

# **Brentwood Proposed Submission Local Plan (Regulation 19)**

**Land at Blackmore Road, Kelvedon Hatch (Brizes Corner  
Field)(Site ref: R23)**

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**Prepared by Strutt & Parker on behalf of Stonebond Properties Ltd.**

**March 2019**

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Site Name:	Land at Blackmore Road, Kelvedon Hatch (Ref: R23)
Client Name:	Stonebond Properties Ltd.
Type of Report:	Regulation 19 Representation
Prepared by:	Alasdair Sherry MPLan MRTPI MInstRE
Approved by:	Andy Butcher Dip TP MRTPI
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Appendix B: Green Belt/Landscape Sensitivity, prepared by David Jarvis Associates

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## 1.0 Introduction

- 1.1 These representations are submitted by Strutt & Parker on behalf of Stonebond Properties Ltd. in relation to the Brentwood Borough Council (BBC) Proposed Submission Local Plan (Regulation 19) (PSLP), and in particular with regards to our client's land interests at Blackmore Road, Kelvedon Hatch. This is given the reference Brizes Corner Field in the PSLP and is proposed for allocation under Policy R23. Plans showing the site are included within the Vision Document at Appendix A to this representation.
- 1.2 As the Council will be aware, representations have previously been made on behalf of the landowner, W H Norris & Sons, in respect of the land at Blackmore Road, most recently as part of the Regulation 18 Local Plan Consultation in March 2018. Since then the site has come into the control of Stonebond Properties Ltd, a local housing developer with considerable experience of bringing forward high quality homes on small and medium sites. As a result of the previous representations and discussions with officers at Brentwood Borough Council alongside the Local Plan process, this site and land at Stocks Lane (Site R24), also now under Stonebond Properties' control) have been proposed as sites for future residential development within PSLP.
- 1.3 Stonebond Properties' overall position is one of support for the PSLP and this is expressed where relevant in these representations. There are some overarching concerns in relation to certain elements of the Policy R23 in relation to the area identified for allocation, the amount of development proposed, the expected time for delivery in the Plan period as well as certain elements of the PSLP's Development Management Policies.
- 1.4 Where such concerns are raised, specific changes to the relevant policies are sought and these are indicated in the following representations in order to assist in BBC making the Plan more robust and improving its soundness in terms of being positively prepared, effective, justified and consistent with national policy. The representations also seek changes to the allocation to assist BBC in meeting housing requirements and provide benefits in terms of the Green Belt in this location.
- 1.5 Stonebond Properties request the right for its professional advisors to provide further responses on any matters appropriate to their land interests at the relevant sessions of the Examination of the submitted Local Plan.

## 2. Settlement Hierarchy

- 2.1 Kelvedon Hatch is confirmed as a Category 3 Larger Village as set out in the Settlement Hierarchy shown at figure 2.3 of PSLP. It states that these villages are characterised by the amount of amenities and services able to cater for residents' day to day needs. Kelvedon Hatch has a local centre with a range of services, facilities, access to public transport, and education services. The PSLP sets out that Category 3 settlements should seek to make the most of brownfield redevelopment opportunities, while limited urban extensions will be encouraged to meet local needs where appropriate.
- 2.2 The population is stated as 2,124, making Kelvedon Hatch the second largest Category 3 Settlement behind Doddinghurst. Due to the proximity of Doddinghurst (around 1km to the east), there is a reciprocal relationship between the two villages in terms of the availability and access to services and other facilities. As a result, development at Kelvedon Hatch is clearly a sustainable location to which a proportion of the Borough's housing need should be directed.
- 2.3 In addition, as an established community, it is important that the Local Plan provides for the growth of the settlement to ensure the vitality of the community is sustained or enhanced. In line with Paragraph 78 of the National Planning Policy Framework (NPPF), growth in one village may have the added benefit of further supporting opportunities and growth in nearby surrounding villages. The two sites for additional housing in Kelvedon Hatch identified in the PSLP as Land at Blackmore Road (R23) and at Stocks Lane (R24) are fully supported. The proposed allocation of these two sites is considered to be justified, consistent with national policy and necessary to ensure the sustainable growth of Kelvedon Hatch and the Borough for reasons set out elsewhere in these representations. Furthermore, these representations provide for not only support for the proposed allocation at Blackmore Road, but that its area for development be increased to provide additional homes as well as open space which will have wider benefits for the locality and the Green Belt in this area.

