

**BRENTWOOD
LOCAL PLAN
PRE-SUBMISSION
CONSULTATION
REPRESENTATIONS
IN RESPECT OF
POLICY R06:
LAND AT NAGS HEAD LANE
BRENTWOOD**

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Quality Assurance

Site name: Land at Nags Head Lane, Brentwood

Client name: Crest Nicholson Eastern

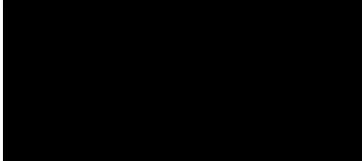
Type of report: Regulation 19 Pre-Submission Local Plan Representations

Prepared by: Ryan Nicholls BA (Hons) MA

Signed 

Date March 2019

Prepared by: Steven Butler BSc (Hons) MSc MRTPI

Signed 

Date March 2019



1.0 Introduction

- 1.1 These representations have been prepared by Bidwells on behalf of Crest Nicholson Eastern in response to Brentwood Borough Council's (hereafter referred to as "BBC") public consultation on the Regulation 19 Pre-Submission Local Plan ("the emerging Plan") in respect of land at Nags Head Lane, Brentwood ("the Site").
- 1.2 Crest Nicholson Eastern controls the entirety of the Site which is the subject of a proposed allocation in the emerging Plan under Policy R06 for the development of around 125 dwellings. Primarily, the consultation seeks responses regarding the soundness of the emerging Plan as set out in the National Planning Policy Framework (NPPF).
- 1.3 Our comments on the emerging Plan are made having regard to the NPPF, which at paragraph 35 states "*Plans are considered sound if they are:*
- **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 is consistent with achieving sustainable development;*
 - **Justified** – *an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
 - **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*
 - **Consistent with national policy** – *enabling the delivery of sustainable development in accordance with the policies in this Framework."*
- 1.4 Accordingly, these representations:
- **Support the principle of the proposed allocation of land at Nags Head Lane, Brentwood** under Policy R06 because the allocation of the site for residential development is justified and consistent with national policy; and
 - **Object to the allocation's indicative dwelling capacity** because it would be unnecessarily restrictive of the deliverable quantum of development and is therefore ineffective.
- 1.5 Our response to the emerging Plan policies is provided within this report and in the enclosed completed Comments Form at **Appendix 1**. A discussion of the deliverability of the Site drawing upon technical evidence from the accompanying Design Development Framework prepared by Clague Architects (March 2019) is attached at **Appendix 2** of these representations.
- 1.6 We formally request that our recommended amendment is taken into account for the Regulation 22 submission to the Secretary of State and, in accordance with Section 20(6) of the Planning and Compulsory Purchase Act 2004, hereby formally request that Crest Nicholson Eastern is invited to participate at all hearing sessions relevant to Land at Nags Head Lane, Brentwood.

2.0 Support for the Spatial Policies

Chapter 2. A Borough of Villages

Settlement Hierarchy

- 2.1 Brentwood falls within Settlement Category 1 in the emerging Plan Settlement Hierarchy, the highest-ranking settlement type. Paragraph 2.12 identifies that Brentwood and Shenfield “*offer the most scope for development in accordance with sustainable development principles. Urban extensions into the Green Belt are proposed in specific locations with clear physical boundaries and accessible to local services and transport links.*”
- 2.2 Description of Category 1 sites appropriately aligns with the characteristics of Brentwood, in that it provides a wide range of services and employment opportunities, is highly accessible and well served by public transport. We consider Brentwood’s placement at the top of the Settlement Hierarchy as appropriate.
- 2.3 Figure 2.3 (Settlement Hierarchy) states that development opportunities in Category 1 settlements including Brentwood “*should focus on making the best use of land, with a higher density*”. We agree with this approach because it would ensure that the development potential of such suitable sites, including Land at Nags Head Lane, is maximised.

Chapter 3. Spatial Strategy – Vision and Strategic Objectives

Housing Need

- 2.4 Housing need is discussed at paragraphs 3.7 – 3.9. In planning for residential growth, the emerging Plan states its commitment to planning positively to increase the supply of new homes. The emerging Plan states it will allocate land to exceed the identified local housing need to provide flexibility in the supply and delivery of sites.
- 2.5 We support the approach to significantly boost the supply of new housing because it demonstrates that the Plan is **positively prepared**. This should mean that at the site-specific level, allocations for development, including the Land at Nags Head Lane, should seek to deliver the maximum quantum of development possible, taking account of site constraints and masterplans where applicable.

