



**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](http://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](mailto: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](http://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	Colin
Last Name	Holbrook
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

Colin Holbrook

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

The Local Plan

X

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).

Section 09: (Site Allocation)

- Policy R25

-Policy R26

Section 04: (Managing Growth)

- Policy SP01

- Policy SP02

- PolicySP03

Section 08: (Natural Environment)

- Policy NE06

- Policy NE13

Section 07: (Prosperous Communities)

-PC 14

Question 3: Do you consider the Local Plan is:				
Sound?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
Legally Compliant?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Compliant with the Duty to Cooperate?	YES	<input 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:	
<ul style="list-style-type: none"> <li>Why you consider the Plan to be sound, legally compliant, or adheres to the Duty to Cooperate; or</li> <li>Why you consider that the Local Plan is unsound, is not legally compliant, or fails to comply with the Duty to Cooperate</li> </ul>	
<p>General Comment relating to my response overall: My opinions are based primarily on my detailed knowledge of my local area of the LDP. This indicates it is Unsound and has not complied with the duty to cooperate. If it is flawed in one area, across this many criteria, it will in all probability suffer from the same flaws throughout when subjected to appropriate scrutiny.</p> <ol style="list-style-type: none"> <li>The LDP has changed from original plan to that considered at Reg 18, with no explanation of why some sites have been included after initially being promised they will be excluded eg Blackmore and some eminently suitable sites have disappeared eg Honeypt Lane.</li> <li>The late changes to the plan curtailed the amount of time available to appropriately consider and challenge it.</li> <li>When Reg 18 was debated in the BBC chamber, some items were included without any prior warning or debate eg Formal inclusion of Traveler Site Status in Chelmsford Road, and some major concerns and proposals were totally and deliberately avoided eg using a guillotine motion to stop any Blackmore concerns being raised.</li> </ol>	
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- 4) The original LDP was full of reference to quality of life, maintaining sustainable communities, improving residents' existence via the LDP, and working for the people was a recurring theme. This have disappeared from the latest version and it is now about meeting the target number of dwellings to be built to meet government quotas, and wanting residents input in a fashion that requires specialist knowledge.
- 5) The way that this form and the background information has been constructed is so complex and confusing for anyone not a professional planner, it has stopped a large number of ordinary residents from responding even though they have major issues. Some have even suggested that BBC did this deliberately to avoid too many people voicing their concerns.
- 6) Apart from at Dunton Hills there has been no creation of a coordinated strategy for any of the medium sized sites, nor for multiple linked sites that, when considered together, require a strategy.
- 7) There has been insufficient, if any, coordination with neighboring Councils and this leads to developments agreed by one council adversely affecting communities in another councils area. Eg Epping Forest & Brentwood.
- 8) There has been no evidence of Private developments (not included in the LDP) being considered to ensure the aggregation of LDP, Other Council Developments, and Private developments do not combine to cause increased problems or overwhelm and swamp any thriving communities.
- 9) There is no evidence that any C.I.L. required from developers would be sufficient to do an adequate job of protecting the local community. Nor is there any requirement for such levy to be exclusively used for the benefit of the community impacted by the development.
- 10) There is no evidence of a Housing Needs Survey being completed for Blackmore. So there is no evidence that the proposed sites are required for the benefit of Blackmore nor that they will fulfil the needs of the local community.
- 11) There is no evidence of appropriate investigation into other brownfield sites that are available and should take precedence over the Green Belt Sites listed.
- 12) There is no evidence of proactive research by BBC into potential areas that would positively benefit the local communities if developed. Rather they have waited for developers to apply for site inclusion (presumably for sites that would provide the most profit). Indeed some viable and useful sites have been removed without comment eg Honeypot lane.
- 13) It is unsound to arbitrarily place disproportionate growth on one existing community which will cause it harm, leaving others with nothing at all when they would actually like some development to improve their sustainability. Eg Blackmore v Stondon Massey
- 14) Following removal of the Tipps Cross Sites from the proposed sites at the flawed Reg 18 meeting, the ONLY development anywhere apart from Main Towns or Village Service Centers is in Blackmore. It is unsound, unjustified, ineffective and flawed to propose a 30% increase in dwellings for any community. It is even more iniquitous when that growth would go beyond 50% if related developments were to be considered. (see 7 & 8 above).
- 15) No consideration has been given to Counties "Protected Lanes" & "Quiet Lanes" policies. It states *" DEVELOPMENT PROPOSALS THAT WOULD ADVERSELY AFFECT THE PHYSICAL APPEARANCE OF THE PROTECTED LANES OF HISTORIC OR LANDSCAPE VALUE OR GIVE RISE TO A MATERIAL INCREASE IN THE AMOUNT OF TRAFFIC USING THESE LANES AND ROADS WILL NOT BE PERMITTED"* Red Rose Lane (previously known as Service Lane) was used by travelers to avoid the village center during the Black Death in 1349, and to carry the dead around the outside of the village. The other part of the bypass to the south is Wenlocks Lane and it is protected.

