

PRIESTS LANE NEIGHBOURHOOD RESIDENTS ASSOCIATION (“PLNRA”)

OBJECTIONS TO BRENTWOOD LOCAL PLAN 2016-2033 (PRE-SUBMISSION, REGULATION 19)

The Priests Lane Neighbourhood Residents Association (PLNRA) represents residents who live in an area likely to be affected by the development of the Land at Priests Lane (Policy R19). We are writing with our continued objection to the inclusion of this land in the Brentwood local plan 2016-2033 (pre-submission, regulation 19), and the removal of the designation of Protected Open Urban Space. PLNRA also have several issues with the LDP as a whole and question the transparency and robustness of the process carried out by Brentwood Borough Council, which calls into question the soundness of the plan itself. In meetings with us the Council have made assertions which we consider have misrepresented the process and their responsibilities and have been contradicted by their subsequent actions. For these reasons we would like a hearing with the examiner as we consider the Council has not acted impartially with regard to all sites.

EXECUTIVE SUMMARY AND CONCLUSIONS

PLAN AS A WHOLE

The Plan document and process to date have failed to take into account detailed, evidence-based issues raised by consultees during the previous consultation processes, and have not provided evidentially based planning as required by the National Planning Policy Framework (NPPF). This framework requires that local Plans should address not only housing, but actions on traffic, healthcare and education needs generated. The evidential reports produced are superficial and do not provide clear plans on how to tackle infrastructure issues such as:

- Traffic – the LDP is virtually silent on one of the biggest issues facing the Borough;
- Primary school education; and
- health provision (particularly the low level of GPs per head of population)

This lack of attention to mitigation of infrastructure issues combined with evidence reports of which some are fundamentally flawed, results in a plan which is not wholly compliant with the NPPF and as a consequence is inherently unsound.

In addition, the central government policy on affordability is clearly inappropriate for the Borough of Brentwood and creates not only a significant artificial uplift in the numbers of new dwellings required to be built based on unstable forecasts that cannot predict the effects of leaving the EU, but compounds the problem by building in a further contingency of 6% on this flawed data.

OBJECTIONS TO INCLUSION OF LAND AT PRIESTS LANE (POLICY R19)

Once designated in the LDP these sites will lose their Protected Open Urban Space designation. The NPPF states that such sites should not be developed unless clear evidence has been provided that they are surplus to requirements, but no such evidence has been

provided, in fact previous Council reports suggest the opposite. This designation should not be removed, because once lost it is lost forever.

Further, development of the sites should be rejected for the following reasons:

- the site accesses proposed are all unsafe for a housing development of this size onto a lane that is already too winding, narrow and dangerous, having become designated as a main distributary road over time, and there have been several accidents in the vicinity of the site access. The PLNRA has provided evidence that the road access does not meet current road design guidelines and has insufficient visibility splays - the Council's proposal to introduce a second access at Bishop Walk does not resolve the safety problem because the road is very narrow which was acceptable when built because it was a cul-de-sac for five houses;
- traffic often queues back from the junction of Priests Lane and Middleton Hall Lane to beyond the site access points. Developing the site would make this problem worse making travel at peak times intolerable;
- Priests Lane congestion is due to being a feeder road for Junction 8 (reviewed as part of the traffic work), however this traffic was not included in the review. This failure significantly underestimates the traffic using Junction 8 and had it been included, the junction would clearly be overcapacity. The traffic analysis concludes the junction as operating under capacity, but the revised data used for the analysis shows a number of inconsistencies and is subject to flawed readings due to the date on which it was taken. As a result, the data does not form a sound basis for the analysis, and the conclusion is flawed;
- the site suffers from surface water issues and Thames Water have stated that there are waste water issues on the site; Essex County Council stated that the site falls within the Brent-E flooding hotspot and local residents have identified flooding as an issue, meaning that significant flood management infrastructure would be needed;
- the sites are immediately adjacent to two schools which either need expansion or are at their maximum buildings to free space ratio - the Council has recognised that school expansion is needed to meet future needs, so development for houses prior to determining where schools should expand is short-sighted and not in line with evidential requirements as stated in the NPPF;
- Previous Open Space audits have identified a lack of open space in West Shenfield and this land has previously been identified as having value to the community as open space, despite it being privately owned. Previous Council reports have recommended acquiring land in this area if it becomes available to address this issue. Both Sport England and the Essex Playing Fields Association objected to the development, with the former concluding that this would contravene Paragraph 74 of the NPPF.
- This is the only greenfield land identified for development; the sites, along with some greenbelt land, forms part of a band of mostly undeveloped green area separating Shenfield from Brentwood, and so should have the same level of assessment as greenbelt land;
- While the Plan may suggest that brownfield sites be developed before greenfield sites, the Council have no way to control this in practice. Indeed, the housing trajectory as outlined within the plan indicates that by the removal of the protection, the Priests Lane sites are, in fact, targeted to be one of the first to be built upon despite brownfield sites

