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LAND NORTH OF SHENFIELD  
PLANNING REPRESENTATIONS

BRENTWOOD LOCAL PLAN

Regulation 19  
Pre-Submission Publication

On behalf of  
Croudace Homes Ltd

March 2019

**LAND NORTH OF SHENFIELD**  
**PLANNING REPRESENTATIONS TO BRENTWOOD LOCAL PLAN**  
**REGULATION 19 PRE-SUBMISSION PUBLICATION**  
**ON BEHALF OF**  
**CROUDACE HOMES**  
**MARCH 2019**

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## 1.0 INTRODUCTION

- 1.1 These Representations on the Brentwood Borough Council Reg 19 draft Local Plan have been prepared on behalf of Croudace Homes who are promoting their site (Officers Meadows – site number 034), which falls within the broader allocation of “Land North of Shenfield”. The allocation encompasses several land ownerships, including Sites 158, 235, 087, 263 and 276, as well as the “Officer’s Meadow” site (034), all of which make up the allocation Policy R03. It should be noted that Croudace Homes has controlling land interest in Site 034 only, therefore whilst development proposals have taken the other sites into account, this document is in respect of the “Officer’s Meadow” site.
- 1.2 “Land North of Shenfield” was previously promoted through the Reg 18 Local Plan process (see Site Allocations Map Jan 2016 which supported the Draft Local Plan) historically as one of three separate strategic sites, now shown in the Reg 19 draft Local Plan site allocation as one site, “Officer’s Meadow and surrounding land” (ref. Policy R03) allocated for residential development. The “Officer’s Meadow” site is the focus of these Representations to the Reg 19 draft Local Plan and is hereby referred to as “the Site”.
- 1.3 These representations are submitted to the Local Plan consultation document and set out our support for the Brentwood Borough Council (BBC) Local Plan in terms of the proposed spatial strategy and the identification of the Site as an allocation for growth.
- 1.4 These representations are focused on the Site allocation and demonstrate that the allocation is “sound” and deliverable having regard to National policy and a number of technical matters for the Site. It also reviews the Local Plan in terms of soundness of the Duty to Co-operate, the proposed spatial strategy (inc. Sustainability Appraisal) and other policies in the Plan including for Development Management purposes.
- 1.5 These representations are supported by technical reports included as appendices, which, on behalf of Croudace Homes, provide the background evidence to support the allocation and demonstrates it is “suitable”, “available”, “achievable” and therefore “deliverable”. This will be referred to in these representations and it has regard to BBC’s Evidence Base. The technical reports prepared by the consultant team, detail matters concerning:
- Transport;
  - Landscape/Green Belt;
  - Drainage;
  - Noise
  - Ecology;
  - Archaeology; and

- Masterplanning.
- Shenfield High School “All through” education provision proposals.

1.6 The following sections of these representations are set out as follows:

- Section 2.0 – National Policy;
- Section 3.0 – Duty to Co-operate;
- Section 4.0 – Local Plan Strategy;
- Section 5.0 – Policy LP R03 –Land North of Shenfield (Officer’s Meadow);
- Section 6.0 – Delivery of Land North of Shenfield (Officer’s Meadow);
- Section 7.0 – Soundness of other policies in the Local Plan; and
- Section 8.0 – Conclusion.

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## 2.0 NATIONAL POLICY

2.1 This section provides an overview of the NPPF with particular regard to plan-making. Other policies in the NPPF will also be referred to later in these representations.

### **i) National Planning Policy Framework**

2.2 On 24 July 2018, the revised National Planning Policy Framework (2018 NPPF) was published by National Government, setting out the planning policies for England and how these are expected to be applied in both plan-making and decision-taking. Post 24 January 2019 any plans submitted after this date must refer to the revised NPPF. This document therefore focusses on the revised 2018 NPPF.

2.3 The revised NPPF introduces the Government's standardised methodology for assessing housing needs. For those LPAs which do not submit plans within the NPPF's transitional period, the standard method will apply as a starting point for assessing housing needs.

### **a) Plan-Making**

2.4 The NPPF 2018 (Para 35) sets out the requirement for Local Plans to be examined by an independent Inspector whose role is to assess whether the Plan has been prepared in accordance with legal and procedural requirements, and whether it is "sound". An LPA should submit a Plan for Examination which it considers is "sound" – namely that it is:

- Positively prepared (as a minimum seeking to meet the area's objectively assessed needs);
- Justified;
- Effective; and
- Consistent with national policy.

2.5 These representations will assess the Pre-Submission Local Plan against the tests of soundness, as above. The next section details the Duty to Co-operate in this regard.

### 3.0 DUTY TO CO-OPERATE

3.1 This section considers the legal compliance and procedural matters associated with the Local Plan with regard to the "Duty to Co-operate".

#### i) Policy Framework

3.2 The "Duty to Co-operate" as provided for in Section 110 of the Localism Act 2011 came into effect on 15 Nov 2011. The "duty" was introduced under the 2011 Act to address the impact of the loss of the "top-down" effect from the Regional Strategy and to offer a transparent way in which LPAs should relate to one another on cross boundary issues. The "duty" is now shared between LPAs requiring them to collaborate on cross-boundary matters and issues of sub-regional and regional importance, especially housing provision and infrastructure issues.

3.3 The NPPF 2018 (Paras 24-27) is clear in directing LPAs as to the importance of the "Duty to Co-Operate" and the pro-active approach necessary to ensure a collaborative approach to reflect individual local plans.

#### ii) BBC's 'Duty to Co-Operate' (DtC)

3.4 The NPPF recommends that where a Housing Market Area (HMA) extends across more than one local authority plan makers should assess need for housing for the whole HMA, rather than just the individual authority. The SHMA (Oct 2018) sets out that Brentwood District is a self-contained Housing Market Area (HMA). On this basis, no further joint evidence base documents were commissioned, but strategic work continues with South Essex Councils.

3.5 The Objectively Assessed Need (OAN) for BBC amounts to 380 dwellings per annum (dpa) as the SHMA advises that the Council plans on the previous OAN evidence (despite referring to 350 dwellings per annum (dpa) following the current guidance, for the period 2019-2029). In addition, the Council propose additional land allocations over and above "need" (20% above 380 dpa). This approach is welcomed in the SHMA guidance, as overprovision should provide additional flexibility in the supply and delivery of sites.

3.6 Since the draft Brentwood Borough Council Reg 19 Local Plan has been published, the PPG HENA details the standard method for assessing housing need and now clarifies that the 2014-based household projections published by the Office for National Statistics should be used to set the 'baseline' for the standard method calculation. The standard method number for Brentwood is 452 dpa.



- 3.7 The OAN is 7,752 dwellings during the Plan period (2016 – 2033) and it is welcomed that the Local Plan is seeking to meet this need in full (and potentially overprovide). This is addressed further in the housing strategy section to follow. The Plan also provides an equitable distribution of new homes across the HMA and this will be addressed under the Sustainability Appraisal.
- 3.8 It is evident that BBC has engaged with neighbouring authorities regarding cross-boundary matters as well as meeting housing need, as set out in the Duty to Co-operate Brentwood Position Statement (February 2019).
- 3.9 As part of the DtC the Borough would normally need to consider whether it is a sustainable location for unmet cross boundary need. However, as Brentwood is a Green Belt authority (89% is Green Belt), it is unlikely that Brentwood will be in a position to accept any unmet housing need from the South Essex housing market area. The Essex neighbours (Chelmsford and Epping Forest) both have plans submitted for examination that are not reliant on Brentwood accepting any of their housing growth.
- 3.10 Ongoing Duty to Cooperate work continues with South Essex as part of a strategic growth study and participation in a Joint Strategic Plan.
- 3.11 The Association of South Essex Local Authorities (ASELA) memorandum of understanding was recently signed by Basildon Borough Council, Brentwood Borough Council, Castle Point Borough Council, Essex County Council, Rochford District Council, Southend on Sea Brough Council and Thurrock Borough Council (Jan 2018). This highlights the constraints and challenges facing other local authorities in terms of meeting their housing needs, and emphasises the importance upon BBC in terms of meeting its own needs in full. We therefore welcome BBC's aspirations in seeking to meet its own needs and indeed in seeking to provide to some flexibility too.
- 3.12 Duty to Co-operate discussions have confirmed that immediate neighbouring authorities are aiming to meet OAHN within their boundaries, but some will have difficulties in this regard. However, as Brentwood is a Green Belt authority, it is unlikely that Brentwood will be in a position to accept any unmet housing need from the South Essex housing market area.
- 3.13 To ensure the Local Plan is justified and effective (NPPF, para 35), it is considered that the above issues should continue to be updated in the evolving DtC Statement (February 2019).
- 3.14 The Council needs to continue to have regard to neighbouring authority plans and adequately co-operate with neighbouring authorities, rather than awaiting the future joint strategic plan, as well as Essex County Council plans, and strategies of other relevant bodies.