Transit-orientated Growth and the Growth Areas

- 2.6 Paragraphs 3.11 and 3.21-3.22 recognise the existing pattern of development and the presence of two key infrastructure corridors and that these inform the spatial approach to growth in the emerging Plan. These are the Central Brentwood Growth Corridor, comprised of the A12, the Great Eastern Main Line to London Liverpool Street and the new Elizabeth Line; and the Southern Brentwood Growth Corridor comprised of the A127 and the London, Tilbury and Southend Railway to London Fenchurch Street Station.

- 2.7 Allocating development in these transit corridors ensures that new homes will be sustainably located, linked to existing service centres through proximity and accessibility to strategic transport infrastructure. We consider this an appropriate strategy.
- 2.8 Allocation of Land at Nags Head Lane fits appropriately with this approach because it falls within the Central Brentwood Growth Corridor. The Bull bus stop is less than 100m from the Site, with routes into Brentwood town centre and Romford. The Site is less than 2 miles from Brentwood town centre and is within 500m of local shops, pubs and a health club. The site is easily accessible from the A12 and M25 and avoids directing vehicular traffic via the town centre of Brentwood. It is therefore a highly suitable site, sustainably located, with accessibility to a wide range of services, facilities and sources of employment reflected in its location within Settlement Category 1 in the emerging Plan Settlement Hierarchy.

Borough Gateways

- 2.9 In considering spatial development principles, paragraphs 3.25 – 3.26 set out the aspiration for key allocations to deliver gateways that contribute to enhancing a positive impression of the Borough through public art and/or public realm improvements. Figure 3.3 identifies key gateway locations where developments within the local vicinity should enhance the positive impression of Brentwood upon arrival and for those passing by. We note this inclusion, also noting that Land at Nags Head Lane is located close to the east of the identified gateway at Brook Street. We acknowledge this policy intention and Crest Nicholson is prepared to make proportionate and reasonable contributions to enhancements to the Brook Street gateway as part of a planning permission for development of the site.
- 2.10 Paragraph 3.26 further recognises that sites in key gateway locations offer an opportunity to deliver schemes with higher densities. We support this intention because it would make efficient use of land in accordance with NPPF paragraphs 122 and 123.

Chapter 4. Managing Growth

Policy SP02: Managing Growth

- 2.11 This policy seeks to direct development to the site allocations set out in the Local Plan and within the highly accessible locations along transit/growth corridors. Land at Nags Head Lane would accord with both of these principles, so we support this policy.

Chapter 6. Housing Provision

Policy HP03: Residential Density

- 2.12 Pursuant to the above, this policy seeks to define appropriate residential development densities with the caveat that individual schemes should employ a design-led approach to determine an appropriate, site-specific density. Generally, a density of 35 dwellings per hectare or higher will be sought on sites outside of town centres, district shopping centres and local centres. We consider that adopting standards such as this is appropriate, because it would ensure that land is used as efficiently as possible, in accordance with NPPF paragraph 123 which seeks to avoid houses being

built at low densities in areas where there is an existing shortage of land for meeting identified housing needs, such as Brentwood.