being available. This means they are irretrievably lost, when in future they may be required to combat increased pollution or the local school requires the land for either expansion or for sport.

- This site received the second largest number of objections to the 2016 consultation as well as a 750-signature petition against development of these sites. In October 2017 PLNRA produced a detailed evidenced-based objections document (attached again to this document). The Council has so far not acknowledged the document or responded to the concerns raised.
- The PLNRA have been repeatedly told that existing traffic congestion and increased traffic concerns were insufficient reason to exclude a site from the Plan, however possible future traffic congestion was the reason for taking out the site at Honeypot Lane despite the Plan showing any supporting evidence. This inconsistency in decision making demonstrates a failure to act upon evidence as required by NPPF guidelines. Therefore, if potential traffic congestion is the reason for excluding similar sites in the Borough, then the significant increase in existing traffic congestion should be a sufficient reason to exclude the sites at Priests Lane.

CONCLUSION

Brentwood Borough Council should not remove the designation as Protected Open Urban Space for the land at Priests Lane (R19) because of the significant traffic safety and congestion concerns as well as practical difficulties related to surface water. The land should not be released for residential development, as the Council has not provided evidence that the land is not surplus to needs for playing fields or open space, and/or educational expansion for the adjacent schools. The land should as far as possible be retained as open space (in line with previous planning decisions), and the Council should work with the landowner to obtain access for community use, in line with Council recommendations in 2005.

COMMENTS ON THE OVERALL PLAN AND CONSULTATION

We have a number of objections to the Council's Approach in the Plan and the consultation process.

Strategy and Planning Criteria

The Consultation document from 2016, provided detailed information on the Council's policies and criteria for sites to be developed. The current consultation notes that the vision, strategic objectives and spatial strategy has been updated, but these are not set out in detail. We therefore assume that the planning policies and criteria for site inclusion remain the same.

A number of specific issues were raised in objections, but have had no formal response, nor are the concerns recognised or addressed in the new consultation document. The Plan only refers to objections for one specific site (Dunton Garden Village); it has been extremely disappointing that there has been no recognition of those sites which attracted high level of objections, nor any response to the objections. Priests Lane received one of the highest levels of objections during the 2016 consultation, followed by a petition in excess of 750 people objecting to the site.

The Plan identifies preferred development sites, however there is no evidence explaining why some sites are "preferred" over others, despite the Council stating that the assessment is objective and robust. The assessments provided of the various sites is very superficial, ignores traffic entirely and fails to address the cumulative impact of multiple developments. Given the size of public concern over some sites, we would expect a more detailed and robust assessment to be made public, including the reasons for dismissing objections raised in the previous consultation. It is insufficient to assess each site individually while ignoring the effect on Brentwood of the combined developments.