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- 16) Blackmore plans refer to type of development and require allocations for local & affordable housing. Which is unachievable as:
  - a) House prices would be out of reach of "affordable housing" candidates, who would also be unable to commute safely due to non-existent public transport and an unviable road system.
  - b) There was no survey to ascertain if there was any local requirement, and any need would be for bungalows or flats for village children (which would increase the number of cars & traffic movements and would not be affordable for 1<sup>st</sup> time buyers.
  - c) The idea of a Residential Travel Pack is ludicrous. Nothing could promote "sustainable travel from a site that big on single carriageway lanes.
- 17) Blackmore sites fail dismally SP01: Don 8 of the 11 requirements.
- 18) When questioned, BBC Planning Team have avoided providing any solutions by passing the buck to Developers. So far, no surveys have been undertaken to ascertain if a problem exists with the development proposed. This means that Reg 18 & Reg 19 could be passed with Issues but no solutions; Developers who may suddenly have catastrophic profit margin holes and be forced to pull out or seek to cram in more houses. This would force new sites and new developers to be required after the LDP were agreed. This seems unsound, unjustified, ineffective and flawed.
- 19) When questioned, BBC Planning Team break down their response to individual issues with individual sites and suggest that one issue would not cause any harm to the community. They have avoided responding to situations, or reconsidering, where a site has 8 different problems. Eg Blackmore: Lack of employment viability; Lack of transport links; lack of infrastructure; lack of medical facilities; lack of education facilities; Severe flooding problems; lack of roads to build the development and subsequently deal with the astronomical increase in traffic movement; loss of Green Belt and damage to natural habitats. When problems are this significant, a solution must be proposed before including in the Listed Sites. Failure to do this is unsound, unjustified, ineffective and flawed.
- 20) To cause an increase in traffic movements of up 2000 per day along exceptionally narrow lanes that would cause irreparable damage to the sustainability of an existing thriving community is unsound, ineffective and flawed. Total Failure of requirement for any scheme to be acceptable item4.9
- 21) Existing traffic is a problem for Blackmore pedestrians where there are no footpaths or streetlights. Major increases in traffic would be downright dangerous.
- 22) If SP03 is actually imposed, the Blackmore developments will fail the requirements on over half and will in fact have a negative Health Impact on the existing residents. This means the Council would be obliged to refuse the planning permission or levy a huge CIL on the developer which would make it non-viable due to total loss of profitability.
- 23) There are a huge number of reports and surveys already in existence that highlight the major risk to flooding that already exists in Blackmore. Developing in a known flood prone area is crazy and will also increase the risk of flooding to the existing community.
- 24) The LDP states 8.90 that Blackmore & others are excluded from the Green Belt. There is no evidence provided for the comment and I would challenge the veracity of it. In fact BBC have classified in the LDP 4.23 Blackmore & Hook End developments as "Green Belt Land – Larger Villages". I can see an advantage for BBC if it were true, as it would avoid them having to come up with tortuous reasons to breach the rules for building on Green Belt. In conversations and meetings with BBC & their planning team they have never challenged our assertions that they are wrong to build on Green Belt.

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- 25) Policy NE13 A requires that Sites allocated to meet housing needs in the Green Belt will be expected to provide significant community benefits, both for the existing community and the new homes. The Blackmore sites provide no benefit for the existing community and in fact it would be a negative change.
- 26) BBC (with significant support from Local Communities) went to great lengths a couple of years ago to prove the illegal occupation of the site in Chelmsford Road should not be allowed and the perpetrators should be removed. Now with no warning one individual raised the idea of formalizing the acceptability of the site, linking it to the LDP and it was passed without discussion at the infamous "Guillotine Meeting"

**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 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.

**Question 5 – bullets 1-3**

- Due to the significant issues surrounding the acceptance of Reg 18 by BBC I think it would be necessary to independently reconsider the entire process to ensure that it was handled appropriately, and if not, repeat the process correctly before proceeding to Reg 19.

**Other bullets**

- New officials who understand the local issues and can make their voices heard with independence, in an environment that is willing to listen would be a prerequisite to getting any issues of this magnitude considered in a fair and democratic fashion.
- Removing Blackmore from the List of Sites as previously promised or allocating the 70 houses to Dunton Hills, as already done for other sites.

**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.

X

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.

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.