



**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 LLP on behalf of Brentwood School
Address	First Floor 44 St Peter's Street Canterbury Kent.
Post Code	CT1 2BG
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
-----------	----------------

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).

Introduction

Brentwood School has been an active participant in the Local Plan process making, providing detailed comment as far back as 2013 on early version consultation Plan. There has been a continuing dialogue with Officers on School needs, development proposals and the contribution that the School makes to the local economy both through direct employment and indirectly through suppliers. It employs over 400 full time and part time staff and one of the difficulties it continually faces in competing with other areas in the country is cost of housing.

With limited accommodation for teaching staff within the School Estate, the School finds it difficult to recruit good staff into what is a high cost housing area.

The School, within its development programme, needs to develop its land assets to the full and it is heavily constrained by Green Belt Designation. This not only creates problems should the School use part of the resource for new teachers housing accommodation but also in achieving its own School facilities. The Local Authority will be aware that the new increase of pupil numbers through an additional form of entry and major redevelopment at the corner of Middleton Hall Land and Shenfield Road meant a protracted negotiation with the LPA primarily because of encroachment into the Green Belt. Although initial plans had a preferred layout, this had to be completely revised to respond to Green Belt issues at great cost.

In the past, the Head Teachers House at the Prep School had required an extension to meet the family needs of the then Head Teacher, which was refused and lost on appeal.

Around 2012, the School had sought to promote a new Multi Use Games Area (MUGA) also initially refused on Green Belt grounds. Thus, even a form of development which was appropriate development, was initially argued against in terms of appearance to the Green Belt status of the land.

It is our position that it is unnecessary burden of planning policy that should be lifted when one has regard to the character and setting of the town and which has not been adequately addressed by the Local Authority.

Urban Area of Brentwood

The Urban Area of Brentwood encompasses both Shenfield and Pilgrims Hatch, which are linked by a strong urban form. The development of the town over the years has removed any formal separation of Shenfield and Brentwood. Redevelopment of Brentwood Prep School further closes any visual distinction between the two settlements. Any break at the pinch-point of Middleton Hall Lane in Shenfield Road is not evident to road users along Shenfield Road moving either into Brentwood or out of Brentwood. The land east of Middleton Hall Lane is formed by Brentwood Prep School and also the development of Nuffield Hospital and Brentwood Community Hospital, all associated with Brentwood, not Shenfield. Thus, there is no visual separation and also no functional separation having regard to the associated named uses.

At the other extreme southern end of Middleton Hall Lane, the residential developments of Priests Lane merge has one continuous urban form into the Middleton Hall Lane properties and Brentwood School buildings. The Green Belt boundaries completely enclosed by urban form.

What one enjoys moving along Middleton Hall Lane itself is Brentwood associated education uses, both sides of the road, which provide an attractive area of urban open space with all the associated sports and leisure activities and facilities. We would strongly argue that the original purposes of the Green Belt have now been lost and the wider benefits of an important educational establishment and the use of its land and assets to promote the future of an important community asset should be recognised in the overall prosperity of the town.

Brentwood Local Plan Green Belt Evidence Base

The Green Belt evidence base has been a working draft and still remains so and is not a finalised document and, therefore, we would argue should have reduced weight. The area of land under consideration has been given the Area Code of 55 and it is argued that it has been dealt with in very general terms in relation to the situation on the ground with an overall assessment of moderate to high, overall contribution of parcel to Green Belt purposes. This flies in the face of the evidence base where Purpose 1 to check the unrestricted sprawl of large built-up area, they have concluded, it is well-contained, which are the facts on the ground.

Purpose 2 – they identify as a critical countryside gap but there is no link to the countryside. It is completely contained by urban form and its better designation would be as urban open space. It has no functional link to the countryside.

Purpose 3 – they define it as functional countryside but, in reality, it has no countryside functions. The land use is all associated with leisure in the surrounding urban form. It is separated by the wider countryside to the north on Shenfield Road and there are no countryside functions within the land.