Most concerning has been the discussions which took place regarding certain sites prior to the Regulation 19 submission and the information provided by the Council to the PLNRA. As previously stated, the PLNRA has submitted technical evidence to support the removal of the Priests Lane sites from the plan and have expressed deep concern over the hazardous nature of the proposed access sites and the danger these pose to pedestrians and motorists alike. We have consistently requested official traffic reviews of the Lane and have been told these will only be required when a planning application is submitted. Despite this, we find that one site (Honeypot Lane) was apparently removed based on traffic congestion while contrary to this, the sustainability assessment actually supports the development of this site and indicates that constraints can be overcome with development management and, while it is greenbelt, 'it can tentatively be identified as relatively non-sensitive'.

No traffic survey has been carried out to support the removal of Honeypot Lane yet, without any council discussion, it was removed from the plan. This is despite the PLNRA being told that the Priests Lane sites with substantially more opposition to development and the submission of highly technical documentation, cannot be removed without substantive

evidence. It is this lack of consistency and the absolute lack of transparency in the plan decision making process that leaves it open to question.

Also in this vein is the decision to, rather than remove the sites from the plan, arbitrarily reduce the number of houses to 75. This again is based on no factual evidence that the Lane can support the additional vehicular movement such a number of houses will bring. When questioned, our Councillor advised that despite our technical evidence on the safety risks and unsuitability of the access junctions, the Council has relied upon the unsupported opinion of the developer about access. The PLNRA were repeatedly told that decisions would be based only on evidence and so are astounded that such decisions have been made with no actual evidence base whatsoever.

Housing forecast

We accept that the Council needs to consider affordability of housing, but the Council cannot dictate who buys new housing, and the proximity to London means that new housing will continue to attract commuter buyers with higher wages, and the affordability target is unlikely to be achieved. We are concerned that increasing housing development to the detriment of existing residents is not a reasonable balance, in particular if this surplus development is met by releasing sites that should not be considered appropriate and infrastructure needs are not adequately considered or met.

We are also concerned that the housing forecast may be based on datasets that include migrant populations that will not continue to grow (and may in fact reduce) after the UK has left the EU, indeed the significant uncertainties over the effect of leaving the EU makes these long-term projections meaningless. Therefore, the baseline projections are likely to be flawed, and so an uplift would be even more inappropriate. This is particularly important because once sites with current protected designations (e.g. Greenbelt and Protected Open Urban Space) have these designations removed, they will be lost forever. Although the Council expect to review the Plan housing forecast every five years, this would be too late to save any of these currently protected assets as there is no prioritisation over the granting of planning permission for sites in the Plan (something that is a patently short-sighted failing of central government rules).

Traffic Analysis

Traffic concerns featured heavily in the objections at the last consultation. Brentwood town centre is subject to very high levels of congestion during peak travel hours. The NPPF (paras 156 and 157) requires that the local Planning Authority should “set out the strategic priorities for the area in the Local Plan.” This should include strategic policies to deliver, among other things:

- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and

- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

The NPPF further states: “Crucially, Local Plans should plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework”.

We consider that the Plan does not properly address the increased traffic nor has any realistic mitigation plans.

Priests Lane is a feeder road for Junction 8 (Ingrave Road, Middleton Hall Lane and Seven Arches Road), being only a few metres from this crossroads. The road is used by a significant amount of traffic accessing this crossroads at rush hour. It should be noted that this junction is in the vicinity of three large secondary schools.

The traffic analysis in the draft plan was based on traffic counts from November 2012 and showed that the crossroads are currently operating at capacity and are likely to go overcapacity with the increased housing, with no mitigation proposals identified. However, this analysis excludes the traffic approaching the junction from Priests Lane and so significantly underestimates the current and projected positions. Further, the afternoon rush hour starts at around 15:30 due to the proximity of secondary schools, but the afternoon traffic was only measured between 17:00 and 18:00 so ignoring school traffic.