- 3.15 This working can be further supported by the Duty to Cooperate meetings dealing with the strategic planning issues relating to the South East Essex 2050 Programme. Also, the Association of South Essex Local Authorities (ASELA) Statement of Common Ground which includes a commitment to joint working through the preparation of a Joint Strategic Plan for South Essex.
- 3.16 It is recommended that BBC continues to embrace opportunities to work with the other members of ASELA, as well as producing statements of common ground with its neighbouring authorities, which is a key element of plan preparation, in order to secure a “sound” Local Plan which meets the requirements of the Duty to Co-operate.

## 4.0 LOCAL PLAN STRATEGY

4.1 This section examines and provides commentary on the proposed spatial strategy in the Local Plan, insofar that it relates to the housing and employment provision, and the allocation of strategic sites for growth including within the Green Belt.

4.2 First, we set out our representations on the Sustainability Appraisal for the Local Plan.

### a) Sustainability Appraisal

4.3 The BBC Sustainability Appraisal (incorporating Strategic Environmental Assessment) provides an assessment as to how the spatial strategy for the Local Plan was arrived (identifying, describing and evaluating the likely significant effects of implementing the plan).

4.4 The strategy has evolved from the early 'Pathway to a Sustainable Brentwood' Issues and Options document (2009), which set out a series of strategic objectives. The overarching priorities set out in the Interim SA (Jan 2018) are:

- Environment and Housing Management;
- Community and Health;
- Economic Development;
- Planning & Licensing; and
- Transformation.

4.5 In order to achieve these priorities the following plan themes have been set out (with associated objectives as set out in the SA):

- Managing Growth;
- Sustainable communities;
- Economic prosperity;
- Environmental protection and enhancement;
- Quality of Life and community infrastructure; and
- Transport and Movement.

4.6 Having regard to these themes and objectives, 10 No. reasonable spatial strategy alternatives were drawn up in the SA. The desire to deliver at least one large-scale, strategic site (likely for a mix of uses, to include both housing and employment) is quite well established, recognising: A) limited opportunities within settlements; B) no potential to export 'unmet needs' (as discussed); and C) the alternative of piecemeal Green Belt development dispersed

widely has significant draw-backs (this option was appraised within the 2013 Interim SA Report).

- 4.7 A number of strategic site options have been examined over recent years, including through consultation and SA work, such that there is now a refined understanding of those sites that are genuine contenders for allocation through the Local Plan – There is specific mention of North of Brentwood and ....' *the potential for expansion to impact 'in-combination' with other potential extensions to the urban Brentwood/Shenfield area, most notably the potential 825 homes on land at Officers Meadow (directly to the east)*'.
- 4.8 The SA goes on to note that there is a need to give careful consideration to growth opportunities at Brentwood/Shenfield urban area.....Brownfield opportunities are limited; hence there is a need to examine Green Belt urban extension options. All land around the urban area is given brief consideration, with reference to the site options and the designated constraints that exist. Specifically:

**North of Shenfield**

**A large area of land is bounded by the railway line to the east, and the A1023 to the west; plus there is a parcel of land to the north of the A1023, bounded by the A12. There are relatively few designated constraints, although considerations include a spur of Arnolds Wood Local Wildlife Site (LWS), and proximity to the railway and main roads. This land parcel comprises three HELAA sites, all of which are preferred allocations at the current time (Officer's Meadow; Land east of A1023; and Land north of A1023).**

[SA of Brentwood Local Plan, January 2019 – page 113]

- 4.9 Of the options considered, the SA concluded that "Option 3" Dunton Hills Garden Village only, in addition to the sites that are a 'constant' across the reasonable alternatives, was the preferred option for growth as it performs well in terms of the majority of sustainability objectives. Furthermore, the option of identifying the delivery of 'constant' sites was also preferred with the objective of meeting both short and long-term needs.
- 4.10 We fully support and consider the approach of the Sustainability Appraisal to be "sound" in terms of alternative strategies assessed for the Local Plan and consider that the most sustainable option has been arrived at.
- 4.11 The SA reviewed site options that could deliver the proposed spatial strategy. This includes "suitable" sites as derived from the SHLAA against a series of 12No SA criteria including Housing, Landscape, Community and well-being and other sustainability considerations. This included a "red, amber, green" assessment of sites as against the selected 12No criteria. We support this approach and consider it to meet the requirements of the SEA in terms of the

assessment of environmental impacts – this includes BBC’s assessment of the Site at North of Shenfield for which we also fully support and consider to be “**sound**”.

- 4.12 The process allowed for two strategic site options to be discounted (considered ‘unreasonable’) given planning/sustainability considerations and deliverability considerations. The extent of reasonable sites has been restricted to balance the need to meet housing needs as well as ensuring that pressure will not be put on infrastructure nor pose a serious risk to air quality, local amenity, natural and heritage assets and biodiversity.
- 4.13 Our Client’s considerations of the Council’s Sustainability Appraisal have been informed by the accompanying “Review of Sustainability Appraisal” (Barton Willmore EIA, March 2019), which is attached to these representations. (See **Appendix 01**).
- 4.14 The preferred approach is Option 3, which involves allocating Dunton Hills Garden Village only, in addition to the sites that are a ‘constant’ across the reasonable alternatives (including Officers Meadows), and thereby putting in place an overall land supply sufficient to provide the required housing target dpa (assuming no delayed delivery).
- 4.15 We support the overall approach to the Sustainability Appraisal, insofar as:
- It follows a robust process in evaluating alternative options for growth as well as specific site options;
  - The approach to individual site options is considered to be **sound**; and
  - It is considered to be “**sound**” in that it arrives at the most reasonable option for growth - Dunton Hills Garden Village in addition to the sites that are ‘constant’ across the reasonable alternatives– as encompassing the allocation at Land North of Shenfield (034).

## **b) Housing Strategy**

- 4.16 On 19 February 2019, MHCLG published the long-awaited outcome of the ‘Technical consultation on updates to national planning policy and guidance’, which clarifies the methodology for assessing housing need incorporated in the updated Housing and Economic Needs Assessment (HENA) Published on 20 Feb 2019. The standard method for assessing housing need is detailed in the PPG HENA and now clarifies that the 2014-based household projections published by the Office for National Statistics should be used to set the ‘baseline’ for the standard method calculation. The standard method number for Brentwood is 452 dpa.

- 4.17 In order to provide flexibility in the supply of housing sites, help boost delivery and to aim towards the standard method figure, the Council has proposed a further 20% supply buffer when allocating development sites in the Local Plan above the established annual housing figure of 380 dwellings per year, as set out in the SHMA. The buffer allows for an additional housing supply in the borough to be maintained throughout the Local Plan period and is supported in national planning guidance. The Reg 19 Draft Local Plan refers to 456 dpa based on the 20% SHMA uplift on 380 dpa.
- 4.18 The Local Plan sets out (Policy SP02) the OAN for housing in the Borough as being 7,752 dwellings during the Plan period (2016 – 2033); which when projected across the 17-year plan period gives an annualised housing delivery target of 456 new homes per year. The Council has not been able to identify a 5-yr HLS that delivers this current annualised requirement. When calculating HLS for our representations we have based our assumptions on 452 dpa which is the most up to date guidance (February 2019).
- 4.19 As a result of 89% of the Borough being designated Green Belt, the Council advises it is difficult to achieve a five-year supply, as many allocated sites within the Green Belt will not be available until the adoption of the Plan. On this basis a larger proportion of sites will not be delivered until after 2023, when they begin to benefit from detailed planning consent.
- 4.20 Therefore, a stepped trajectory is proposed, with an initial housing delivery target of 310 dpa to 2023 has been set, followed by a higher target of 584 dpa thereafter, which totals 7,752 homes overall in accordance with Policy SP02.
- 4.21 The Local Plan (Chapter 4, Policy **SP02: Managing Growth**) indicates that the residual requirement will be sought largely through new development being directed towards the site allocations set out in Chapter 8; and highly accessible locations along transit/growth corridors. These are as follows and seek to deliver circa. 4,500 units up to 2033:

**Table 4: Strategic Sites**

<b>Strategic Sites</b>	<b>Dwelling No's</b>
Dunton Hills Garden Village Strategic Allocation	2,700 units
Land at West Horndon Industrial Estate	580 units
Land North of Shenfield	825 units
Ford Headquarters and Council Depot, Warley	473 units
<b>Total</b>	<b>4,578 units</b>

- 4.22 In terms of the allocation at Land North of Shenfield (“Officers Meadow”), this includes an overall requirement across the whole site allocation at Policy R03 for 825 units to be delivered in the Plan period. This delivery schedule is supported and is addressed further in the next section.
- 4.23 We support the housing strategy for the Local Plan and welcome that BBC is seeking to meet its housing needs in full. This is particularly important having regard to the likely inability of adjacent authorities (referred to on page 5) to meet their own needs. We therefore consider the housing strategy in the Plan to be “**sound**” in accordance with the NPPF (Para 35).

### c) **Employment Strategy**

- 4.24 **Policy PC02: Job Growth and Employment Land** identifies that provision is made for at least 47.39ha of new employment land (B-use) to address the needs of the Borough up to 2033. To ensure that the Plan is more effective, it is **recommended** that this is followed by supporting text setting out the extent of need as derived from the Brentwood Economic Futures report (2018) and Strategic Housing Market Assessment (2018).
- 4.25 This need is proposed to be met through allocations set out at **Policy PC03: Employment Land Allocations**. This includes provision of appropriate new employment development on North of A1023 (part of the Land North of Shenfield R03 land use allocation). We fully support this aspect of the Plan including the broad strategy underpinning both the housing and employment allocations. The employment strategy for the Local Plan is **justified** and “**sound**” in line with the NPPF (para 35).

