



**BRENTWOOD
BOROUGH COUNCIL**

Brentwood Pre-Submission Local Plan (Regulation 19)

January 2019

COMMENT FORM

From Tuesday 05 February to Tuesday 19 March 2019 we are consulting on the next stage of the Brentwood Local Plan: Pre-Submission Local Plan (Regulation 19). You can view and comment on the consultation document online at:
www.brentwood.gov.uk/localplan

Alternatively, please use this form to share your views on the contents of the document.

All responses should be received by 5PM Tuesday 19 March 2019.

Please return forms either by attaching completed forms by email to **planning.policy@brentwood.gov.uk** or alternatively by post to Planning Policy Team, Brentwood Borough Council, Town Hall, Brentwood, Essex CM15 8AY.

How to complete the representation form:

This form consists of two sections – Section A: Personal Information, and Section B: Your Representation. Please note that your representation cannot be accepted without completing information identified in Section A.

The Local Plan Pre-Submission (Regulation 19) consultation consists of more formal and technical questions focused on the four Tests of Soundness and whether the Local Plan is compliant with relevant legislation. Comments are to be focused on three core areas – is the Plan positively prepared (referred to as ‘soundness’), does the Council adhere to the Duty to Cooperate, and is the Plan legally compliant (addressed by question 3 of this comment form). These terms are defined below:

- a) **Soundness:** Local Planning Authorities must prepare a Local Plan based on relevant and appropriate evidence base. They are required to publish these documents on their website. The evidence used to develop the Brentwood Local Plan can be found on the Council’s website under Evidence Base.
- b) **Duty to Cooperate:** Throughout the plan-making process discussions have taken place with various statutory consultees and neighbouring authorities. A summary of these meetings can be found within the Duty to Cooperate Statement, published as part of the Regulation 19 consultation. This is a live

document and will be updated prior to being submitted to the Secretary of State.

- c) **Legally Compliant:** Local Planning Authorities must prepare a Local Plan which adheres to the requirements as set out in the National Planning Policy Framework (NPPF), planning practice guidance, and other relevant planning regulations & legislation.

Question 4 of this comment form asks for further information on your opinion of the Plans 'soundness'. According to the National Planning Policy Framework (NPPF) para 35, Local Plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are 'sound' if they are:

- a) **Positively prepared** – providing a strategy which as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and consistent with achieving sustainable development
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

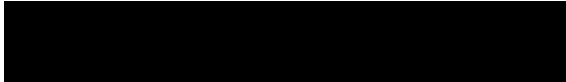
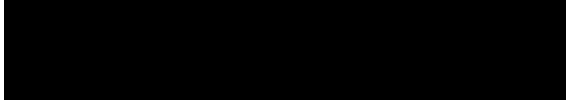
Please keep in mind the information provided above to assist with correctly completing your comment form. For additional information on what the difference is between a Regulation 18 and Regulation 19 Local Plan consultation, please view the FAQ's published on-line www.brentwood.gov.uk/localplan

Data Protection

All personal information that you provide will be used solely for the purpose of the Local Plan consultation. Please note whilst all addresses will be treated as confidential, comments will not be confidential. Each comment and the name of the person who made the comment will be featured on the Council's website.

By submitting this form, you are agreeing to the above conditions.

Section A: Personal Details

Title	Mr
First Name	David
Last Name	Russell
Job Title (if applicable)	
Organisation (if applicable)	David Russell Associates On behalf of Wiggins Gee Homes Ltd
Address	11 East Mount Wheathampstead St Albans
Post Code	AL4 8BJ
Telephone Number	
Email Address	

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

David Russell Associates – on behalf of Wiggins Gee Homes Ltd

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).

Policies R10 to R15 and R20

Question 3: Do you consider the Local Plan is:

Sound?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Legally Compliant?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Compliant with the Duty to Cooperate?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

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	<input checked="" type="checkbox"/>
The Local Plan is not justified	<input checked="" type="checkbox"/>
The Local Plan is not effective	<input checked="" type="checkbox"/>
The Local Plan is not consistent with national planning policy	<input type="checkbox"/>

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

All these policies relate to relatively small redevelopment sites within the urban areas of Brentwood and Shenfield. They have all been under consideration since consultations on the Local Plan began with the original Call for Sites in 2009. If indeed these sites are suitable, available and achievable it must be surprising that at least some of them are not yet developed, or in the process of being developed.