The analysis was subsequently updated using more recent traffic analysis provided by a local school. The new counts showed significant variations in the traffic counts. However, this was dated 23 May 2017, a period falling during study leave for GCSEs and A levels. Given the use of the junction by traffic for schools this would have reduced traffic and account for some of this variation. The variations in traffic counts (Appendix A3 to the traffic analysis) were so wide and variable that they do not give any reliable evidence as to a definite increase or decrease in traffic. Indeed, if the data selected had been based on the traffic stream with the highest traffic count, then the conclusion would have been no significant decrease in traffic. It appears that the data has been cherry-picked to give the best result for the Council’s needs.

This poor use of statistics undermines the soundness of the traffic analysis. We consider that if more appropriate datasets were used then Junction 8 would still be shown to be overcapacity.

We consider that this demonstrates that the conclusions in relation to the development of these sites are not based on sound evidence. This problem is compounded as this “reduction” in traffic has been applied to other junctions across the Borough, again meaning that the decisions may have been based on unsound evidence.

We note that the Council proposes to help mitigate the traffic problems by issuing travel packs to the over 50s. We do not think that this will provide any realistic help to the problem.

The failure to address these difficulties at this stage with meaningful and definite mitigation policies will result in poor planning for the future, and is clearly the reason why the NPPF requires them to be included in local plans.

Infrastructure

The plan does not properly address future infrastructure needs. The evidence indicates that current health and education services do not have capacity to meet future demand, but there are no plans to address the shortfall. As stated above, the NPPF states that infrastructure needs should be addressed as part of the plan together with plans on how the needs are dealt with. It is insufficient to state that they will be considered in the future.

The Plan identifies the need for additional capacity in schools by expanding existing schools and possibly building new schools. The Plan proposes the building of a Primary School on the land North of Shenfield (R03). However, with primary schools already at a capacity within the area and unable to meet current needs it is hard to see how one primary school on a site with a proposed 825 homes can continue to meet the local requirements. Consequently, people will need to drive to reach schools further afield thereby exacerbating the traffic situation. Again, this is a failure to provide sustainable solutions to town development and does not meet the requirements for a local Plan set out in the NPPF.

Greenbelt versus Greenfield

The Plan puts great emphasis on preserving greenbelt land, which is valued by the community. However, greenfield sites within urban developments are also valued by the community. Such sites are increasingly rare, much more so than the greenbelt land. Surveys undertaken by the Council show that the residents value the “green” environment of the town and want to protect the nature of the town.

The Plan refers to the need to preserve “green highways”, and these sites form part of undeveloped land separating the towns of Brentwood and Shenfield, which is one of the Council’s objectives. We consider that, where possible the Council should try to preserve greenfield land within town centres.

Evidence base

The Plan consistently refers to requiring evidence, but evidence is frequently lacking to support the inclusion of certain conclusions and site allocations. Further, evidence has been supplied by residents that demonstrate significant difficulties with some sites, but the evidence has not been included or addressed.

Land off Priests Lane – (R19)

Evidence based assessment

We have included a supporting document that PLNRA prepared with detailed evidence supporting our objection. This was provided to the Council in 2017 as evidence supporting

the community objection to the 2016 LDP (as requested by the Council leadership). This evidence continues to be valid, although it has not been reflected in the latest plan, nor in the summary of responses to the last consultation.

We are disappointed that there is no reference to the very large number of objections, nor the issues raised in those objections. We cannot consider the site assessment to be robust where detailed objections and evidence has not been properly addressed.

The Plan recognises that the original housing density was far too large for the area, and the density has been reduced. We note that it still exceeds the average housing density of the neighbourhood, despite this being one of the Council criteria in reviewing site allocations. The Council provides no evidence to support the number of houses on the site, nor why it exceeds the average housing density in the area.

The current plan fails to indicate that the housing is to be specified as for the over 50s, this aside, it is hard to see how being designated as housing for the over 50s will be of any consequence. The over 50s will still drive which will not mitigate the already dire traffic situation and they will still somehow have to access the site, so our argument over site access is still relevant. The inclusion of a care home within the housing number may, on face value seem reasonable, but a care home brings different issues such as an increase in traffic at all time of day and larger vehicles requiring access to the site, together with the requirement for access for emergency vehicles at all times. The Council have also told us that this is advisory only, and cannot be enforced during the planning proposal stage. It is hard to see that any developer will be happy building a care home and a reduced number of houses as this will potentially not be an economically viable proposition for them.