### d) **Five-Year Housing Land Supply**

- 4.26 The Local Plan is unclear in terms of being able to demonstrate a 5-yr HLS of housing land for the purposes of the Plan.
- 4.27 The most recent AMR (Nov 2018) demonstrates that BBC currently has a supply of 4.1 years – against requirement of 411.6dpa (2,058 units over 5-years) which encompasses a 20% buffer as required by the NPPF and Housing Delivery Test. This is as a result of persistent under delivery, as delivery is currently calculated as 50.83% for BBC, below the 85% requirement.
- 4.28 The AMR 5-yr supply relates to the period **2018/19 – 2023** and concerns, *inter-alia*, sites with planning permission, existing commitments and strategic sites at Dunton Hills Garden Village, West Hordon Industrial Estate, Ford Headquarters, etc. The Plan’s trajectory details the delivery at proposed allocated sites (**2016/17 – 2032/33**) amounting to 6,088 units.

- 4.29 The 2018 AMR suggests the delivery of 819 units (Allocations, Reg 19 Local Plan) within the same timeframe *(2018–2023)*. The figure is derived from existing permissions, developments, allocations and commitments, as well as the 20% buffer, is 1,694.7 units, and concludes the supply is 4.1 years (as set out below):

**Table 6: Five Year Supply Position (2018–2023)**

<b>Housing Land Supply</b>	<b>Dwelling Nos</b>
Housing need at 343 homes per year (01/04/2018-31/03/2023)	1,715 units
Housing need plus 20% buffer for period 01/04/2018-31/03/2023	2,058 units
<b>Total</b>	<b>3,773 units</b>
Annual rate for 5-year requirement plus 20% buffer	411.6units
Total deliverable housing supply for period 01/04/2018-31/03/2023	1,694.7 units
Total deliverable housing supply in years for period 01/04/2018-31/03/2023 (1,694 divided by 411.6)	4.1
<b>No. of Years of HLS</b>	<b>4.1</b>

[BBC AMR 2018]

- 4.30 The AMR 2018 refers to the PPPG: HELAA, which sets out how a 5-yr HLS is measured where LPAs have a “stepped” rather than annual average requirements; it states:

**Five-year land supply is measured across the plan period against the specific stepped requirements for the particular 5-year period. Stepped trajectories will need to ensure that planned housing requirements are met fully within the plan period.**

[Paragraph 017, Reference ID: 2a-017-20180913]

- 4.31 The AMR 2018 sets out (Table 4: Comparison of annualised housing delivery target and projected completions) a housing delivery target of 7,752 homes (456 dpa over the 17-year Plan period), together with annualised projected housing completions. The report states that from a comparison of this data an initial stepped requirement of 310dpa to 2023, followed by a higher stepped up requirement of 584dpa for the remainder of the Plan period, is a logical approach to reach 7,752 homes by 2033.
- 4.32 As a result of the high proportion of Green Belt in the Borough, it is extremely difficult to achieve the annualised 5-yr HLS requirement. This is because, as set out in the AMR 2018, sites on the edge of settlements currently within the Green Belt are not available for development purposes until the emerging Local Plan is adopted. Therefore, the potential for a stepped trajectory has been proposed, which delivers a greater proportion of the required homes beyond 2023.

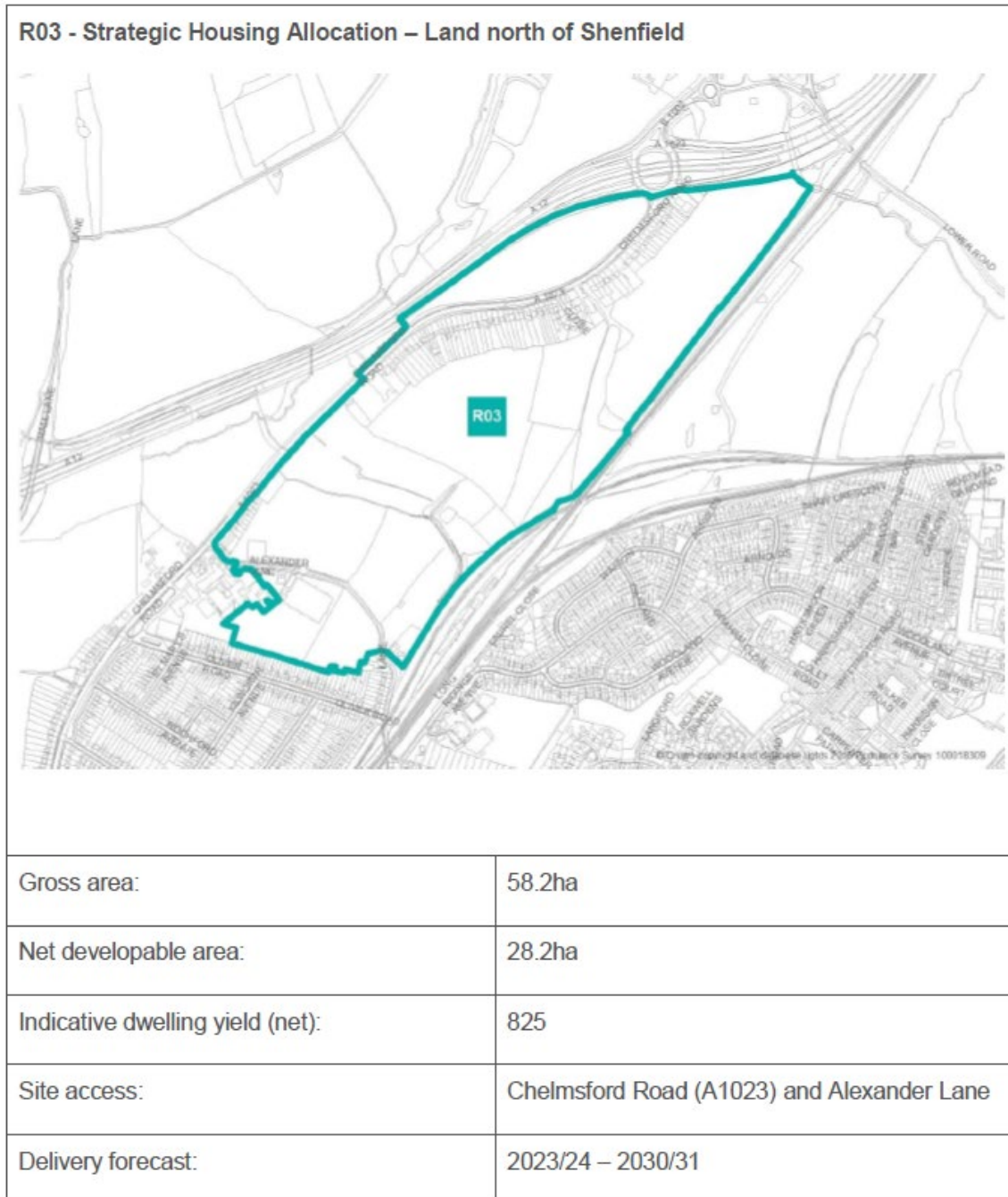


- 4.33 The above demonstrates that BBC is not fully able to demonstrate a 5-yr HLS for Local Plan purposes. This position could be expedited by allowing allocated sites, such as "Officers Meadow" to come forward 1-2 years sooner, within the present 5-year period, to help meet the required 5-yr HLS position.

## 5.0 LAND NORTH OF SHENFIELD – POLICY R03

5.1 Land North of Shenfield (**Policy R03: Strategic Site – Land North of Shenfield**) is allocated in the Pre-submission Reg 19 Local Plan and the extent of the allocation is shown below:

**Figure 1: Land North of Shenfield– Allocation Area**



- 5.2 This shows the Site area as allocated as a whole; despite Land North of Shenfield having 6 land parcels within it, namely Site parcels 034, 158, 235, 087,263 and 276, as identified at Appendix 1: Housing Trajectory in the Reg 19 Local Plan and previously set out in earlier iterations of the Reg 18 Local Plan suite of documentation.
- 5.3 We set out below our comments on **Policy R03** and **Appendix 1**- Housing Trajectory in regard to the proposed delivery rates. This is largely supportive, however there are some aspects we do not consider to be “sound”.
- i) Amount and Type of Development:**
- a. Provision for around 825 new homes of mixed size and type, including affordable housing.*
- 5.4 This criterion is **supported**/considered to be **sound** and “**effective**” in accordance with the objectives of the NPPF (para 61) relating to creating mixed and balance communities. The proposals for the Site will therefore be able to be delivered in accordance with this policy objective.
- b. Provision of land (circa 2.1 hectares) for a co-located 2FE [additional text] primary school and early years and childcare nursery (Use Class D1). To be located adjacent to Alexander Lane. [additional text]*
- 5.5 We largely support this criterion, albeit consider it should be amended (as above) to provide for greater clarity. Therefore as presently worded, we **object** to this criterion.
- 5.6 Forecasted figures contained in ‘Commissioning School Places in Essex 2016-2021’ indicate that there will be a deficit in pupil places by 2020/21 when accounting for demographic factors and the proposed uplift in residential development.
- 5.7 Earlier/recent work undertaken by the High School (and others) considered the anticipated need for a new 1FE Primary School. The proposed policy wording should clarify that it is now proposing a 2FE Primary School. We have prepared an accompanying note (**Appendix 02**) that reflects are discussions in this regard.
- 5.8 Consideration should be given to the location of the Primary School. Again, the recent work undertaken by the High School has examined this, inc the early years facility and nursery element, and that it should ideally be located on the existing school playing fields, just north of Alexander Lane. This would enable the Shenfield High School to deliver an ‘all through’ school provision, comprehensively expanding the educational offer available on-site.