### **3. Spatial Strategy – Vision and Strategic Objectives**

#### **Vision for the Borough**

- 3.1 The Vision for the Borough set out at Section 3 of the PSLP is supported.
- 3.2 For the reasons set out in these representations, carefully planned development at Kelvedon Hatch as provided for at Policies R23 and R24 will make an important contribution to BBC's housing needs to meet the Local Plan objectives. Indeed, these representations make the case that a modest and justified increase in the sites' ability and in the case of R23, to increase the area for allocation to accommodate more homes will assist meet those aims and provide for greater flexibility in meeting housing needs.
- 3.3 Stonebond Properties have undertaken detailed site assessments. These confirm that there are no barriers to delivery of development. As a consequence, the expressed objectives of development in the SLP Vision to be landscape-led responding to a "design and build with nature approach firmly embedding high quality green infrastructure through public realm to create a seamless transition to our surrounding countryside" can all be achieved and delivered in the allocation of sites R23 and R24. This is demonstrated in the accompanying Vision Documents to this representation for R23. Moreover, the proposals for Blackmore Road provide for an opportunity for open space and structural landscaping in addition to a modest increase in the developable area which will have benefits for the locality and the Green Belt as well as meeting the requirements set out above.

## 4. Managing Growth

### Policy SP02: Managing Growth

- 4.1 Policy SP02 proposes a total of 7,752 dwellings be provided in the Borough between 2011 and 2033 with 310 homes per year to 2022/23 and then 584 per year from 2022/23 taking forward a “stepped delivery” approach to deal with a projected shortfall in the first 5 years of the PSLP. This is mainly because a greater proportion of homes to be delivered in the PSLP comprise sites located in the Green Belt, resulting in longer lead in times to delivery. Whilst we do not raise objections in principle to the stepped approach, as far as our clients are concerned, there is a prospect that some sites in the Green Belt have the prospect of coming forward earlier, particularly smaller and medium sized developments. This certainly includes this site R23, and R24 that is the subject of a separate representation. This matter is dealt with further at Section 8 below.
- 4.2 Furthermore, and notwithstanding the stepped approach proposed, there are still issues with BBC’s over-optimistic estimates and assumptions on the delivery of larger strategic sites proposed for allocation in the PSLP. BBC are effectively placing most of its “eggs in one basket.” in the range of sites that are proposed in the PSLP. It is important to note that, of the new allocations, 4,578 homes are made up of strategic allocations (of which 2,700 are at Dunton Hills Garden Village and are to be delivered in the Plan period) and 1,510 are other allocations. The strategic sites therefore represent 68% of the total number of new homes of which some 59% are allocated at Dunton Hills.
- 4.3 The ability of larger strategic sites to come forward quickly has been the subject of recent assessments in the Independent Review of Build Out, the Letwin Review (2018); and issues with their complexity, have been ably set out in the Lichfield’s study From Start to Finish (2016). Both provide empirical evidence that the early delivery of such sites can be problematical due to a range of factors, including establishing required infrastructure requirements and the timing of housing delivery associated with those requirements, as well as the prolonged or protracted nature of the planning process. The Lichfield’s report confirms that the planning process takes, on average, 2.5 years for the planning application determination period for up to 500 units; this can double for sites over 1,000 units. Two of the strategic sites within the PSLP’s allocations also comprise developed sites currently in employment uses. The strategic sites are expected to deliver some 1555 homes within 5 years of an assumed adoption in 2020/21. Given the issues set out above it is considered that this is unrealistic and it would not be justified or the most appropriate strategy to rely on these sites for short term housing delivery. It

therefore emphasises the need to review the ability of smaller or medium sized sites such as R23 and R24 to provide for greater flexibility and more homes which have a far greater prospect for short term delivery to ensure the Local Plan is sound.