Finally, Purpose 4 preserves the setting and special character of historic towns. It is seen isolated from the main historic buildings of the School which front onto Shenfield Road and Ingrave Road, which have been further separated by new School developments.

The 1960's development along Shenfield Road, such as Hough House and new Multi Use Games Area and tennis courts, School dining hall – again, all creating modern separation together with other developments along The Chase. There is some direct linkage to the listed building at Middleton Hall itself, but it has no key importance to the setting and special character of the historic towns for the reasons set out above. Thus, we would place it as having a limited relationship with historic towns.

Our conclusion being one of limited overall contribution to Green Belt purposes.

The merits of the open space can be properly protected through maintaining a designation of urban open space.

National Planning Policy Framework (NPPF)

It is noted that the Government attaches great importance to Green Belts and that the approach, once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of Plans.

Our arguments are very much that the urban form of Brentwood and Shenfield should be understood as also its function reflecting how the two towns have effectively merged. The intervening area of land is predominantly only one estate owner who prudently manages its land assets for the importance of education and to the benefit of the wider community. Green Belt policies has, and continues to, create cost and delays to the detriment of the community.

There should be full recognition that along the Shenfield Road, any gap has closed, the establishment of hard surfacing and parking, both for the benefit of Brentwood main School and the Prep School compounded by developments within the Cricket Club and most recent approvals for additional staff parking and significant redevelopment of Brentwood Prep School are all material changes that makes the review of the Green Belt boundary in this location appropriate and in accordance with the NPPF.

Green Belt Adjustments – Proposals Map

The Local Planning Authority have considered within the Regulation 19 Pre-Submission Plan, only those sites that have specifically been brought forward for housing and employment development to meet the needs of the Borough.

The School has consistently raised the point that it has need, in the future, to provide for a specialist form of housing, i.e. for teachers' accommodation and also to land that is previously developed land within the School grounds and all which provides no useful educational function. We attach the most recent of that correspondence provided to the Local Authority in March 2018 in the context of our continuing arguments to release the whole of the School land from Green Belt. However, we have made specific proposals in relation to a small area of land referred to as Mill Hill House and Millman Lodge. We have recommended that as this is all previously developed land and provides no useful Green Belt function and could be construed as logical rounding-off, and at the very least, this element of Green Belt should be amended. Attached as an Appendix are the last e-mails sent in March 2018 where a further Call for Sites was being considered. I also attach the more detailed plans. Drawing Nos. 201-Revision 1: Existing Green Belt Boundary Plan and Drawing No. 201-02: Proposed Amendment to Green Belt Boundary Plan.

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

The Green Belt evidence base has not been finalised with the Green Belt Study, Parts 1 and 2 still working drafts with particular consideration to the Area Appraisal for Site Assessment 55 East of Middleton Hall Lane. The evidence base does not conclude what is practically on the ground and the purposes of Green Belt which are considered to be assessed.

The ongoing dialogue with the Local Authority has not been concluded and the focus of the Local Authority in preparation of its Plan has been to meet its Objectively Assessed Needs for Housing and employment and release land only in that regard. It has not taken the wider view of the function of the green space within the urban form of Shenfield and Brentwood and the needs of an important education provider, i.e. Brentwood School.

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.

The Local Authority should finalise its Green Belt Evidence Base reflecting on the comments made by this firm under Item 2 above and previously in negotiations and discussions. As necessary, discuss further with the appointed consultants and finally publish their Policies and Proposals Map, not yet published, with at least recognition that the small identified land around Millman Lodge and Mill Hill House should be released from the Green Belt. The written text of the Plan could provide for specialist housing for School purposes/key worker accommodation. The Plan would then reflect the future needs of the School.

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.

It is a unique piece of Green Belt in the Local Plan which no longer fulfills a Green Belt function but only that of open urban space. The arguments in relation to the urban form of the town can best be considered in oral presentation. It is important to a major education provider and raises no other issues in relation to any other part of the Local Plan. It seeks to address an important anomaly where there have been many major changes and material circumstances best reinforced in a more oral presentation.

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.