- 5.9 The NPPF (para 94) seeks that LPAs take a proactive, positive and collaborative approach to meeting school place requirement and to development that will widen choice in education. The principles of this element of Policy R03 is therefore "**consistent**" with the NPPF, but the wording should be clarified further. We would be happy to continue discussions with Shenfield High School, BBC & ECC Officers in respect of seeking to agree the most suitable location for the primary school provision.
- 5.10 In terms of its own generated education requirements, the allocation would give rise to a need for a 1FE Primary School and financial contributions towards secondary school provision. Through positive discussions with Shenfield High School, we have been working closely towards its objective of becoming a "through-school" (by encompassing Primary provision) and contributing towards secondary provision (at the High School) on a pro-rata basis.
- c. Provision for a residential care home (around 60 bed scheme as part of the overall allocation).
- 5.11 The principle of this criterion is **supported**/ considered to be **sound** and a care home could be accommodated on the 'Officer's Meadow' site, however this should be subject to the balanced and reasonable distribution of other infrastructure across the Site allocation as a whole. The NPPF (section 5) on "*Delivering a Sufficient Supply of Homes*" requires that housing need for different groups in the community should be assessed and reflected in planning policies. The provision of a residential care home in Policy R03 would contribute towards the offer of care for older people in Shenfield and is therefore "**consistent**" with the NPPF, in accordance with national policy and is deemed **sound**.
- d. Provision for **up to [additional text]** 5% self-build and custom build across the entire allocation area.
- 5.12 The principle of this criterion is supported, but not as presently worded. We therefore **object** to this criterion in its present form.
- 5.13 Section 1 of the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) requires each relevant authority to keep a register of individuals and associations seeking to acquire serviced plots for their own self-build and custom housebuilding. Whilst the provision of self-build and custom build should be considered, the evidence base for a 5% need across the entire allocation should be addressed against the local "needs register" and demand for such provision at the prevailing time.

5.14 In order to align with National policy, the evidence base and local need should be fully assessed before any commitment is made to the provision of this house type in this location. It is therefore considered that this element of Policy R03 is **unsound**.

5.15 It is recommended that this aspect of the policy is **amended to "up to" 5%** as shown above, to reflect prevailing "need" at the time.

*e. Provision of 2ha of land for employment purposes.*

5.16 The provision of 2ha of employment land as part of the wider allocation is agreed in principle. Employment land situated on land north of Chelmsford Road, as per the location identified in the BBC Site Analysis Overview report (Feb 2019), is **supported**, given its location adjacent the A12. This is the most appropriate location for such provision and is **"consistent"** with the NPPF (para 20). Therefore, and if situated in this location, this criterion is considered **sound**.

**ii) Development Principles:**

*a. Comprehensive masterplan and phasing strategy to be prepared and considered as planning applications come forward.*

5.17 We **support** this criterion and it is confirmed that development can come forward and be delivered within the timescale as shown in the housing trajectory. We also support a comprehensive masterplan and phasing strategy to set out effective phasing of the requisite infrastructure, as identified in the Infrastructure Delivery Plan (IDP) is **"consistent"** with the NPPF and is considered **sound**.

5.18 The overall needs of development must have regard to potential considerations in terms of viability in order to be fully **"justified"**, something not yet addressed in the IDP, which should be rectified in the next iteration of the IDP.

*b. Site is identified as a key gateway location and development should reflect this in terms of design quality particularly on land near to Junction 12, A12.*

5.19 We broadly **support** these provisions and the concept masterplan sets out conceptually the land take for development in this location, including the key gateway employment location and residential, however this land is not within our Client's control and as such will be the subject of a separate planning application and detailed framework masterplan. In principle, and from an overall design perspective, this key gateway location is consistent with Section 12 of the NPPF and is **"justified"** and therefore considered **sound**.

c. *Vehicular access via Chelmsford Road (A1023) and Alexander Lane.*

5.20 It is recognised that the delivery of vehicular access via Chelmsford road and Alexander Lane is a necessity as part of these proposals. Our Client's accompanying Transport Strategy (Vectos, March 2019) provides evidence to support the development of the Officer's Meadow Site in terms of reducing the need to travel and providing opportunities for non-car travel. This is "**consistent**" with the NPPF, in particular Section 9 on "*Promoting Sustainable Transport*". The provision of access via both Chelmsford Road (A1023) and Alexander Lane allows for flexibility in terms of phasing and means that development can take place simultaneously in more than one location on the Site. It is therefore considered that this criteria is **sound**.

d. *Potential for diversion of Alexander Lane, creating a quiet lane for pedestrians and cyclists, with the provision for new and improved route through the development site linking to Chelmsford Road.*

5.21 The potential diversion of Alexander Lane is welcomed in terms of pedestrian safety and improved access. This is because a quieter Alexander Lane will improve access to local schools, pedestrian and cycle infrastructure and the existing PRoW, encouraging active mobility. This policy is therefore considered "**justified**" in light of the NPPF (para 102).

e. *Enhancing sustainable links with Shenfield station and local services and facilities in the wider area.*

5.22 The accompanying (Vectos) Transport Strategy confirms that the travel opportunities afforded by the service at Shenfield Railway Station and local bus routes will ensure that travel by public transport is a realistic option for future residents. The NPPF (para 102) states that opportunities to promote public transport use should be identified and pursued by Local Plans. This policy is therefore considered to be "**consistent**" with the objectives of the NPPF and is **sound**.

f. *Provide well-connected internal road layouts which allow for good accessibility.*

5.23 The development of Officer's Meadow would provide opportunities to encourage walking and cycling through new and improved routes and crossing facilities. Improving the accessibility within an already sustainable setting will also help to minimise vehicular traffic, in accordance with National policy. This is "**consistent**" with the NPPF objectives set out in both Section 8 "*Promoting Healthy and Safe Communities*" and Section 9 "*Promoting Sustainable Transport*".

g. Provision for new multi-functional green infrastructure including public open space.

5.24 The provision of green infrastructure and open space throughout the Site is supported. The development of Officer's Meadow introduces the opportunity to introduce ecological corridors, open space and green infrastructure linkages, as well as enhancing the recreational resource and connectivity value of the Site. The NPPF (para 181) states that planning policies should maximise opportunities for green infrastructure provision and enhancement. This policy is therefore considered "**effective**" in terms of meeting the requirements set out in the NPPF.

h. Maintain and enhance Public Right of Way within the site and to the wider area.

5.25 Our Client's accompanying Landscape Assessment (Barton Willmore, March 2019) provides information to support the maintenance and enhancement of the existing PRoW on site. Although limiting development, this PRoW allows for the opportunity to introduce ecological corridors, open space and green infrastructure linkages. The NPPF (para 98) states that policies should protect and enhance the PRoW, including taking opportunities to provide better facilities for users. It is therefore considered that this policy is "**consistent**" and **sound** in accordance with the NPPF.

i. Protect and where appropriate enhance the Local Wildlife Site (Arnold's Wood).

5.26 Arnold's Wood comprises a narrow strip of Ancient Woodland to the north and the east of the Site. The accompanying Ecological Report (Aspect Ecology (March 2019) identifies this feature as a Local Wildlife Site, whereby appropriate conservation and enhancement through development is a priority. The NPPF (para 170) seeks that planning policies contribute to and enhance the natural and local environment by protecting valued landscapes and sites of biodiversity value, such as area of ancient woodland. The protection and enhancement of the Local Wildlife Site is therefore "**justified**" with regard to the NPPF, leading to the consideration of this policy as **sound**.

j. Provide for appropriate landscaping and buffers along sensitive boundaries adjoining the A12 and railway line.

5.27 Our Client's emerging proposals have been informed by a series of technical reports, including the Landscape Report, which provides for a planted buffer to be provided along the A1023 Chelmsford Road to help soften views of the proposed residential development at Officer's Meadow. This policy is therefore "**effective**" in terms of protecting residential amenity and enhancing the natural environment. The use of appropriate landscaping buffers is also in accordance with the NPPF (Section 15) on "*Conserving and Enhancing the Natural Environment*", making this criterion **sound**.

**iii) Infrastructure Requirements:**

a. Provide pedestrian and cycle crossing points across Chelmsford Road (A1023) where appropriate.