Protected Open Urban Space

The site is currently a Protected Open Urban Space. The land was previously used as school playing fields, as well as being used by local football clubs, which continued after the grounds ceased being used by the school, until fees became too expensive for local clubs to use. This site was recognised in the 2005 open spaces audit as having value to the community as an open urban space, despite the land not being used. The report in 2016 does not address in any depth the existing open spaces, nor provide an assessment of the value (although the lack of public access is noted in the Plan site allocation). The report indicates that although the Borough has some good provision of sports facilities, there is a high demand for quality facilities, which are not always available. The report does not conclude that there is a surplus of open spaces. This site is attributed a low value as open space because it is not open to the public. PPG17 advises that sites can have value despite no public access.

Further, the Open Spaces Strategy report (2005) noted that Shenfield is not well served by easy access (within walking distance) to green spaces and play areas, and that the Council should seek to gain access to open spaces when they may come available. We note that the 2016 LDP recommended keeping part of the land for open space and available for community. However, this has been removed at the request for the land owner. It seems reasonable, and in line with available evidence, that the Council should seek to obtain some

retention of open space for the benefit of the community in the event the land is released for residential development.

Sport England objected to the allocation of this land for housing development, as the Council had not provided evidence that the land was surplus to needs, regardless of their current use, and so was not in accordance with NPPF guidelines (para 74). The Essex Playing Fields association also objected to the sites' inclusion.

The Plan stresses the need for "green highways" and the importance of separation of the urban environments. This site forms part of a stretch of undeveloped land linking green belt land separating the conurbations of Brentwood and Shenfield and is possibly of more strategic value to the community than some Green Belt land.

Infrastructure

The site is adjacent to two schools, both of which have limited land resources. Hogarth School recently expanded into their limited grounds (the school has reached the maximum ratio of buildings to land so that further development is not possible without additional land resources being made available). Endeavour School has already noted a need for land to support much needed expansion and the Plan recognises that it will need land to expand to meet educational needs.

We consider that the Plan incorrectly concludes that there is sufficient provision of education places at the nearby schools. The data indicates that there is no surplus capacity at local secondary schools. It also indicates that there are surplus places available at Hogarth Primary School, but we consider that the data analysis is flawed as it does not seem to take into account the staggered pupil in-take, and that there are no surplus places.

The NPPF states quite clearly that Local Plans should "positively plan" for infrastructure needs. Although Brentwood Borough Council may be a commissioner of education, rather than a provider, it should be working with the providers to have a positive plan to meet future needs. This element is missing from the Plan.

We consider that it is important that the Plan provides a more robust approach to meet the educational needs of an expanded population. The Council should provide evidence that these historic playing fields next to two schools will not be needed for educational infrastructure, and so are surplus to the Borough's needs, before they are released for residential development.

In addition, the Plan is silent on the provision of healthcare, but there are legitimate concerns raised by the residents about the inability of GP surgeries to meet existing healthcare needs. The data in the Plan shows that the ratio of doctors to Brentwood and Shenfield residents is worse than the national average. The Priests Lane neighbourhood is poorly served by GP surgeries in the area, and there is no potential for new surgeries.

Road Safety concerns

There were significant numbers of objections raised relating to traffic concerns. Priests Lane is an important part of the distributary network within the Brentwood/Shenfield area; as such it sees large volumes of traffic at peak times.

There have been a number of traffic accidents along Priests Lane between the two proposed access points including at least two incidents where cars mounted and crossed the pedestrian path. In addition, there have been accidents nearer the Middleton Hall Road junction involving serious injury to pedestrians.

The road is a main through route from Shenfield to access the A128, which will be the main access to the employment centres along the A127 corridor. It is reasonable to assume that the large housing developments north of Shenfield (such as Officers Meadow) will result in significant traffic using the road.

