

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	Mr Derek William Armiger
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Question 1: Which **Main Modification and/or supporting document** does your representation relate to?

Each Main Modification within the Schedule has a reference number. This can be found in the first column i.e. MM1, MM2

Any representations on a supporting document should clearly state which paragraphs of the document it relates to and, as far as possible, your comments should be linked to specific Main Modifications. You should avoid lengthy comments on the supporting documents themselves.

Representations on the Policies Map must be linked to specific modifications in that they reflect a change required as a result of a Main Modification.

Schedule of Potential Main Modifications	MM no.	<input type="text" value="MM90"/>
Sustainability Appraisal	para(s)	<input type="text" value="N/A"/>
Habitat Regulations Assessment	para(s)	<input type="text" value="N/A"/>
Policies Map or other supporting documents	Please specify	<input type="text" value="Site R07"/>

Question 2: Do you consider this **Main Modification and/or supporting document**:

Legally Compliant?

YES

NO

Sound?

YES

NO

Question 3: If you consider the **Main Modification and/or supporting document** unsound, please indicate which of the soundness test(s) does it fail (please mark all that apply):

Not positively prepared

Not justified

Not effective

Not consistent with national planning policy

Question 4: Please provide details of either:

- Why you consider the **Main Modification and/or supporting document** to be sound or legally compliant; or
- Why you consider the **Main Modification and/or supporting document** to be unsound or is not legally compliant.

Policy R07 and related explanatory paragraphs have been amended by the Local Planning Authority in MM90 on the basis that the policy is then made consistent with national policy, justified and effective. Unfortunately some of the proposed amendments in MM90 are difficult to understand, and also to follow in their meaning, as well as consistency, and as drafted, do not appear fully justified.

Dwelling Numbers.

The Policy R07 and allocation has been and is strongly supported in principle although evidence was submitted to demonstrate that the allocation could achieve a development capacity in excess of 38 new dwellings. However MM90 re-states capacity at around 38 new homes, but the reference to “mixed size and type” has been deleted. It is suggested that mixed size and type would be consistent with the National Planning Policy Framework 2021.

Para. 9.117 is proposed to be amended to read “around 37 homes”. This conflicts with the text of Policy R07. There needs to be consistency with the Policy wording and therefore this is an apparent error requiring correction in para. 9.117 to read as follows: “around 38 new homes”.

The amendment of the delivery dates over three years, previously 2020 to 2022, to 2022/23, may still be possible but the development of the site can only be confidently commenced once the site allocation is confirmed in an adopted Local Plan. This may mean the delivery date may slip a year and the amendment should accordingly read “2022/2024”.

Under Development Principles there are some further concerns as drafted in MM90:

1b Cycle Connections.

Having reviewed the Brentwood Cycle Action Plan, adopted 2018, it would appear that the amended requirement is intended to provide for good pedestrian and cycle connections to routes identified in the 2018 Plan or other relevant evidence. However no route appears to reach the site boundaries. Scheme 14 possibly commences on the opposite side of the Ongar Road in the vicinity.

Accordingly the requirement to provide for good pedestrian and cycle connections is unclear as a matter of site development principle when this requirement cannot be physically provided and installed on the allocated Site R07.

The need for the requirement is unclear for this allocation and so requires justification.

1c Future Development should sustain and where possible enhance the significance of the Grade II listed Registered Park and Garden of South Weald Park and its setting to the West.

This could be acceptable in principle if it were understood. The allocation is quite some distance from the Park and Garden of South Weald Park to the west. The local topography, from even casual inspection, suggests that the allocated land is surrounded by and lies on more elevated and relatively level land, which only at some distance from it, does it drop away towards the Park and Garden. The development of the allocation should have little or no visual impact or relevance to the Park and Garden; or to the significance of the heritage asset.

Existing boundaries to the allocation and to the adjacent allotments, with mature trees and hedgerow, as with other existing dwellings boundaries on the Ongar Road, make this even less likely.

