



**BRENTWOOD  
BOROUGH COUNCIL**

# Consultation on Potential Main Modifications to the Local Plan 2016-33

September 2021

## REPRESENTATION FORM

This form should be used to make representations on the Main Modifications to the Brentwood Local Plan 2016-2033 submission version as contained within the Schedule of Potential Main Modifications and accompanying updated Sustainability Appraisal and Habitats Regulations Assessment.

The Schedule of Potential Main Modifications and all required supporting documents can be accessed via the Local Plan website at <http://www.brentwood.gov.uk/local-plan-examination>

Please note this form has two sections:

Section A – Personal information

Section B – Your representation

Please ensure you complete **both** parts of the form.

Where possible, we would prefer responses are provided using our Local Plan online consultation portal. This is the quickest and easiest way to make representations. To respond in this way, please follow this link: <https://brentwood.oc2.uk/>

Comments will be considered by the independent Planning Inspectors undertaking the examination.

**All responses must be received by 5pm Thursday 11 November 2021**

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 MM Consultation 2021, Planning Policy Team, Brentwood Borough Council, Town Hall, Brentwood, Essex CM15 8AY

### **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.

**Guidance Note on Legal Compliance**

The Inspectors have assessed whether the Plan meets the legal requirements under section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended (PCPA)), which includes whether the Local Planning Authority has complied with the Duty to Cooperate (section 33 of the PCPA) when preparing the Plan, before moving on to test the Plan for soundness.

In relation to this consultation, comments regarding legal compliance should only be submitted where they relate to the potential Main Modifications.

**Guidance Note on Soundness**

Local Plans are required to be assessed against the tests of soundness. If you are objecting to a potential Main Modification, Question 3 of the representation form asks you to identify which of the below tests of soundness you consider the modification fails to address (soundness is explained in National Planning Policy Framework (NPPF 2021) paragraph 35).

**Positively prepared** - The Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

**Justified** - The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

**Effective** - The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

**Consistent with national policy** - The Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

The preparation of the Local Plan has had regard to all policies in the NPPF. However, insofar as your comments relate to the Main Modifications, you may take the view that the Local Plan:

- a) Fails to address a requirement of the NPPF; in this case you should explain what else it needs to include. Please note that the Local Plan does not need to repeat national policies; or
- b) Departs from national planning policies without good local reasons. In this case, please explain why.

Please keep in mind the information provided above to assist with correctly completing your comment form.

Do you wish to be notified when the Brentwood Local Plan 2016-2033 is adopted by the Council?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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**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	Graham Hesketh
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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 style="width: 100%;" type="text" value="14/19, 78,81,107/108, Annexe 2116 Appendix 2"/>
Sustainability Appraisal	pages <input style="width: 100%;" type="text" value="5,8, 9"/>

Habitat Regulations Assessment	para(s)	<input type="text"/>
Policies Map or other supporting documents	Please specify	<input type="text"/>

Question 2: Do you consider this <b>Main Modification and/or supporting document</b> :		
Legally Compliant?	YES	<input type="checkbox"/>
		NO
		<input checked="" type="checkbox"/>
Sound?	YES	<input type="checkbox"/>
		NO
		<input checked="" type="checkbox"/>

Question 3: If you consider the <b>Main Modification and/or supporting document</b> unsound, please indicate which of the soundness test(s) does it fail (please mark all that apply):	
Not positively prepared	<input checked="" type="checkbox"/>
Not justified	<input checked="" type="checkbox"/>

Not effective

X

Not consistent with national planning policy

X

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.

I am writing in response to the multitude of “Main Modifications”(MM) arising from the 8 month public examination of the flawed Brentwood Borough Council’s Local Development Plan. Before starting on my comments I think it is now appropriate to add the following words, maybe of wisdom, that have been uttered recently by a certain politician that certainly according to the Council of the Protection of Rural England (CPRE) puts a different light on the subject of housing proposals.

At his speech to the Conservative Party Conference in early October 2021 the Prime Minister Boris Johnson, asserted that that there was no reason that the countryside should be lost to new unaffordable homes, saying ‘you can... see how much room there is to build the homes that young families need... beautiful homes, on brownfield sites in places where homes make sense’. He could not be more explicit – ‘there is no reason to allow the countryside and local green spaces to be opened up ‘to unscrupulous developers building unaffordable homes.’

This statement from the CPRE now appears to be massively encouraging for local groups and campaigners up and down the country who have fought tooth and nail to protect their local green spaces and to continue to have a say in the planning system which after reading the MM has looked to have been ignored. Perhaps now local groups and campaigners can **finally** be heard rather than “unscrupulous developers” who are determined to turn our green belt into a mass of houses without due consideration of the needs and desires of the local community, as it looks like in the MM which suggests a reversion back to the original plan of building 40 houses on site R25 (up from 30) and 30 on site R26 (up from 20).

**MM14-19 Flood risk and drainage issues**

**MM14C**

Page 37- Over the 25 years of living here in Blackmore it has become far more obvious that the sewerage system around Blackmore is or is now in a state where over capacity is apparent. I believe this is one of the reasons why Blackmore was previously not considered a suitable site for further development. However, Blackmore was suddenly included in the Local Development Plan as a result of the volte-face at Reg 18.

**46 MM19G**

Pages 45- Blackmore has a critical drainage problem which will be further hindered in its capacity to cope if green fields with their permeable surfaces are replaced and 70 new homes built upon them. I doubt whether a Sustainable Drainage System (SuDS) will provide a workable solution.