Chapter 8. Natural Environment

Policy NE13: Site Allocations in Green Belt

- 2.13 We support the release of sites from the Green Belt for development as a justified approach given the lack of alternatives in the Borough. This is consistent with national policy, namely paragraph 136 of the NPPF, which makes allowance for the alteration of Green Belt boundaries through the preparation or updating of Plans where exceptional circumstances are fully evidenced and justified.
- 2.14 BBC recognises that exceptional circumstances exist and warrant the release of Green Belt to accommodate the Borough's housing need. As the Borough does not have any non-Green Belt greenfield land that falls outside of existing settlement boundaries, it falls on Green Belt land to accommodate a proportion of the overall housing requirement. BBC does not have sufficient available brownfield land that could deliver the Borough's housing requirements in a manner that would accord with other policy objectives. It would not be possible to develop brownfield sites alone at such high densities in a manner that would not cause detrimental impacts to the Borough's character or compromise the ability to deliver a broad mix of housing in accordance with Strategic Objectives including SO1 and SO3.
- 2.15 Land at Nags Head Lane represents an entirely logical development site as an urban extension to development on the south-west of Brentwood. Physically enclosed between Nags Head Lane, the A1023, existing business and residential units and the railway line, the Site makes a "moderate" contribution to the purposes of including land within the Green Belt according to the BBC Green Belt Study (November 2018). It should however be noted that the assessments of alternative sites range predominantly from moderate to high and the Site is therefore among the least sensitive performing Green Belt sites against the purposes of including land in the Green Belt, justifying its release for allocation. Releasing sites such as this takes pressure from other land parcels that perform a more important Green Belt function and minimises the impact on the Green Belt as far as is possible, consistent with national policy.

3.0 Comments on Policy R06: Land at Nags Head Lane, Brentwood

In Principle Support

- 3.1 We fully support the principle of allocating this Site for development. Crest Nicholson Eastern is committed to the delivery of the Site in accordance with policy criteria B (Development Principles) and C (Infrastructure Requirements) as discussed in greater detail below.

The Site is strategically well-placed

- 3.2 The Site is located on the south-western edge of Brentwood, in the south-west of the Borough. Firmly within the Central Brentwood Growth Corridor, the Site is well connected to strategic transport infrastructure comprised of the A12, linking to Chelmsford in the north-east and Romford to the south-west, and the Great Eastern Mainline railway to London Liverpool Street. Brentwood benefits from a station on this railway line, which is approximately 1.7 miles from the Site. The new Elizabeth Line will also serve this corridor with a station in Brentwood, providing further connections across London to Reading and Heathrow to the west. The site accords with the Local Plan's strategic objectives by locating development in the growth areas and main transit corridors.
- 3.3 The Site is located close to the key gateway location at the junction of the A12 and the M25 as identified in Figure 3.3 of the emerging Plan. Development on the edge of Brentwood would positively contribute to the sense of arrival to the town and this Site would represent an obvious candidate to fulfil BBC's Local Plan aspiration to contribute towards enhancing a positive impression of the Borough. Crest Nicholson Eastern is committed to ensuring this will be achieved at the appropriate stage of developing the proposals.

The Site is suitable

- 3.4 The site is served by local shops, pubs, restaurants and a health club within a 5-minute walk. There are bus stops located opposite the site with routes into the town centre, less than 2 miles away. Land at Nags Head Lane therefore benefits from excellent sustainability credentials, reflected in BBC's decision to allocate the site for residential development.
- 3.5 The site is very well enclosed with established permanent boundaries on all sides. It is bounded to the west by Nags Head Lane, the south by a railway cutting, the east by existing dwellings at Mascalls Gardens, and the north by commercial uses and residential plots. The site consists of private fields sub-divided by established trees and hedgerows, making only a "moderate" contribution to the purposes of including land within the Green Belt according to the BBC Green Belt Study (November 2018). It should be noted that the assessments of alternative sites range predominantly from moderate to high and the Site is therefore among the least sensitive performing Green Belt sites against the purposes of including land in the Green Belt

Contribution towards the 5-year housing land supply

- 3.6 We note that the Housing Trajectory contained in Appendix 1 of the emerging Plan anticipates housing delivery of the allocation from the years 2021/22 to 2025/26. As the accompanying Design

Development Framework demonstrates that the Site is unencumbered in all respects, we consider that development could be delivered even earlier than this but nevertheless BBC's trajectory still falls within the five-year housing supply timeframe, so we concur with its general assumption and its accordance with NPPF paragraph 73 which seeks local planning authorities to identify an adequate supply of housing in the short term.

Crest Nicholson's credentials

- 3.7 The Site is controlled in its entirety by Crest Nicholson Eastern and is available and deliverable now to contribute to meeting the local housing need requirements in the emerging Plan and BBC's five-year housing land supply. Crest Nicholson is based locally in Brentwood and has a 50-year heritage of delivering community focused development. Crest prides itself on its focus for high quality design which has been recognised in its awards for National Housebuilder of the Year, twice in the last three years. Other recent accolades include Planning Magazine's Best National Housing Scheme over 500 homes, Evening Standard's Best Small Development and the Sunday Times' winner of the Outstanding Housing and Landscaping category.