We are concerned that the increased level of traffic using the road, particularly at peak times, combined with new traffic from this proposed residential development will be unacceptably detrimental to the residents' amenity. It should be noted that due to the narrowness of the road, it can be difficult and dangerous to exit driveways in busy periods as turning out of driveways requires the road to be clear in both directions. This is particularly difficult for residents on the even-numbered side where visibility is poor and there are no pavements.

The road is ill-designed to cope with large volumes of traffic; it is residential, winding and narrow, in places less than 5.5m wide. Road design guidelines state that a road of this nature in an urban development should be at least 6m wide. Further, sites at R19 are located where part of the road has a single pavement only, which is often less than the recommended 2m wide.

We have previously provided evidence that the original proposed access road and junction were poorly sited, with poor visibility, and would not meet the recommended dimensions for safe road junction design. We note that the Plan now proposes to consider Bishop Walk as an alternative or supplementary access, and therefore assume that our concerns are accepted.

However, we consider that proposing an additional access point at Bishop Walk does not answer the original objections. The lack of visibility of a junction at no. 61A will not be altered, and therefore this junction is still not viable as a safe exit from the site. In addition, Priests Lane is narrow at this point with private driveways immediately opposite and in close proximity to Glanths Road, which would create an undesirable left-right staggered junction, and suggests that any junction at this point would not be viable.

In this case, Bishop Walk would be the only access to/from this site. The road is very narrow being 4.8m wide with pavements of 1.5m wide either side. This is less than recommended widths (which are minimum 5.5m and 2m respectively). There is no possibility to widen the road. In addition, while the visibility is better than at no. 61A, the sight splays were designed at the minimum size for the development of the small cul-de-sac. The road was not designed to cater to the size of development proposed, and using it as an access would

be to the detriment of existing residents. Indeed, during the planning application for Bishop Walk, objections were raised about traffic safety and the Highways Agency raised concerns. The plan was only approved after the length of the road (Bishop Walk) was reduced and the number of houses reduced from 8 to 5.

Further, as a result of the road being very narrow, there will be problems with cars turning into the road from Priests Lane while traffic is waiting to exit Bishop Walk. This could cause problems with traffic flows, particularly in the mornings when traffic often queues past this junction. Similar difficulties can be seen at Shenfield Crescent, which is a wider road than Bishop Walk.

It should also be noted that approximately 100m from the junction is an access to the Hogarth School playing field (the Council has a vehicular right of access at this point) and has historically been used by parents to access the school. This can help to alleviate traffic using Shenfield Crescent, which is getting worse with the expansion of Hogarth School. The proposal to use this road as an access for building traffic and for a new large residential development could create safety risks, as well as increasing traffic using Shenfield Crescent to access Hogarth School.

We consider that it is disappointing that the Highways survey will not be available as part of the consultation, nor even that one has been requested. This is a critical piece of work in respect to this site, and should be open to scrutiny as part of the consultation process. The only report available at this time is the analysis of major junctions. However, the NPPF states that travel assessments should be undertaken as part of a local Plan, which should look at the cumulative effect of new development on traffic flows, congestion and pollution.

We consider that the existing Highways report on critical junctions is flawed in respect to the Priests Lane site, please see our comments above. We consider that the original report is more reliable than the updated version, and it concluded that the junction is already saturated, and at the peak morning time is already overcapacity. All models indicated that the junction would perform significantly worse after development. But, residents will agree that the traffic queuing along Priests Lane to access this junction exceeds the traffic queuing in Middleton Hall Lane, and so should have been considered as part of this analysis.

In summary, we consider that the junction analysis materially understates the level of traffic accessing this junction, and the true situation is much worse. Previous traffic analysis has not provided any ways of mitigating the traffic difficulties at this point, and the Plan fails to provide the appropriate travel and transport assessments or management strategies.

The evidential objection document "Objections to Priests Lane Development Plans" is attached and forms part of this response.