5.28 The accompanying Transport Strategy (Vectos) provides for new and enhanced pedestrian and cycle connections within the Site and to the wider area. As individual development parcels are separated by Chelmsford Road, pedestrian and cycle crossings are required where appropriate to allow safe connection between parcels (as identified in by *Infrastructure Requirements*). This criteria is therefore **supported** as the provision of crossing points across Chelmsford Road (A1023) will help to maximise opportunities for sustainable transport modes throughout the Site, to Shenfield railway station and various local services. The NPPF (para 104) states that planning policies should provide for high quality walking and cycling networks. This policy is therefore considered **“consistent”** with national policy.

b. Provision for improved bus service.

5.29 The provision of an improved bus service, with reference to the IDP, is supported. This criterion is **sound** in the light of Para 110 of the NPPF. It is therefore **“justified”**.

c. 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.

5.30 The majority of the Site is located within Flood Zone 1. As referred to in the accompanying Drainage Report (JNP, March 2019), the critical drainage can be dealt with by the creation of a surface water storage basin/wetland area to attenuate and release the overland surface water flows from off site at a reduced rate. An individually designed mitigation scheme can be implemented on-site via a variety of SuDS, in accordance with the provisions of the NPPF (para 163). These components will also adequately provide for surface water flows generated by the proposed development. The above criteria is therefore considered to be **sound** and **“effective”**.

5.31 In addition to the above elements of physical infrastructure, and as mentioned previously in respect of other aspects of Policy R03 allocation, we are also mindful of accompanying social infrastructure – in particular the educational needs of the resultant residents and the relationship with the adjoining Shenfield High School. It is therefore appropriate to reiterate our Client’s willingness to work closely with the High School in helping to deliver its aspirations



in providing for a “through school” (with Primary provision) and our off-site educational financial contributions will be directed to support this.

5.32 In overall terms, we largely **support** the provisions of Policy R03 and have sought to reflect this in the accompanying illustrative concept masterplan, which demonstrates the delivery of the requisite infrastructure for the Site Allocation as a whole including:

- Social infrastructure – primary school, early years and nursery care;
- Transport infrastructure - pedestrian and cycle crossing points;
- Critical drainage mitigation; and
- Blue and Green Infrastructure.

5.33 The above demonstrates our overall support for the allocation of the Site and we can confirm that the proposed development is deliverable within the timescales established by BBC. The delivery of Land North of Shenfield (“Officer’s Meadows”) is addressed in the next section.

## 6.0 DELIVERY OF LAND NORTH OF SHENFIELD

- 6.1 A range of technical work and evidence has been worked up for the Site and which demonstrates the deliverability of the proposals. This technical input is set out in full in the Technical Representations accompanying these submissions.
- 6.2 This report therefore does not seek to repeat the technical material in full, instead it provides a summary of the main disciplines and how they relate to the delivery of the project.
- 6.3 This includes work in relation to the following disciplines:
- i) Transport (**Vectos**);
  - ii) Landscape/Green Belt Assessment (**Barton Willmore Landscape**);
  - iii) Drainage (**JNP Group**)
  - iv) Noise (**Sharps Gayler**)
  - v) Ecology (**Aspect Ecology**);
  - vi) Archaeology (**Albion Archaeology**); and
  - vii) Masterplan (**Barton Willmore Design**).
- 6.4 Below is a brief summary of each of the update reports submitted in terms of the delivery of the scheme.
- i) Transport**
- 6.5 The accompanying Transport Strategy (**Vectos**) (**Appendix 03**) sets out the principle of a sustainable transport strategy for Officer's Meadow, reducing the need to travel and providing opportunities for non-car journeys. The proximity of the Site to local services and the proposed 'all through' school across the wider site will reduce trip generation and promote sustainable communities.
- 6.6 The Transport Strategy identifies the junction location i.e. A1023 Chelmsford Road/A129 Hutton Road/A1023 Shenfield Road and the appropriate mitigation measures, which include the implementation of MOVA or similar as a mitigation, in order provide adequate capacity. The access and egress via Alexander Lane will be provided in the form of simple priority junctions.
- 6.7 The new access points/roundabouts can be fully accommodated within the Site area and/or on highway land. Highways improvements are therefore deliverable as part of the comprehensive development for the scheme. As such, Land North of Shenfield is suitable for allocation in the Local Plan, in terms of highways and transport constraints.

**ii) Landscape and Visual Appraisal/Green Belt Review**

- 6.8 A Landscape and Visual Appraisal (**BW Landscape**) (**Appendix 04**) has been undertaken to provide a review of the landscape character and visual amenity of the Site and surrounding area. These aspects have informed the parameters of the illustrative masterplan and have demonstrated that the Site is suitable to be released through 'exceptional circumstances' for development, as addressed below. It supports BBC's removal of Land North of Shenfield from the present Green Belt designation, which presently washes over the entire Site and its surrounding environs.
- 6.9 Direct adverse impacts of development on the wider Green Belt setting would be minimised by locating strategic open space on prominent land, particularly in the north east the Site. Low density housing could be located in the most prominent areas, framing the retained Ancient Woodland area to the north and east of the Site. A PRoW also traverses the Site, enabling the introduction of ecological corridors, open space and green infrastructure linkages, as well as enhancing the recreational resource and connectivity of the Site.
- 6.10 Development of the Site would form a logical extension that is in keeping with the existing settlement, better connecting the ribbon development between Chelmsford Road and the settlement edge of Alexander Lane. In terms of visibility, glimpses of the Site can be seen from elevated views to the west. However, the landform ensures that it is largely well contained by a combination of vegetation cover and built form, restricting long-distance views. A landscape-led approach to development within the Site would seek to ensure that existing defensible boundaries continue to prevent unrestricted sprawl.
- 6.11 The LVA concludes that allocation of the Site would result in successful assimilation and integration of new residential development, with the potential for adverse effects on the landscape setting moderated, as required by the NPPF. The Site is considered to be of "low sensitivity" as it is of a low landscape value and the localised visual envelope of the Site, coupled with the surrounding land uses, lends itself to residential development. The Site makes a minimal contribution towards the 5No purposes of the Green Belt, making it suitable for release and able to contribute towards a suitable pattern of development for Shenfield.

**iii) Drainage**

- 6.12 A Flood Risk and Drainage Note has been prepared (**JNP Group**) (**Appendix 05**). This confirms the location of the majority of the Site within Flood Zone 1, where there is the lowest probability of flooding and where new development should be steered. A small part of the Site

is located within Zones 2 and 3. Built development (housing, social infrastructure, etc.) will avoid Flood Risk areas.

- 6.13 All proposed buildings within "Officer's Meadows" are to be located in Flood Zone 1. Essential infrastructure which passes through a small area designated as Flood Zone 3 will be subject to the "Exception Test" and site-specific flood risk assessment to demonstrate safe access & egress from the site and that the development does not increase flood risk both on and off site. Safe access & egress will be provided off Chelmsford Road A1023 and Alexander Lane. Where affected, allowance for flood compensation storage will be provided to ensure no net loss in flood storage.
- 6.14 The critical drainage can be dealt with by the creation of surface water storage basins/wetland areas to attenuate and release the overland surface water flows from off site at a reduced rate. Development generated surface water flows can be dealt with via SuDS components and a storage basin/wetland attenuation area. The Site is therefore suitable and deliverable from a flood risk and drainage perspective.

#### **iv) Noise**

- 6.15 An assessment of "likely noise constraints" has been undertaken (**Sharps Gayler**) (**Appendix 06**) to identify potential constraints relating to noise and vibration upon Officer's Meadow. The below conclusion is based on a desktop assessment, informed by computer modelling of transportation noise sources in the area (A12, A1023 and the mainline railway).
- 6.16 Whilst there is a low to medium risk on the boundaries of the Site with Chelmsford Road and the rail line, the majority of the Site presents a low risk. At low noise levels, the Site is likely to be acceptable from a noise perspective, provided that a good acoustic design process is followed at the detailed application stage, particularly for development within 50m of Chelmsford Road and the rail line.
- 6.17 The assessment concluded that there are no significant constraints on Site in relation to noise. Land North of Shenfield is therefore suitable and deliverable from an acoustic perspective.

#### **v) Ecology**

- 6.18 An Ecological Appraisal has been undertaken (**Aspect Ecology**) (**Appendix 07**). This report confirms that the Site comprises a range of habitats including arable, woodland, grassland, watercourse, hedgerows, scrub and lines of trees. The woodland at the north-east of the Site,

the watercourse and the hedgerows are of elevated ecological value and are considered to be important ecological features.

- 6.19 Protected species such as bats, badgers, dormice and reptiles have not been identified within the vicinity of the site at this stage. Although thought to have 'good' suitability for Great Crested Newt, a DNA survey (2015) found the pond nearest to the Site unlikely to support a Great Crested Newt population. A further Great Crested Newt presence/absence survey of all relevant ponds associated with the Site is to be undertaken in 2019.
- 6.20 The habitats at the Site are currently unmanaged from an ecology point of view and the development proposal presents the opportunity of securing suitable management practices, appropriate mitigation and 'net gains' in terms of biodiversity. When considering ecological constraints, the Site is therefore both suitable and deliverable, subject to further survey work.