#### **Sequential Land Use**

- 4.4 Paragraph 4.22 and 4.23 of the PSLP suggested that a sequential approach is to be taken to the determination of planning applications, referring only to prioritising brownfield land in urban areas and brownfield land in the Green Belt. The reasons for this are unclear when the PSLP strategy includes releasing land from the Green Belt to meet development needs which includes the sites the subject of these representations. The growth requirements set out by Policy SP02, and the sequential approach to meeting those requirements are referred to at paragraph 3.23, provide for the justification for the chosen spatial strategy. As a consequence, it is not justified to suggest that a sequential test be taken for the determination of planning applications and paras 4.22 and 4.23 should be deleted from the PSLP.

#### **SP04 – Developer Contributions**

- 4.5 There are no objections to the general approach expressed in Policy SP04 for developer contributions. However, section E is neither precise, necessary or justified and could be open to misinterpretation. It is therefore recommended that this be omitted.



## 5. Resilient Built Environment

5.1 We are generally supportive of the Council's objectives to achieve a resilient built environment. Nevertheless, there are concerns that the policies set out in the PSLP and as drafted may have an impact on viability, deliverability and affordability for housing development generally. We are aware of the representations made by the House Builders Federation (HBF) referring to sustainable construction (BE020), allotments (BE20), Green and Blue Infrastructure (BE18), access to nature (BE19), digital infrastructure (BE10), open space (BE22), electrical vehicle charging (BE15), housing quality (HP06). The implications of the requirements set out do not appear to have been fully considered as part of the viability assessment. As a consequence, we would suggest that the viability assessment for the PSLP is revisited to reflect on these requirements to better inform or provide clarity on the proposed policies.

### **Policy BE01 – Future Proofing**

5.2 Whilst the Council's objectives towards future proofing of development are broadly supported, it is questionable whether it is necessary to set out a detailed planning policy to this effect when a number of the criteria set out comprise a series of aspirations. It is of some concern that Part A of the Policy requires that *all applications must take into account.....* when the process of development management and determination of applications is far more prescriptive and binary in decision making. As a consequence, it is suggested that Policy BE01 should be set out as supporting text rather than a specific policy.

### **Policy BE02 – Sustainable Construction and Resource Efficiency**

5.3 Whilst the Council's objectives towards sustainable construction and resource efficiency are broadly supported, it is questionable whether it is necessary to set out a detailed planning policy to this effect when a number of the criteria set out comprise a series of aspirations. The requirement to submit details of measures that increase resilience to the threat of climate change at b. is also considered to be over prescriptive when such techniques may vary substantially. The general principles set out at para 5.19 are reflective of the fact that these matters ought more properly to be dealt with by supporting text rather than a specific policy. In addition, we are aware of comments made by the HBF on this policy and we support those comments.

**Policy BE20 – Allotments and Community Food Growing Space**

- 5.4 Whilst the Council's aspirations for providing allotments are acknowledged, the policy as set out provides for no clear thresholds as to when such space should be provided which is not justified in the terms set out. On this basis, it is recommended that the policy should either be omitted and dealt with by the text to the PSLP or justified against thresholds or site specific requirements. In this respect, it may be that large strategic sites may need to include a requirement. However, it is certainly not a necessary requirement for smaller or medium sized sites, such as those the subject of these representations.

**Policy BE22 – Open Space in New Development**

- 5.5 The policy is broadly supported. As can be seen from the Vision document that accompanies these representations, our proposed scheme for R23 makes provision for such space as part of proposals to modestly increase the developed area. It is nevertheless questionable whether it is necessary for all open space to be fully equipped (D.). The need for equipped space should also be related to the amount of development proposed and/or availability of local equipped areas. As a consequence, it is recommended that criteria D is amended to be refined to provide clarity on when equipped open space is required eg. on sites over 50 homes.

## 6. Housing Provision

### **Policy HP01 – Housing Mix**

- 6.1 The Council's approach to providing for an appropriate mix of dwelling types is generally supported. However, the Policy as set out refers to the Borough wide requirements in the Strategic Housing Market Assessment (SHMA) and does not necessarily take into account a local area or sub area within the Borough. It is important to note that the SHMA requirements, at Figure 6.1, confirms that it is an indicative mix guide for market housing. It is also noted that para 6.5 confirms that the final mix will be subject to negotiation. This is welcomed on the basis that some flexibility will be necessary in certain circumstances as part of the planning application process. As a consequence, it is suggested that para 6.5 should provide greater clarity and a minor change confirming that the final mix will be subject to negotiation "as part of a planning application" rather than "with the applicant".
- 6.2 We are aware of the representations submitted by HBF regarding accessible homes and justification. We support those views. It is questionable whether it is necessary for the PSLP to set out in planning policy the requirements of Building Regulations.