Development at the allocation having regard to all other relevant policies and criteria is very unlikely to cause harm to the asset or its setting. Accordingly is this criterion to the Policy justified?

It is even less clear as to how any development at distance can enhance the significance of the asset.

At the very least a further and clearer justification for this criterion to be part of a development principle of the allocation as drafted is required. Given the spatial and visual separation, it is suggested that this criterion can be omitted.

1d Sensitive landscaping to the South West Boundary.

This principle is accepted and no change required.

2. Drainage.

This is accepted and no change required.

3. Infrastructure Contributions.

In 3a off-site highway infrastructure improvements as may be reasonably required are accepted.

The reference in 3b to “quietway cycle routes connecting transfer hubs to schools in Brentwood Town Centre is not understood.

It is assumed that the scheme routes described as “quietways” that may be being referred to.

The requirement and justification for a financial contribution by this site in this location to the scheme routes described in the Cycle Plan is unclear and should be made clear if it is to be an adopted obligation where there is no direct access from the site to any of the routes proposed or described.

Amended paragraph 9.120.

The concern over the wording of this explanatory paragraph is the same as the concern over the wording in development principle 1c above.

It is difficult to understand how any high quality design now required by the latest National Planning Policy Framework of July 2021 could impact the amenity of the adjoining allotments or the setting of the Historic Park and Garden at South Weald Park when in a residential use. The justification for this paragraph is unclear and needs to be made clear, especially with regard to the Historic Park and Garden; or again should be omitted.

Proposals Map Site R07.

The amended site plan taking the Ongar Road out of the green belt as discussed at the Hearing Session is supported.

Summary.

The amended policies and explanatory paragraphs are difficult to understand in part, as they appear to have an inconsistency in dwelling numbers, and also appear to need some justification as they could unnecessarily impact on the development potential of the allocated land.

Clarification and justification is required for these as now drafted to ensure that the site development capacity and the principles of development proposed are clear and unambiguous and give certainty to the approximate number of additional dwellings that can be built on the site. Amendments have been suggested above.

If this is not provided then the requirements of the NPPF 2021 para. 120(c), 120(d), and 121 in making effective use of land will not be fully met in plan-making, nor will there be appropriate densities adopted as required in para.s 124 and 125.

This part of the Plan would appear unsound in some details by reason of lack of justification.

Please continue on a separate sheet if necessary

Question 5: Please set out what change(s) you consider necessary to make the **Main Modification and/or supporting document** sound or legally compliant, having regard to the matters that you identified above.

You will need to say why this change will make the Submission Version of the Local Plan sound or legally compliant. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as accurate as possible.

As stated above – however amendments suggest as text in bold:

Clarification at the very least is needed on the number of homes. Para. 9.117 needs to be amended from “around 37 homes”. There needs to be consistency with the Policy R07 wording. Therefore this apparent error requires correction to read as follows in para. 9.117: **“around 38 new homes”**.

The amendment of the delivery dates over three years, previously 2020 to 2022, proposed to be 2022/23 may still be possible, but the development of the allocation site can only be confidently commenced once the site allocation is confirmed in an adopted Local Plan. This may mean the delivery date may slip a year and **the amendment should now read “2022/2024”**.

It is for the Local Planning Authority to provide adequate justification for the policy criterion 1c and explanatory paragraphs referred to above regarding South Weald Historic Park and Garden and its significance and setting as a heritage asset. If the Inspectors are not satisfied **then criterion 1c and explanatory paragraph 9.120 should be deleted**.

Likewise criterion 1d on pedestrian and cycle connections and 3b infrastructure contributions for quietway cycle routes for this particular site. **Without adequate justification by the local planning authority these too should be deleted**.

Finally with regard to Policy R07 and housing types and size, the deletion of **“mixed size and type”** should be re-inserted into the policy as it is consistent with the NPPF 2021.

Please continue on a separate sheet if necessary