#### **vi) Heritage Assessment**

- 6.21 A Desk-based Heritage Assessment (**Albion Archaeology**) accompanies these representations, which has also been informed by a preliminary walk-over of the Site. The accompanying report (**Appendix 08**) reviews the potential for below ground archaeological interest and potential impact arising from development on such features; as well as an assessment of any direct impact on potential heritage assets.
- 6.22 No heritage assets other than the crop mark of a bomb crater, have been recorded in the proposed development area. Other heritage assets comprise former buildings, the postulated course of a Roman road, find-spots and historic settlement cores, whose setting will not be impacted by the proposed development. The adjacent railway lines, roads, buildings and vegetation suggest that the proposed new buildings are unlikely to be visible from these heritage assets. The potential impact on the setting is therefore assessed as "no change". The significance of this impact is "insignificant".
- 6.23 The potential for archaeological remains has been assessed covering prehistoric to modern periods. In general terms the "significance" of any remains is low to moderate. Any potential impact of the new development on potential buried archaeological remains could be mitigated by measures to investigate and record the presence/absence of potential archaeological assets. Officer's Meadows is thereby deliverable from an archaeological perspective.

**vii) Masterplan**

- 6.24 The accompanying illustrative concept masterplan (**BW Design**) (**Appendix 09**) has been developed in response to the above technical information prepared for the Site.
- 6.25 This demonstrates the ability of the Site itself to deliver:
- Circa 510 homes ("Officer's Meadow" site) inc. affordable provision;
  - The proposed dwellings can be delivered within the timescale of the housing trajectory, with varying densities;
  - Other potential linkages to Chelmsford Road (A1023) and Alexander Lane;
  - A 60-bed care home;
  - A Local Centre/ community facility;
  - Multi-functional green and blue infrastructure; and
  - Sustainable transport links.
- 6.26 Moreover, the illustrative concept masterplan also demonstrates the delivery of:
- Significant areas of Public Open Space encompassing:
    - Natural and Semi-Natural Green Spaces;
    - Outdoor Sports Facilities; and
    - Children's/Young People's Play Area.
  - Primary School provision on the adjoining Shenfield High School.
- 6.27 The above provides an overview of the technical inputs to the Land North of Shenfield (Officer's Meadow) and which confirms that the Site and proposals for it are deliverable within the Local Plan context. The proposals for the Site form part of an iterative process and further information will come to light in advance of a planning application to ascertain the detailed parameters for the Site.
- 6.28 These matters will be "screened" for a full Environmental Impact Assessment for a subsequent planning application, and it is envisaged the EIA Screening will be submitted later in 2019.

## 7.0 SOUNDNESS OF OTHER LOCAL PLAN POLICIES

- 7.1 This section does not seek to comment on other specific allocations/sites. Instead it focuses on policies of relevance within the Local Plan and sets out our comments and recommendations on these in terms of the tests of soundness in the NPPF.
- 7.2 **Policy SP01: Sustainable Development** takes a positive approach towards "*Presumption in Favour of Sustainable Development*" and seeks to apply this in terms of planning applications, in accordance with the Development Plan. The NPPF (para 11) assumes a strong "Presumption in Favour of Sustainable Development" in all planning related matters and places a responsibility on LPAs to positively seek opportunities to meet the development needs of their area and to, as a minimum, provide for objectively assessed needs for housing and other uses. This policy is "**consistent**" with the NPPF and is therefore **sound**.
- 7.3 **Policy SP02: Managing Growth** seeks to support the delivery of homes by setting out provision for 7,752 new dwellings to be built over the Plan period 2016-2033, at an annual rate of 310 dwellings up to 2022/2023, followed by 584 dwellings from 2023/24-2033. This objective is **not supported**, as it is considered that this stepped trajectory which delivers a greater proportion of the required homes beyond 2023, could be reviewed to allow more housing to come forward from the period 2021 onwards. This is with particular reference to NPPF (para 23) which states that "*strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs*". This policy is therefore "**not consistent**" with the NPPF and **not sound**.
- 7.4 We consider that in order to address this, the Council should review its housing trajectory and at the same time, clarify the new dwelling number ahead of the Local Plan submission, to align with the February 2019 agreed position on the 'baseline' for the standard method calculation.
- 7.5 The Council should, in addition, work with developers to bring applications forward in advance of the adoption of the Local Plan, to meet housing need.
- 7.6 **Policy SP03: Health Impact Assessments (HIAs)** states that Brentwood Borough Council is committed to ensuring all new developments promote healthier and inclusive environments. The majority of proposals will be required to assess their impacts on health and well-being upon the capacity of existing health care and social care services and facilities, the environmental impacts, and the promotion of health improvement activities, arising from the development. Developments of 50 or more units are required to submit a Health and Well-Being Impact Assessment, as required by the EPOA HIA Guidance Note.

- 7.7 This policy is considered to be **unsound** as it is not "**justified**". The requirement to undertake a Health Impact Assessment (HIA) is a superfluous burden on applicants. It should be down to the Local Plan to take into account wider health concerns in the local area and focus policies upon addressing these concerns. Health and well-being should be covered within the policies of the Local Plan and where a development aligns with these, an HIA should not be required.
- 7.8 **Policy SPO4: Developer Contributions** refers to the need for all new development to be supported by, and have good access to, all necessary infrastructure. Developers and land owners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated.
- 7.9 Applicants proposing new development will be expected to make direct provision or contribute towards the delivery of relevant infrastructure, as required by the development either alone or cumulatively with other developments. The Infrastructure Delivery Plan (IDP) identifies the types of infrastructure required to support the anticipated growth in the borough and includes a summary of the current identified infrastructure projects.
- 7.10 Policy SPO4 should be more explicit on the exact nature of requirements that the developer may be required to meet to avoid overly onerous requirements or confusion over cumulative impact and phasing with other developments and therefore this policy is not "**justified**" and is **unsound**.
- 7.11 **Policy SP05: Construction Management** states that all major development should sign up to the Considerate Constructors Scheme, or equivalent. Major development must consider the cumulative impacts of other major development occurring in the vicinity, to reduce the cumulative impacts.
- 7.12 It is considered that this policy accords with the NPPF and is therefore found to be **sound**, with particular reference to NPPF (para 72) which refers to larger scale development supported by the necessary infrastructure and facilities.
- 7.13 **Policy SP06: Effective Delivery of Development** states that proposals for large allocation sites will be expected to be developed in partnership with the Council, infrastructure providers and other relevant organisations, through a collaborative masterplanning approach. Development proposals should submit a supporting statement setting out the sustainable long-term governance and stewardship arrangements for community assets including land, services and facilities such as village halls, community centres, libraries, parks, green spaces, and buildings for sports, leisure, healthcare, education, social, arts and cultural activities. This



policy is overly onerous and therefore “**unjustified**”. This policy is therefore considered to be **unsound**.

- 7.14 **Policy BE02: Sustainable Construction and Resource Efficiency** requires all development proposals to maximise the principles of energy conservation and efficiency. Whilst the NPPF (para 153) has regard to the inclusion of renewable and decentralised energy as part of a new development, it states that such features are only required where it is either feasible or viable. This policy is therefore not “**consistent**” with National Policy.
- 7.15 We therefore object to the policy in its present form. In order to ensure consistency with National policy, criteria (f) of Policy BE02 should be revised to mirror the NPPF position. Therefore, it is considered that proposed Policy BE02 is **unsound**.
- 7.16 **Policy BE03: Carbon Reduction, Renewable Energy and Water Efficiency** states that proposals for renewable, low carbon or decentralised energy schemes will be supported, subject to adverse cumulative and visual impacts, which cannot be satisfactorily addressed. Criteria (b) of the proposed policy sets out the minimum standards of sustainable construction and carbon reduction. It is Government policy to seek to deliver improvements to emissions from buildings through the application of building regulations. It is therefore considered that the table provided in proposed Policy BE03 is not required, and therefore this policy is “**unjustified**” and **unsound**.
- 7.17 **Policy BE04: Establishing Low Carbon and Renewable Energy Infrastructure Network** sets out that developments will be required to provide for the necessary infrastructure to meet the needs of the development, specifically stand-alone renewable energy infrastructure. The policy advises that new development of over 500 units, or where the clustering of neighbouring sites totals over 500 units, will be expected to incorporate decentralised energy infrastructure.
- 7.18 The supporting text refers to the need for District heating networks and the identification of Strategic allocations in the Brentwood IDP, including the Officers Meadow’s masterplan area, that could provide opportunities for DH and CHP schemes as energy solutions for new development.
- 7.19 This policy is considered overly onerous and “**unjustified**” in relation to the NPPF and therefore **unsound**.
- 7.20 In order to make the policy more effective, it could set out that the delivery of renewable energy infrastructure should be required based on evidence of need and viability and a “viability assessment” (at the time planning applications are submitted/determined) – as per Policy SP04.