### **Policy HP03 – Residential Density**

- 6.3 We support the PSLP's approach to residential density as set out in Policy HP03. This is considered to be justified based on the evidence and consistent with the national policy. As far as our client's land interests are concerned at R23 and R24, both sites are capable of providing an increased density to that expressed for the relevant policies R23 and R24. However, part B of the policy quite properly acknowledges that a chosen density should take into account the character of the surrounding area and other site constraints. This is supported. A further explanation of suggested density or yield for R23 is set out at Section 8 below.

### **Policy HP05 – Affordable Housing**

- 6.4 We note that the SHMA provides justification for the affordable housing requirements. However, it is questionable whether the precise tenure/mix should be set out at B(a) of the Policy, given that requirements can change relatively quickly over time and the prescriptive approach may not take into account precise local needs. As a consequence, it is recommended that the criteria under B(a) should omit the reference to 86% and 14% proportions. It is suggested, in the alternative, that "the mix, size, type and cost of affordable homes will meet the identified housing needs of the Council's area

and local needs as appropriate, established by housing need assessments, including the SHMA”.

### **Design and Place-making**

- 6.5 The approach set out in the PSLP for design and place-making is broadly supported. However, we note that there are effectively seven policies (HP12 – HP18) which provide the requirements against these matters. We also note that there are some areas of repetition on some of the objectives against those policies. We consider that those commenting on and determining applications should preferably have one or two identified policies to refer to and/or applicable thresholds to more succinctly set out requirements. This would ensure that planning applications can be more effectively judged against context, design and place-shaping criteria.

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## 7. Natural Environment

7.1 We generally support the Council's approach to Green Belt and the identification of suitable sites to meet the Council's housing and other needs. Accompanying these representations is an overview of the Green Belt and Landscape Sensitivity considerations relating to Stonebond Properties' land interests at R23 and R24 to confirm the suitability of removing those sites from the Green Belt and limited impact on the landscape.

### **Policy NE13 – Site Allocations in the Green Belt**

7.2 We welcome the PSLP's intentions to remove sites R23 and R24 from the Green Belt. This calls into question the need for Policy NE13. The requirements set out by criterion A and B are dealt with by other policies in the Plan. If there are site specific requirements relating to sites, these should be covered within the specific policies relating to those sites.

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## 8. Site Allocations

### **Policy R23 – Brizes Corner Field, Blackmore Road**

- 8.1 The proposed allocation of Land off Blackmore Road as Policy R23 and its removal from the Green Belt is considered sound and is fully supported. It has been established through the evidence base supporting the PSLP that Kelvedon Hatch is a sustainable location to accommodate a modest amount of new houses to contribute to the Borough's housing needs. Indeed, as recognised by para 68 of the NPPF and as a medium sized site, such sites make an important contribution to "meeting the housing requirement of an area and are often built out quickly". We do however have some concerns with the amount of development set out at A of the Policy, the indicative yield at page 339 and the suggested trajectory for the site at Appendix 1. These representations provide for a modest increase in the developable area of the site with compensatory open space/structural landscaping. These matters are dealt with further below.
- 8.2 Supporting these representations is a Vision Document at Appendix A, a review of Green Belt and Landscape Sensitivity at Appendix B and a Summary Drainage and Utility Appraisal at Appendix C. These all confirm that the development at the site is both justified and fully deliverable within the terms of para 67a) of the NPPF. The Vision Document demonstrates that careful consideration has been given to the emerging policies set out at BE01, BE08, BE22, as well as those relating to Design and Place-making at HP12, HP13, HP14, HP15 and HP18 of the PSLP to confirm that a scheme can meet the PSLP objectives in this regard.
- 8.3 The Summary Drainage and Utility Appraisal at Appendix B confirms that there are no constraints to delivery. In addition, Stonebond Properties commissioned a transport appraisal from Ardent Consulting Engineers. This has confirmed that the location of the access shown in the Vision Document meets normal highway requirements in terms of safety and visibility. This has been confirmed in speed surveys undertaken in Blackmore Road. The Green Belt and Landscape Sensitivity Assessment at Appendix B confirms that the release of the site from the Green Belt is justified. It also confirms that there would be no significant impact on the surrounding landscape.

