over ten years through the early stages of Local Plan review and site selection. Large tracks of the land in the north east portion have been subject to engineering works and have large mounds of former road plainings. That northern part of the site is in part derelict and despoiled land and not capable of use for agriculture.

Gateways

The spatial Development principles of the plan set out in Chapter 3, page 42, the Borough Gateways and figure 3.3 defines the key gateways. This site at the junction of the A128 and A127 has been identified as a key gateway area. It is logical and practical that given the good infrastructure links that it should be identified as an employment opportunity. It is well related to public transport infrastructure and the primary road network.

New Employment Land Allocations

The land at East Horndon Hall is identified as 5.5 hectares available and a site designation E13. Paragraph 7.24 of the general text endorses the excellent access onto the strategic highway network for both Brentwood Enterprise Park and land south of East Horndon Hall

Brentwood Local Plan - Employment

Chapter 7 Prosperous Communities sets out the policies for delivering economic growth from page 169. Policy PC01 sets out its proactive policy to maintain high and stable levels of local economic growth etc. In Part B PC01 sub-criteria c explains that this will be secured by intensification of vacant and underutilised employment floorspace and sites and the regeneration of previously developed land in sustainable locations.

Policy PC02 titles Job Growth and Employment Land criteria C states:

“Areas allocated for employment purposes are set out in policy PC03 Employment Land Allocations and identified on the Brentwood Policies Map”.

Policy PC03 Employment Land Allocations sets out in table form figure 7.6 employment site allocations. Under the heading new employment land allocations:

“E13 Land at East Horndon Hall 5.5 hectares”.

The general text under paragraph 7.23 b sub-criteria iii providing new employment land south of East Horndon Hall (site E04). Reinforcing in paragraph 7.24 that land south of East Horndon Hall together with proposed land at Brentwood Enterprise Park will accommodate mixed B-Uses. *“The excellent access onto the strategic highway network, makes a very desirable place for certain businesses”.*

Further reference in paragraph 7.29 is made to the fact that the Council will work with developers and service providers to ensure employment sites such as East Horndon Hall and Dunton Hills will be well connected to existing and new housing sites, including Dunton Hills Garden Village.

Chapter 9 deals with the site allocations, from page 301 the strategic employment allocations, East Horndon Hall – site is set out on page 306-307, Policy E13 East Horndon Hall. The relevant site allocations plan is page 346 E13.

Appendix 4 refers to the production of the new policies map for adoption, not yet published.

Sustainability Appraisal

All Local Plans require a Sustainability Appraisal (SA) to support a new Local Plan. The document sets out the Council's approach to their choice of strategic objectives and allocations for the Plan.

Section 5 addresses the strategic objectives and strategic site options. Paragraph 5.3.2 refers to Dunton Hills Garden Village (DHGV). Figure 5.2 sets out the strategic site options which excludes the subject site while figure 5.3 provides a plan of Housing and Economic Land Availability Assessment (HELAA) which shows East Horndon Hall as a deliverable and developable site. The remainder of the chapter addressing how the Council treats the various sites identified for development and omission of sites.

Table 8.3 sets out the proposed employment allocations and page 48 identifies the new stand-alone employment sites and their hecterage. In Chapter 9 under the heading of Economy and Employment there is commentary on the spatial strategy (paragraph 9.6.1 page 69). The general text explains:

“The A127 Corridor will see significant economic growth, mainly because of the opportunity to redevelop brownfield land at M25 junction 29 a project known as Brentwood Enterprise Park. This location provides excellent access onto the strategic highway network, making it a very desirable place for businesses. Also a small extension is proposed to existing nearly employment land at Childerditch Industrial Estate and there will be provision of new employment land at the eastern end of the A127 as part of the Dunton Hills Garden Village proposal and the opportunity will be taken to formally designate existing employment land around the A127, specifically those close to M25 junction 29”.

Paragraph 9.6.7 – 9.6.8 makes reference to East Horndon Hall requiring full traffic assessment and travel plan to accompany an application.

Elsewhere in the chapter paragraph 9.11.1 under the sub-heading of Soils and Commentary on the Spatial Strategy, as a topic sets out there is a need to make best use of brown field land and protect the Borough's resource of productive agricultural land. Finally in that chapter paragraph 9.14.4 under the sub-heading of Cumulative Effects, page 73, second bullet point:

“A127 Corridor – The Brentwood Local Plan targets significant housing and employment growth the A127 Corridor, which is potentially supportive of the sub-regional objective to develop the A127 as an enterprise corridor; however, there is a need to rely on delivery of significant upgrades to road infrastructure if problematic traffic congestion is to be avoided”.

Appendix ii to the SA summarises context and baseline review and identifies amongst others the A127 A128 as a key road junction which has always been one of the firm's arguments and as a key gateway into the town which we would endorse. Finally Appendix iii deals with the site options Appraisal

which sets out the criteria set to categorise the performance of individual sites. The evidence base shows that this is a site that performs well.

Policy PC04: Development and Expansion of Business Space and Policy PC05: Employment Development Criteria

As policies they are found to be sound and provide sufficient flexibility to encourage employment related development.

Not Sound

Policy PC04 should not restrict new offices, development and research facilities to just in designated centres but also should allow for such facilities to come forward within the new allocated employment or existing employment sites where there are established public transport links.

Recommendation

Insert in Policy A a new sub-criteria c. *New employment allocated sites or established employment sites where there are public transport links including bus services.*

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

We consider the Plan is generally sound subject to minor modifications and to provide the greatest flexibility to encourage employment, we have suggested a minor modification to Policy PC04. See comment in question 2 above.

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.

Wider modification to PC04. Insert in Policy A a new sub-criteria c. *New employment allocated sites or established employment sites where there are public transport links including bus services.*

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.

We have fully supported the general soundness of the emerging employment policies in particular the allocation of the Site E13 Land at East Horndon Hall, 5.5 hectares but with some amendment to general employment policy to provide greater flexibility and encouragement of general employment within the NPPF.

It is an important part of the Plan and if not resolved consider attendance at the EiP would assist.

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.