- 7.21 **Policy BE08: Sustainable Drainage** seeks that all developments should incorporate appropriate Sustainable Drainage Systems (SuDs) for the disposal of surface water, in order to avoid any increase in flood risk or adverse impact on water quality. Larger sites over 1 hectare in Zone 1 must be accompanied by a Flood Risk Assessment. Water runoff will comply with the requirements of this policy by provision of SuDS in the surface water drainage strategy. The NPPF (para 163) refers to the need for local planning authorities to ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. This aspect of the policy is therefore considered “**consistent**” with the NPPF.
- 7.22 Given the extensive nature of the development, opportunities exist to incorporate the above the SuDs management across the site both locally and site-wide. However, the requirement for prevention of run-off for all rainfall events up to 5mm is in excess of the SuDS manual and is therefore “unjustified”. Unfortunately, this therefore renders the overall Policy BE08 to be **unsound**.
- 7.23 **Policy BE10: Connecting new developments to digital infrastructure** seeks to support Brentwood’s economic growth and productivity by improving the offer of digital infrastructure available within the Borough. Whilst planning strives to achieve the highest possible standards of construction and performance for new dwellings, Council’s should not seek higher standards than Building Regulations on any other technical standards. Proposed Policy BE10 is therefore “**unjustified**” in light of National policy and therefore **unsound**.
- 7.24 **Policy BE11: Strategic Transport Infrastructure** requires that development in proximity of the railway stations demonstrate how the scheme connects the surrounding walking, cycling and public transport links to the station, linking new developments with the fast high-capacity transport links into London from Shenfield and the improved linkages from the Elizabeth line. Development close to schools and early years childcare facilities should facilitate an attractive public realm that is safe for children and encourages walking and cycling to address the impacts of school run traffic, in line with ECC’s *Developers’ Guide to Infrastructure Contributions*. This aligns with the NPPF (section 9) on “*Promoting Sustainable Transport*”. These considerations therefore appear to be “**justified**”, in accordance with national planning policy and therefore the policy is **sound**.
- 7.25 **Policy BE13: Sustainable Means of Travel and Walkable Streets and Policy BE16: Mitigating the Transport Impacts of Development** refers to sustainable modes of transport that should be facilitated through new developments, promoting accessibility and integration into the wider community and existing networks. Any development requiring a new

road or road access, walking and cycling facilities and public transport, will be required to have regard to the adopted ECC's Development Management Policies or successor documents.

- 7.26 The policies seek to secure developments that are, *inter-alia*, designed to make necessary contributions to the improvement of existing infrastructure and provision of new infrastructure; be consistent and contribute to the implementation of the Essex County Council's Development Management Policies and include Transport Assessments and Travel Plans. This aligns with the NPPF (section 9) "*Promoting Sustainable Transport*" and is therefore considered "**justified**" and **sound**.
- 7.27 **Policy BE17: Parking Standards** refers to the vehicle parking requirement set out in the most up-to-date Essex Parking Standards. The NPPF (para 105) states that when setting local parking standards policies should take into account: a) the accessibility of development b) the type, mix and use of development c) the availability of and opportunities for public transport d) local car ownership levels and e) the need to ensure an adequate provision of spaces for charging plug-in and ultra-low emission vehicles. This aligns with the flexibility allowed for in Policy BE17, whereby the imposed parking standards are subject to the site's ability to minimise pressure on land and encourage the use of alternative modes of transport.
- 7.28 However, Policy BE12 also deals with "parking matters", but is not aligned with Policy BE17. This adds further inconsistency, in addition to Policy BE17 itself being "**inconsistent**" with the NPPF. It is therefore presently **unsound**.
- 7.29 **Policy BE18: Green and Blue Infrastructure** requires that Brentwood's existing ecological networks, open spaces, and green/blue features within the built environment are protected, planned, enhanced and managed as a part of the Borough's wider network of green and blue infrastructure. Points A-I of Policy BE18 identify the measures by which development proposals can maximise opportunities to protect and enhance green and blue infrastructure, aligning with the NPPF (section 15) "*Conserving and Enhancing the Natural Environment*".
- 7.30 However, it is presently unclear how any net gains/losses and any associated requirements would be measured/calculated, or the mechanism by which the Council or developer would deliver this. This is therefore both "unjustified" and "inconsistent", and therefore **unsound**.
- 7.31 Our Client largely supports the principle of Policy BE18, but it also unfortunately includes the requirement for a developer to ensure there is sufficient foul capacity within the local network before a development commences. Whilst our Client would liaise with Anglian Water, it is ultimately the Water Authority's responsibility to ensure sufficient capacity. Therefore as presently worded, the policy is "unjustified" and is **unsound**.

- 7.32 **Policy BE19: Access to Nature** seeks that major developers provide direct access to nature and that this provision is protected, planned, designed and managed as an integrated feature of the landscape. Developments in areas that are more than 1km walking distance from an accessible green open space should also seek opportunities to improve resident's experience and interaction with nature by means of design. The NPPF (section 8) "*Promoting Healthy and Safe Communities*" states that planning policies should be based on robust and up-to-date assessments of the need for open space, this policy is therefore deemed to be "**consistent**" with the NPPF and **sound**.
- 7.33 **Policy BE22: Open Space in New Development** seeks that major developments provide functional on-site open space and/or recreational amenities, in accordance with standards set out in the Council's Open Space Standards (see Figure 5.4 Open Space Standards and Fig 5.5 Fields in Trust Children's Play Space Standards in the Reg 19 Local Plan). Maintenance Plans should be submitted at planning application stage for all new facilities provided for exercise or recreation purposes.
- 7.34 The Council's Open Space Standards seek proposals which meet the Fields in Trust (Guidance for Outdoor Play Space: Beyond the Six Acre Standard) minimum standards. The FiT standards relate to provision on the basis of hectares per 1,000 population generated. The Council's Open Space Standards are considered to be effective as they are based on FiT standards and are therefore "**justified**" and the policy is **sound**.
- 7.35 **Policy BE23: Open Space, Sport and Recreational Facilities** states that permissions will not be granted for the development of designated Protected Urban Open Space or Local Green Space unless it can be demonstrated that alternative and improved provision can be created, existing open space enhanced or no additional displacement within the Green Belt caused. As with Policy BE22, where appropriate all proposals will be required to comply with the Council's Open Space Standards which aim to meet those set out by FiT. It is therefore considered that policy BE22 is "**justified**" in line with national guidance and therefore **sound**.
- 7.36 **Policy HP01: Housing Mix** sets out that all new development should deliver an inclusive and accessible environment throughout. On development sites of 500 or more units, the Council will require an appropriate mix of dwelling types, sizes and tenures to meet the identified housing needs in the borough as set out in the Strategic Housing Market Assessment (SHMA). Each dwelling is to be constructed to meet requirement M4(2) accessible and adaptable dwellings, unless built in line with M4(3) wheelchair adaptable dwellings. A minimum of 5% self-build homes is to be provided, which can include custom housebuilding and provision for Specialist Accommodation, taking account of local housing need in accordance with the criteria set out in Policy HP04 Specialist Accommodation. Where a development site has been divided

into parts, or is being delivered in phases, the area to be used for determining whether this policy applies will be the whole original site.

- 7.37 The objective of securing accessible and adaptable homes is supported, however, it is unclear as to how the “each dwelling to be constructed to meet requirement M4(2) accessible and adaptable dwellings, unless it is built in line with M4(3) wheelchair adaptable dwellings” is a fair and reasonable request.
- 7.38 The supporting text refers to DCLG research which shows that, based on English Partnerships figures from 2011-2012, nearly 30% of households have at least one person with a long-term illness and over 3% have one or more wheelchair user. While nationally 3.3% of households have a wheelchair user, for households living in affordable housing this rises to 7.1%. The rates are also higher for older households and, given that the number of older person households in the borough is set to increase over the period to 2033, the Council seeks to ensure 5% of affordable housing development on proposals of 60 or more dwellings archives requirement M4(3) wheelchair accessible dwellings.
- 7.39 This need for “all developments” to meet this target is not set out in the evidence or in the NPPG (referred to in the supporting text) and is therefore “**unjustified**” and **unsound**.
- 7.40 **Policy HP03: Residential Density** sets out that residential development proposals will generally be expected to achieve a net density of at least 35 dwellings per hectare net or higher. Proposals for new residential development should take a design-led approach to density which ensures schemes are sympathetic to local character and make efficient use of land. Proposals for housing developments should “*Make an Effective Use of Land*” in line with NPPF (Section 11). This policy is therefore “**consistent**” with the NPPF and **sound**, but must provide for a degree of flexibility to allow for local circumstances.
- 7.41 **Policy HP04: Specialist Accommodation** the Council encourages and supports proposals which contribute to the delivery of Specialist Accommodation, as referenced in the Land North of Shenfield Site allocation “other types of specialist housing (to be provided) in accordance with the Council’s policy requirements”. This form of accommodation includes, but is not limited to, housing for older people such as Independent Living schemes for the frail elderly.
- 7.42 The Council’s SHMA indicates that, if occupation patterns of Specialist Residential Accommodation for older people remain at current levels, there will be a requirement for 494 additional specialist units to 2033, aligning with the requirement in the Land North of Shenfield site allocation for provision of a residential care home (a 60-bed scheme as part of the overall

allocation). This policy is also “**consistent**” with the NPPF section 5 (para 64 b) and is therefore considered to be **sound**.