Compliance with the draft Policy's Development Principles

- 3.8 Policy R06 sets out policy criteria to be considered when developing detailed proposals for the Site. These are set out in bold text below and are fully supported, with the exception of criterion A which is not listed here because it is discussed separately from paragraph 3.16 below. Our design response is summarised beneath each criterion:

B. Development Principles

a. Vehicular access via Nags Head Lane.

The accompanying Design Development Framework demonstrates that a suitable vehicular access would be achievable via Nags Head Lane.

b. Provision for pedestrian and cycle connections.

The Design Development Framework shows that a network of pedestrian and cycle connections would be provided.

c. Provision for public open space.

The indicative masterplan shows that a network of high quality public open space would be provided.

d. Provide for sensitive landscaping along the north and eastern boundaries adjoining existing commercial development and residential dwellings

Extensive landscaping is integral to the proposals for the Site, predominantly focused on the boundaries and along strategic green infrastructure corridors within the Site linking the public open spaces. The indicative masterplan shows green buffering along the northern and eastern boundaries adjoining existing commercial and residential development.

C. Infrastructure Requirements

- a. The site is located within a Critical Drainage Area. This development may have the potential to impact on the Critical Drainage Area in respect of surface water flooding. As a result of this, the site is likely to require an individually designed mitigation scheme to address this issue.**

The proposed drainage strategy for the Site includes Sustainable Drainage Systems (SuDS) such as permeable paving, swales and ponds to alleviate the risk of surface water flooding associated with the Site's location within a Critical Drainage Area.

The allocation is deliverable

- 3.9 The accompanying indicative masterplan demonstrates that a scheme for approximately 150 new homes could be delivered on the Site. This takes account of specialist evidence in respect of landscape, access, utilities, drainage, noise and heritage as summarised in the accompanying Design Development Framework.
- 3.10 The masterplan proposes to retain and enhance the existing vegetation structure along the southern boundary of the Site, along Nags Head Lane to provide a robust edge to the development parcel and filter views into the Site, incorporate a sequence of open spaces and SuDS, retain the internal tree and hedgerow structure where appropriate as part of the internal network of green corridors and to plant trees along contours to filter views from the north (across the valley) and to contribute to amenity value within the Site.
- 3.11 In respect of access, the potential impact of development traffic on the operation of the Brook Street/Nags Head Lane/Wigley Bush Lane signal junction has been assessed. Whilst the forecast increase in traffic through the junction would be imperceptible, consideration has been given to modifications to improve the future operation of this junction. A proposed improvement scheme has been assessed, which comprises an additional short lane for ahead and left traffic on the Wigley Bush Lane approach, increased kerb radius and exit taper for the left turn into Wigley Bush Lane that allows the stop line to be moved closer to the junction, and a pedestrian crossing on the eastern arm of Brook Street. Junction capacity analysis has shown that the proposed improvements would more than mitigate the impact of development traffic, the result being an overall net benefit to junction capacity. The scheme would be compliant with policy guidance on transport and land use planning at both a national and local level and would have a positive impact in terms of junction capacity and pedestrian connectivity.
- 3.12 National Grid has confirmed a High Pressure (HP) Gas Main runs beneath the south west corner of the Site. The illustrative masterplan shows that a 28m corridor has been provided above the HP Main to allow for future access and maintenance and limit the risk of damage to the main. Following discussions with National Grid, the Health and Safety Executive has confirmed in writing that they would not object to the current indicative layout if submitted seeking planning permission.
- 3.13 A preliminary noise assessment has been undertaken to assess impacts arising from primary noise sources on the M25, A12, A1023, Nags Head Lane and railway noise from the adjacent Great Eastern Mainline. The preliminary assessment shows that no single noise source is dominant and that with appropriate layout and noise treatment to the most exposed properties, both internal and external ambient noise levels would be within the desirable range and would meet with applicable standards.
- 3.14 The above demonstrates that Crest Nicholson has given due consideration to the deliverability of the allocation and proposes a responsive and well-designed masterplan.