- 8.4 The Vision Document illustrates a form of development for the proposed allocation area set out in the PSLP to provide for around 28 homes. These representations suggest that the allocated area could increase to provide for a modest addition to the developable area in association with compensatory open space and structural landscaping. It is considered that the proposals would be in accordance with para 138 of the NPPF. This advises local planning authorities to “set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”. The Vision Document demonstrates how this can be achieved using land that is within their control. The Green Belt and Landscape Sensitivity Assessment confirms that such an approach would not result in demonstrable harm to the Green Belt or landscape.
- 8.5 Part A of Policy R23 suggests that there be provision for around 23 new homes on the site. Part A Policy HP03 of the PSLP requires proposals to take a design led approach to density to ensure schemes are sympathetic to local character and make efficient use of land. Part B expects development to achieve a net density of at least 35dph unless the special character of the surrounding area suggests that such densities would be inappropriate. Based on page 339 of the PSLP, the suggested dwelling yield of 23 homes would result in a density of 29dph. The Vision Document confirms that within the allocated area it would be possible to provide around 28 homes at a density of 35dph.
- 8.6 The Vision Document sets out an alternative approach to the allocation to increase the area to 2.45ha gross. This would provide for around 45 homes at 29dph on a net developable area of approximately 1.6ha. Critically, the Vision Document provides for a third of the area to be set aside for structural accessible open space in accordance with para 138 of the NPPF.
- 8.7 The Vision Document therefore proposes that around 45 homes can be provided on the site representing a far more efficient and effective dwelling yield with benefits for open space and the Green Belt generally in this location by bringing forward a robust and enduring boundary. The Vision Document demonstrates that full account has been taken of the objectives of HP03 to ensure that a scheme would be sympathetic to local character. Critically, the illustrative scheme for the increased area for allocation would meet objectives for open space within the site in accordance with Policies HP13 and BE22 whilst taking into account the need for sensitivity, having regard to the countryside to the west and south.

8.8 Section 4 of these representations sets out the need for greater flexibility and need for the provision of medium sized sites to aid the Council's housing needs and requirements. Against this background, these proposals to provide a modest increase to the allocated area for R23 are commended to the Council on the basis that the increased area provide for structural and accessible open space. It is therefore recommended that Policy R23 is amended as follows:

- Policy R23A – substitute 23 new homes with 45 new homes.
- Policy R23B – additional bullet point b – development shall provide for not less than 0.7ha for accessible public open space and structural landscaping.
- Page 339 R23 – indicative dwelling yield substitute 23 with 45.

8.9 The site is within the control of Stonebond Properties, a local house builder with considerable experience in the development of medium sized sites, quick delivery and achieving high design and layout standards. Upon removal from the Green Belt and grant of a planning permission, it would be expected that development at the site could commence 2020/21 and be completed within two years of the Plan.

8.10 As a consequence, and based on these representations for an increased allocation, it is recommended that the Local Development Plan Housing Trajectory at Appendix 1 is amended to provide for the following based on an increased number of homes as set out in these representations:

<b>Year 5 – 2020/21</b>	<b>Year 6 – 2021/22</b>
10	35

8.11 These comments on Policy R23 provide an ability for a modest increase in the amount of houses for the allocated site with significant local benefits for accessible open space and structural landscaping. This would result in compensatory improvements to the environmental quality and accessibility of Green Belt land in accordance with para 139 of the NPPF. In addition, the recommended changes would contribute to the issues we have identified elsewhere with the PSLP specifically in relation to the supply and delivery of homes generally. As a result, we trust that the Council will be able to agree modifications/changes accordingly.



## Appendices

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**Appendix A**

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**Appendix B**

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**Appendix C**

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