Policy R20 concerns the Eagle and Child PH in Shenfield, with an estimated delivery of 20 new dwellings between 2021/22 and 2022/23. This site is surely best regarded as a windfall site, contributing to this stream of new housing supply as and when it is finally redeveloped. The fact that it first appeared in 2009's Call for Sites suggests that there is no urgency on behalf of the current site owners to take things forward. No application has been submitted over the past five years.

Policies R10 to R15 all relate to sites in or close to Brentwood Town Centre. Four of the six are currently used as car parks, three for the town centre and the fourth is the station car park.

Allocation R10 is the Station Car Park. Many such car parks cannot cope with demand as railway passenger numbers continue to increase. Further parking provision will surely be required during the Plan period and, as with other station car parks, multi-storey provision must be one option for increased capacity. This would affect both redevelopment options and the potential number of new houses, if any, the site could provide. Unless the Borough Council can confirm a clear commitment to redevelopment on behalf of the owners that would provide the 100 homes being asked for, then it should be removed as an allocation. We note that delivery is timed for the very end of the Plan period, with a start in around ten years' time. Given what could happen in the intervening decade, we suggest that there is a strong degree of wishful thinking in proposing this land as a residential allocation.

Policies R11, R13 and R14 all relate to existing town centre car parks controlled by the Borough Council. Together they provide nearly 600 or 45% of the publicly available car parking in Brentwood Town Centre. We note that each policy does contain the following caveat:

"development proposals should consider wider Town Centre parking needs in collaboration with other development sites where there is existing parking on site, in order to ensure that current level of Town Centre public parking spaces is maintained".

This would suggest a high degree of cooperation is needed to achieve these sites' redevelopment and maintain the existing level of town centre car parking provision. All three sites have been under consideration since 2009. Anticipated delivery is as follows:

R11 Westbury Road car park – estimated 45 dwellings between 2020/21 and 2021/22, one to two years from now

R13 Chatham Way car park – estimated 31 dwellings between 2020/21 and 2021/22, one to two years from now

R14 William Hunter Way car park – estimated delivery of 300 dwellings between 2022/23 and 2028/29, three to nine years from now.

No planning applications have been submitted on either allocation R11 and R13 in the past five years. It is most unlikely that either site will be able to deliver in one to two years' time. The lead in time for R14 is longer, but again, no proposals for redevelopment here have been submitted in the past five years.

R12 is land at Hunter House, with anticipated delivery of 48 dwellings between 2024/25 and 2026/27. We assume the number of dwellings is based on the application submitted in 2017, and regarded by the Council as finally disposed by notice dated 10 January this year. Paragraph 9.142 referring to Allocation R12 states that the site will provide "... a mix of size and type of homes including affordable in accordance with the Council's policy requirements." It would appear that the applicants' decision not to provide affordable housing in their proposed scheme was one of the main issues of contention.

The latest Five Year Housing Land Supply Statement is for 31 March 2018, published in November 2018. It demonstrates a 4.1 year supply. Around half of the supply required (820 dwellings) during the period 2018 to 2023 is to come from allocations set out in the Pre-Submission Document. We believe there is considerable doubt over R11, R13 and R20's ability to deliver during this period.

The general point we are making here is that a number of the Pre-Submission Document's brownfield allocations have been under consideration for ten years or more. Some of them, like the town centre car parks, will be complicated to redevelop. We have emphasised throughout the Local Plan process that many of these sites were unlikely to make early contributions to meeting housing supply requirements, unlike our client's site at Pilgrims Hatch that is straightforward to develop and in a single, willing ownership. The problem remains, and supports our contention that the Plan needs more easier to develop sites, with an ownership ready to start.

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.

Removal of Allocation R20. This is a small site and should be categorised as a potential windfall site. At present, there appears to be no certainty about its availability.

We also think that, without any direct evidence of intent on behalf of the landowner, Allocation R10 should also be removed.

Policy R11 – the third sentence of related paragraph 9.137 should be re-worded, for the reasons outlined in our answer to Question 5 above, as follows:

“The site will provide for around 45 homes, anticipated to be delivered between **2023/24 and 2024/25**”.

Policy R13 – the third sentence of related paragraph 9.146 should be re-worded, for the reasons outlined in our answer to Question 5 above, as follows:

“The site will provide for around 31 homes, anticipated to be delivered between **2023/24 and 2024/25**”.

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.

These representations, together with those we have made on Dunton Hills Garden Village and other residential land allocations raise a number of key issues about suitability, availability, timing of delivery and the balance between brownfield and Green Belt sites. These are key issues and we wish to be present to contribute to the discussion on these issues as they affect the proposed allocations mentioned above.

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.