3.15 Taking account of the above we fully support the principle of the Site's proposed allocation.

Objection to the amount of development

3.16 Policy criterion A. states that the site will provide "around 125 new homes of mixed size and type". We consider that this underplays the deliverable quantum of development the Site could accommodate and therefore **object** to this strand of the policy requirement because the Policy is ineffective.

3.17 The Site has been proposed for allocation in the emerging Plan since the Draft Regulation 18 iteration published for consultation in 2016, but the original draft allocation was for the delivery of around 150 dwellings. Indeed, if the residential density standard of 35 dwellings per hectare from Policy HP03 is applied to the net developable area identified in the draft allocation of 4.35 hectares, the indicative dwelling yield would be 152.25 dwellings per hectare.

3.18 As emerging Policy HP03 requires (as we have discussed at para 2.12 above), a design-led approach to determining the appropriate, site-specific residential development density has been undertaken for the Site. The accompanying Design Development Framework articulates how approximately 150 dwellings could be delivered on the Site in a generously landscaped scheme incorporating a network of public open space incorporating SuDS features and a locally equipped area of play.

3.19 The BBC Sustainability Appraisal (SA) provides justification for the reduction in units onsite. At paragraph 9.7.2 it states:

"Focusing on proposed changes to the spatial strategy since 2016, points to note are –

- *The proposal to reduce the number of homes delivered at Land east of Nag's Head Lane is supported, given proximity to several listed buildings at Brook Street."*

3.20 And at 9.10.2 it states:

"Finally, it is noted that a decision was taken to reduce the quantum of homes (C3) delivered at all four of the Green Belt sites proposed by the 2016 Draft Plan, namely Land off Doddinghurst Road, Land east of Nags Head Lane, Land at Honeypot Lane and Officers Meadow. The Landscape Capacity Study finds three of these sites to have "medium" capacity, such that a decision to reduce the quantum of homes is tentatively supported; however, Land off Doddinghurst Road is identified as having "medium-high" landscape capacity."

3.21 We consider that these statements are not justified. Whilst the Nag's Head Inn is a Grade II listed building, the Built Heritage Assessment previously submitted with our Regulation 18 representations demonstrates that it once stood as a rural building surrounded by fields and outside the tiny hamlet of Brook Street, but today it is experienced as a road-side public house in the vicinity of residential and commercial development. The area to the south of the Inn, where the Site is located, is still characterised by fields subdivided by hedgerows and trees, however the visual relationship between the Inn and the fields that make up the Site is far less apparent since topographical features, such as thick hedgerow that border Nags Head Lane, obscure the views. Furthermore, the significance of the Inn is considered to lie within its historical and architectural

value. The visual relationship between the Inn and the Site is far less than the visual connection between the Inn and the fields to the south-west, which are directly behind the listed building.

- 3.22 Accordingly, the impact of Crest Nicholson's accompanying development proposals, with mitigation incorporating retained vegetation, contouring and open green space close to the listed building, mean that the visual impact of the setting of the listed building would be minimal, resulting in only a minor level of less than substantial harm. Given the need to promote sustainable patterns of development when Green Belt boundaries are being re-drawn (NPPF para 138), we consider the arbitrary reduction in unit numbers is not properly justified and should be amended to reflect what could reasonably be achieved on the site, taking account of Crest Nicholson's masterplanned approach.
- 3.23 With landscape considerations at the forefront of the design process, delivery of approximately 150 dwellings on the Site is demonstrated to be fully achievable without significant harm to the landscape in the accompanying Design Development Framework. Contained within the Design Development Framework is a summary of a Landscape Visual Impact Assessment, setting out the key landscape characteristics and the principal considerations for the identification of opportunities and constraints on the Site. This LVIA concludes that the scheme can deliver approximately 150 dwellings whilst mitigating landscape impacts effectively. The detail of the design approach taken to achieve this is discussed further in the section below.
- 3.24 Having taken the above design-led approach and determined that a quantum of development of approximately 150 dwellings is entirely achievable, the emerging Plan allocation should reflect this in order to ensure best use of land and maximise the development potential. The policies we have commented on above demonstrate a clear intention of BBC to seek to deliver dwellings beyond the local housing need target and this is reflected in national policy, where the NPPF requires the highest density possible on sites, particularly in areas where the land supply is significantly constrained as is the case in the predominantly Green Belt Borough of Brentwood.
- 3.25 We are aware that since the earlier iterations of the emerging Plan, the quantum of development proposed in the Dunton Hills Garden Village strategic allocation has increased from 2,500 dwellings in the emerging Plan period to 2,700. Other allocations, including this site which is deliverable in the short-term, should similarly seek to maximise delivery in line with the residential density standards and the design-led approach in Policy HP03 as the appropriate method for assessing the deliverable dwelling yield.
- 3.26 We recommend that Policy R06 reinstates the Draft Local Plan allocation quantum of approximately 150 dwellings. This would ensure that the emerging Plan is positively prepared in its ambition to maximise the delivery of new homes above and beyond the local housing need target, justified in its strategy for ensuring the best use of land for development and consistent with national policy in delivering an optimum residential density, particularly in an area with a significantly constrained land supply.

