



**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	Mrs
First Name	Gail
Last Name	Hughes
Job Title (if applicable)	
Organisation (if applicable)	
Address	
Post Code	
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

Gail Alison Hughes

Question 1: Please indicate which consultation document this representation relates to?

The Local Plan

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Sustainability Appraisal

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Habitat Regulations Assessment

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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).

LDP Fig 2.3 Settlement Hierarchy

LDP Section 04: (Managing growth)

- Policy SP01 – D
- Paras 4.6, 4.9 and 4.20
- Policy SP02
- Policy SP04 – A

LDP Section 06: (Housing Provision)

- Policy HP08

LDP Section 08: (Natural Environment)

- Policy NE06 and Paras 8.51–8.64
- Para 8.85 (iv)
- Para 8.90
- Para 8.101
- Policy NE13

LDP Section 09: (Site Allocation)

- Policy R25 and Paras 9.197 - 9.200
- Policy R26 and Paras 9.201 - 9.204

Question 3: Do you consider the Local Plan is:

Sound?

YES

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NO

☒

Legally Compliant?

YES

☐

NO

☐

Compliant with the Duty to Cooperate?

YES

☐

NO

☒

Question 4: If you consider the Local Plan unsound, please indicate your reasons below (please tick all that apply):

The Local Plan has not been positively prepared

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The Local Plan is not justified

☒

The Local Plan is not effective

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The Local Plan is not consistent with national planning policy

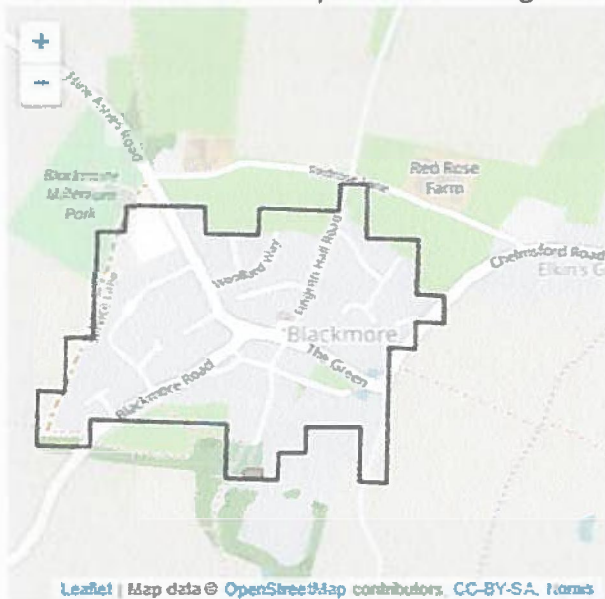
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Question 5: Please provide details of either:

- 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

I consider the plan to be unsound and fails to comply with the Duty to Cooperate for the following reasons:

1. **LDP Fig 2.3 Settlement Hierarchy.** There are errors and omissions in the plan. For example, the population of Blackmore is listed as 829. However, the area that this covers (see diagram below) does not cover, amongst others, the residents in Nine Ashes Road past Red Rose Lane or the residents in the Chelmsford Road which includes a mobile home park and the illegal Traveller site.



The populations stated in the plan separately for Blackmore, Hook End and Wyatts Green add up to 2402, however the total population for the Parish of Blackmore, Hook End and Wyatts Green is actually 3040. The Plan numbers are misleading and therefore invalidate assumptions made in the Plan based on population numbers.

2. **Duty to Cooperate.** There has not been sufficient consultation with other neighbouring authorities.
100 metres outside the parish boundary in Fingrith Hall Lane is the entrance to a development of 30 new (large) houses by Epping Forest District Council. These properties are 1.3 miles from Blackmore village centre and its amenities and more than 5 miles from any other town / village with similar amenities. This will exacerbate

the impact of the proposed 70 (40 + 30) new properties being proposed for Blackmore on the infrastructure and amenities.