- 7.43 **Policy HPO5: Affordable Housing** seeks to provide a portion of affordable housing on residential developments of 11 dwellings or more or on those which have a combined gross floorspace of greater than 1,000 sq. m (gross internal area).
- 7.44 The affordable housing requirement relates to 35% provision in all areas of the Borough. The Council requires that the tenure split be made up of 86% Affordable/Social Rent and 14% as other forms of affordable housing (this includes starter homes, intermediate homes and shared ownership and all other forms of affordable housing as described by national guidance or legislation) or regard to the most up to date SHMA. The affordable housing is to be designed in such a way as to be seamlessly integrated to that of market housing elements of a scheme and distributed throughout the development, so as to avoid the over concentration in one area.
- 7.45 Viability is referred to, but the policy does not go far enough. We would recommend that the policy includes a clause which requires a viability assessment to be submitted and considered whereby schemes are unable to meet the full affordable provision, which is not included at present. The policy is therefore “**unjustified**” and **unsound**.
- 7.46 **Policy HP06: Standards for New Housing** requires that all major residential developments meet the Government’s nationally described space standard. It is considered that the standard is an appropriate tool to use when considering the provision of good housing. However, this should not be limited to major development, but should instead extend to all emerging residential development, whilst allowing for the consideration of local circumstances and site-specific conditions, in order to accord the NPPF (Section 12, Achieving Well-Designed Places). The policy is therefore “**unjustified**” in relation to need and viability (our emphasis) in accordance with the NPPF. The adoption of nationally described space standards is also at the discretion of the LPA and should be decided upon in a local context. The policy is therefore considered **unsound**.
- 7.47 **Policy HP12: Planning for Inclusive Communities** refers to the need to plan for and build inclusive environments that support communities. Proposals should provide access to good quality community spaces, services and infrastructure, encouraging social interaction, ensuring inclusivity and promoting safety. The policy is deemed “**consistent**” with NPPF (section 8) “*Promoting Healthy and Safe Communities*” which states that planning policies should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and support healthy lifestyles. The policy is therefore considered **sound**.

- 7.48 **Policy HP13: Creating Successful Places** seeks that proposals meet high design standards, in order to deliver safe, inclusive, attractive and accessible places. Elements A-M of policy HP13 identify measures considered to create successful places, in accordance with section 12 of the NPPF on "*Achieving Well-Designed Places*". The NPPF (para 128) states that design quality should be considered throughout the evolution and assessment of individual proposals. Policy HP13 is therefore considered to be "**consistent**" with the NPPF and **sound**.
- 7.49 **Policy HP16: Buildings Design** seeks for development to be well designed and of a high quality, having regard to Development Management criteria including scale, density, layout, siting, character and appearance. This policy is considered to be "**consistent**" with the NPPF having particular regard to Section 12 on "*Achieving Well-Designed Places*" and therefore **sound**.
- 7.50 **Policy PC02: Job Growth and Employment Land** seeks that provision is made for 5,000 additional jobs in the Borough over the Plan period at a rate of 250 per year. NPPF Section 6 on "*Building a Strong, Competitive Economy*" sets out that planning policies should support economic growth, in order to create jobs and prosperity by taking a positive approach to sustainable new development. The strategic allocation at Land North of Shenfield supports economic growth and creates new opportunities and is "**consistent**" with national guidance and is **sound**.
- 7.51 **Policy PC03: Employment Land Allocations** highlights areas allocated by the Council for general employment and office development. Para 82 of the NPPF states that planning policies should recognise and address the specific locational requirements of different employment sectors. The allocations set out in policy PC03 are informed by the wider spatial strategy, which aims to retain the Borough's character and encourage employment growth in suitable locations, in accordance with national planning policy. This policy is therefore deemed to be "**consistent**" with the NPPF and considered to be **sound**.
- 7.52 **Policies NE01: Protecting and Enhancing the Natural Environment (inc SSSIs) and NE03: Trees, Woodland, Hedgerows (inc Local Wildlife Site, Local Nature Reserves)** work to restrict development that would have a detrimental effect on, or result in the loss of, significant landscape heritage or a feature of ecological importance.
- 7.53 Our Client wholly supports the principles of both of these policies, albeit as presently worded, they both contain contradictory requirements: **Policy NE01** (para B) states that *proposals that lead to deterioration or loss of the Borough's designated and non-designated biodiversity assets will not be permitted*; whereas Policy NE01 (para C) goes on to state that *where adverse*

*impacts are unavoidable they must be adequately and proportionally mitigated* (ie it appears to allow for deterioration where they are unavoidable and can be suitably mitigated).

- 7.54 **Policy NE03** (para A) contains a similar contradictory approach to the provisions of the remainder of the policy – as with Policy NE01.
- 7.55 In the light of this both Policy NE01 and Policy NE03 are not inconsistent with each other, they are also “inconsistent” with National policy, “unjustified” and therefore **unsound**.
- 7.56 **Policy NE05: Air Quality** seeks to restrict development, which would directly or indirectly, impact air quality within the Borough. Measures to offset or mitigate those impacts are introduced as part of proposals to ensure that receptors would not be subject to unacceptable risk as a result of poor air quality. This policy is “**consistent**” with the objectives of the NPPF (para 181) and is therefore considered **sound**.
- 7.57 **Policy NE06: Flood Risk** requires that development avoid flood risk to people and property, managing any residual risk and taking account of the impacts of climate change. Developments should be located in areas with the lowest probability of flooding (Flood Zones 1 & 2). Where development is located within Flood Zone 3, the Exception Test will apply.
- 7.58 The NPPF (section 14) “*Meeting the Challenge of Climate Change, Flooding and Coastal Change*” states that inappropriate development in areas at risk of flooding should be avoided by directing development away from the areas at the highest risk. The majority of Policy NE06 therefore aligns with National guidance and therefore mostly sound. However, and as presently worded, it suggests that applicants may be obligated to set aside land to provide flood management to benefit areas outside of that development. This is unduly onerous, inconsistent with National policy and therefore **unsound**.
- 7.59 Similarly, the entirety of a development area does not need to remain operational at times of flood (such as access roads), if there is an alternative safe means of escape that is provided. Subsection c) of Policy NE06 is therefore not justified and also **unsound**.
- 7.60 **Policy NE09: Green Belt** seeks that the Metropolitan Green Belt within Brentwood Borough will be preserved from inappropriate development so that it continues to maintain openness and serve key functions. Policy NE09 states that all development proposals within the Green Belt will be considered in accordance with the provisions of section 13 of the NPPF on “*Protecting Green Belt Land*”. It is therefore considered that policy NE09 is “**justified**” and **sound**, in the light of national policy.



- 7.61 **Policy NE13: Site Allocations in the Green Belt** states that sites allocated to meet housing need, within the Green Belt, will be expected to provide significant community benefits. These are the “exceptional circumstances” for sites to be removed from the Green Belt to allow development to take place, providing new defensible boundaries and protecting the open countryside. The NPPF (para 138) states that, where it has been concluded necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.
- 7.62 The allocated “Officer’s Meadow” site provides opportunities for sustainable development and transport modes to be maximised, with its close proximity to Shenfield railway station, in accordance with National policy, leading to the consideration of Policy NE13 as “**consistent**” with the NPPF and **sound**.
- 7.63 The overall approach within the Development Management related policies is supported, however amendments to policy/Appendices of Local Plan is recommended in places as set out above. This would ensure robustness in terms of delivering a **sound** Local Plan that is positively prepared, justified, effective and consistent with national planning policy.

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## 8.0 CONCLUSION

- 8.1 The Regulation 19 "Pre-Submission Local Plan" consultation document is supported. These representations fully support the allocation of Land North of Shenfield, which includes our Client's land at "Officer's Meadow". These representations focus mostly on land within our Client's control and are supported by a series of accompanying technical reports that support the proposed allocation.
- 8.2 Our Client supports the wider and comprehensive development of Policy RO3: Land North of Shenfield, which could ultimately for circa 825 dwellings (inc affordable provision).
- 8.3 Specifically, the land controlled by our Client represents the largest area of land within Policy RO3 and is largely supportive of the policy requirements set out in the Local Plan. Our Client is keen to work closely with the Borough Council and adjoining landowners to provide a comprehensive approach to development, and our Client's elements would comprise:
- Circa 510 dwellings (inc. Affordable provision)
  - A new Local Centre, inc. potential healthcare;
  - A 60-bed care home
  - Significant areas of "Green" and "Blue" Infrastructure;
  - Other community facilities, inc. sports provision.
- 8.4 These representations have also set out our Client's support of working closely with the adjoining Shenfield High School to provide for enhanced educational facilities. This would be in the form of funding towards on-site Primary provision to help create a "through-school", plus financial contributions to existing secondary provision (if required).
- 8.5 We would welcome the opportunity of discussing our concerns, with suggested amendments with BBC and ECC Officers at the earliest opportunity.
- 8.6 Subject to a number of modifications as recommended in this report, we consider the Local Plan to be largely sound in accordance with the NPPF.