Changes necessary to make the Plan sound

- 3.27 Taking account of the above, we recommend that Policy R06 criterion A reinstates the Draft Local Plan's proposed quantum of development for the Site. Accordingly, it should say "*provision for approximately 150 new homes of mixed size and type*".

4.0 Conclusion

- 4.1 These representations have been prepared on behalf of Crest Nicholson Eastern in response to BBC's emerging Plan consultation in respect of the Site.
- 4.2 Crest Nicholson controls the land at Nags Head Lane, Brentwood, which is proposed for allocation under Policy R06.
- 4.3 We:
- **Support the principle of the proposed allocation of Land at Nags Head Lane, Brentwood** under Policy R06 because the allocation of the site for residential development is justified and consistent with national policy; and
 - **Object to the allocation's indicative dwelling capacity** because it would be unnecessarily restrictive of the deliverable quantum of development and is therefore ineffective.
- 4.4 We fully support the principle of the allocation of the Site as a positively prepared and justified policy. Allocating sites to exceed the identified local housing need is consistent with national policy, whereby housing targets are viewed as a minimum and should be exceeded where possible to ensure flexibility in housing delivery. The Site is a logical and sustainable development site to contribute dwellings towards achieving the Local Plan strategy, well related to the settlement of Brentwood and within the Central Brentwood Growth Corridor with excellent links to strategic transport infrastructure.
- 4.5 We **object** to the quantum of development quoted in the Site allocation. The Site has been included as an allocation in the emerging Plan since 2016 and the original allocation planned for 150 dwellings, based on our masterplanned approach to development set out in the accompanying Development Framework Document. The reduction to 125 dwellings in the Pre-Submission Local Plan does not align with the technical evidence and design work accompanying these representations, that demonstrates that the Site can appropriately accommodate approximately 150 dwellings taking account of the site-specific constraints and opportunities. In light of emerging Plan Policy HP03, the density of development should be maximised through a design-led approach. The quoted quantum of 125 dwellings also falls short of the standard density figure of 35 dwellings per hectare stated in Policy HP03.
- 4.6 In order to make the Local Plan sound, we recommend that BBC reinstates the Preferred Options draft Local Plan quantum of the proposed Site allocation to approximately 150 dwellings, to make better use of the land and maximise delivery.
- 4.7 Subject to the above amendment, we consider the emerging Local Plan satisfies the tests for soundness set out in paragraph 35 of the NPPF.

APPENDIX 1

COMPLETED COMMENTS FORM



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	Steven
Last Name	Butler
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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	Steven Butler (Bidwells), on behalf of Crest Nicholson Eastern
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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).

Please refer to the enclosed Written Representations Report (prepared by Bidwells) and the appended Design Development Framework (prepared by Clague Architects).

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 quantum of development in Policy R06 is unnecessarily restrictive and should reinstate the Draft Local Plan's (2018) quantum of approximately 150 dwellings. Please see our accompanying representations report for more information.

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.

Please see accompanying representations report for further detail.

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.

To present evidence to support the increase quantum of development on the Site, support the removal of the Site from the Green Belt and its allocation of the Site for residential development.

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.

APPENDIX 2

DESIGN DEVELOPMENT FRAMEWORK



BIDWELLS