3. Red Rose Lane is a single track road and is not suitable for the extra volume of traffic generated by the proposed housing. Also, Red Rose Lane, along with many other roads in and around the Blackmore area, is used regularly by walkers, joggers, cyclists, dog-walkers and horse riders. Red Rose Lane has no pavements and so the additional traffic will bring increased danger to these users. There are also very few street lights in Blackmore and none in Red Rose Lane which adds more risk.
4. **Flood Risk.** The village centre of Blackmore sits in a dip and is prone to flooding. Prior to the major development of the village in the 1970s there were no reports of any significant flooding. Since then there have been a number of occurrences of flooding. In 1986 a major flood occurred where many houses and St Laurence church were flooded and badly damaged. Flooding has occurred numerous times since with the most recent being 3 years ago when several houses on the Green were flooded and many of the surrounding roads (including Red Rose Lane) were impassable. At St Laurence Church graveyard in Church Street when graves are dug they fill with water immediately and need to be pumped out prior to the burial due to the high water table in the area.

The addition of 70 properties will further reduce the available open land to soak up water and therefore flooding occurrences will increase. (See photos showing the Blackmore Road area near Meadow Rise from summer 2016). This flood caused extensive damage to the pavement which has not yet been repaired.



5. **Policy NE06 FLOOD RISK** states in 8.52:

Flood risk include risk from all sources of flooding, including from rivers, from rainfall, from rising groundwater, which can overwhelm sewers and drainage systems, and from reservoirs, canals, lakes and other artificial sources. Incidences of high rainfall are forecast to increase in intensity as a result of climate change. Developing inappropriately in areas at risk from flooding, can put property and lives at risk; therefore, this **policy** seeks to ensure this does not happen.

Blackmore is not just a high flood RISK area, flooding in Blackmore is actually an ISSUE. Therefore any development in Blackmore is clearly against this policy.

6. **Infrastructure Requirements.** There are no infrastructure requirements listed in policy R25 or R26. However, all amenities and services are already stretched.
 - The electricity, other utilities and in particular the sewerage system are unlikely to be able to cope an additional 70 properties without counting the 30 extra properties in Fingrith Hall road. The sewerage system is at maximum capacity already
 - The local primary school is already full— new arrivals in the village are not able to get their children into the school and have to travel to schools in other areas
 - Bus services are limited, infrequent and do not run into the evenings
 - There is insufficient parking in the village centre causing people to regularly park on double yellow lines
 - The doctors surgery is at capacity and waiting time for appointments are already unacceptable
7. There is no clear housing strategy for the villages and general area in the north of the Borough. There are many options that have been suggested through this process and should have been considered but have not been.
8. A 'Housing Needs' survey should have been carried out which would have demonstrated why Blackmore has been specifically included in the LDP, and why other more suitable areas have not been included.
9. The Borough Council have not shown that the required additional houses for the Borough could not be delivered by increasing the housing density on the other allocated sites in the plan.
10. There are Brownfield sites available nearby but there is no evidence these have been considered in preference to using greenfield, Green Belt land.
11. Other more suitable locations (e.g. areas around Doddingtonhurst, urban extensions to Brentwood, increasing the size of the Dunton Hills proposal) which all have better transport links would have been a far better proposal than the development in Blackmore which is not a sustainable development proposal for the reasons given.
12. The proposed sites are important wildlife and natural habitats for many creatures to live undisturbed.
13. Policy HP08 seeks to regularise an illegal traveller site on the Chelmsford Road. The Borough Council has failed to undertake its duty to attempt to remove the travellers from the site since they first moved in some years ago. The Council have sat back and

watched the site grow without taking any action and must re-visit this. In regularising the site the council is providing open invitation for other travellers to do the same as the council will be seen to be weak, capitulating and an easy target area.

14. Policy SP02 states that new development will be directed towards highly accessible locations along transit/growth corridors. Blackmore is not highly accessible and not along a transit / growth corridor

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.

Due to the many issues listed above it is clear that the sensible modification would be to remove sites R25 and R26 from the Plan. Blackmore Village Heritage Association (BVHA) has produced a 'neighbourhood plan' which should be referred to by the Planners. This clearly sets out our local housing needs for our already sustainable community.

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

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YES, I wish to participate in the oral part of the EiP

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Question 8: If you wish to participate at the oral part of the Examination, please outline why you consider this to be 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.