**Page 161 MM78**

At present heavy rain (and with the prospect of climate change this increases) brings with it inevitable flooded areas within the village which are well documented. If and I say this with much reservation, these proposals are adopted then surely an investigation by the Environmental Agency must be a priority before sites R25/26 are adopted into the final LDP. The absence of engagement with the local community and the knowledge it has when such events occur is a serious omission of the soundness of the LDP.

**Page 164**

During the December/February hearings in 2020/21 heavy rain once again highlighted the problems with flooding in this area. The source of this flooding once the rain falls is the River Wid which rises just north of Blackmore and flows under as well as over the eastern side of Redrose Lane. Whilst these hearings were going on Redrose lane was impassable on 10 separate occasions. Access to site R26 from the Chelmsford Road was nigh impossible. Building on this site even with the 'mitigation' measures put forward is a poor consideration of judgment as emergency vehicles could be impeded by ongoing flooding which is certainly not going to improve. There is also a major consideration of using Redrose Lane as the access point to this proposed site due not only to the flooding nature but also to the danger to the frequent walkers, cyclists and horse riders who use this narrow lane which is just about safe for two normal sized vehicles to use. As for gaining access into site R26 through Orchard Piece, then there must be for the residents of this quiet cul-de-sac a great possibility of the destruction of their normal peace and quiet as well as more traffic with all its potential dangers.

Getting back to the flooding issue/and surface water ran off which is an ongoing event here in Blackmore evidence suggests there has been no SuDS yet developed or invented that will absorb the vast and significant levels of surface water the village has seen over the 25 years I have lived here and has suffered from. It will certainly not be resolved by allowing over 4 hectares of quality farmland sitting uphill from the village in the Green Belt to be concreted and tarmaced over. Documentary evidence submitted with pictures of flooding over the years, climate change and all that comes with it and a recent Sustainability Appraisal by AECOM (September 2021) suggesting that 'the proposal to increase housing density in Blackmore potentially gives rise to a degree of risk and negative effects' (2.15.2.) This

certainly gives the impression this is an issue that is not going away and AECOM further state 'it will be important to receive the views of the Environmental Agency through the forthcoming consultation'.

## **MM81**

### **Page 171-**

The term 'exceptional circumstances' is as broad as it is long but sites R25/26 are suggested areas that should be released due to them. What is the definition of this term? What is meant by 'Redrose Lane is a defensible boundary' when there is existing housing on the north side and a new development on a brownfield site has just been completed and is now fully occupied. (Surely this development in which the Blackmore Village Heritage Association supported should be taken into consideration and deducted from the proposed 70 houses and not snaffled up as a windfall site by the BBC) Furthermore, brownfield sites have been identified by local groups but dismissed by the local council surely flying in the face of the Prime Minister assertion that no green fields should be built upon. Having listened to the session with the Brentwood Borough Council, developers and their legal teams on the 3<sup>rd</sup> February 2021 I can find no substance in their arguments as to what are 'exceptional circumstances' and can only conclude this is a developer led submission.

## **MM107/108**

Pages 236-241 relating to R25/26 land to north of Blackmore declares that this site is indeed located in a 'critical drainage area' which relates to previous comments made above. With the increase in the numbers of dwellings from 50 to 70 there is a greater risk factor to regard flooding, drainage capacity, infrastructure issues regarding road and road safety, school and health services which are already under severe strain. There is no parade of shops but 2 public houses, a small Co-op for day to day needs and a tea shop/café. The BBC's focused Consultation in November 2019 recognized the concerns about infrastructure but again the National Planning Policy Frame (NPPF) appears to be retrofitted to accommodate these plans, although with the concerns of our PM in his October address there is a glimmer of hope for a complete rethink here!

## **Annexe 2 MM116 Appendix 2**

The Strategic Policy BE09 refers to "Sustainable Means of Travel and Walkable Streets" but with 70 extra homes (plus the others on the previously mentioned brownfield site) this will inevitably led to more cars, journeys congestion to the village centre and more pollution in the most remote part of the borough surely flying in the face of the concerns that will be addressed at Cop26 in November. Furthermore, the narrow lanes around the village with no pavements do not make it an ideal walkable area but highly dangerous with the ever increasing traffic that is inevitable from such developments, with poor public transport set within a rural environment.

SO3 considers opportunities to “Deliver Sustainable Communities”. Blackmore is already a sustainable thriving village in what is described a “Borough of Villages” but building 70 extra homes will not increase employment opportunities or enhance community facilities that are already overstretched. Other villages nearby (Stondon Massey for example) do need regeneration and are calling out for it.

Other reference points in the MM paper as in Page 3 like “promoting sustainable mobility” cannot be made by building in Blackmore. On Page 4 “Creating environmental net gain “ must be taken with a pinch of salt as the taking away of 4 hectares of green land will DESTROY wildlife habitat not enhance it.

Looking again at the Sustainability Appraisal September 2021 Page 5 comments on “Community and wellbeing”. I suggest BBC has little understanding of the community that the inhabitants of Blackmore have built up here over the decades. How the report can comment that it is “difficult to conclude that concerns are significant” is not correct. (see statement by Boris Johnson below)

On Page 9 “Omission Sites” are mentioned. What a contradictory state of affairs when you have a long standing site in Honeypot Lane and able to accommodate about 200 homes voted out of the LDP at an ECM in November 2018 due to site access and being on the Green Belt whilst Blackmore is voted in despite even having more difficult access issues and wait for it being on the Green Belt. Adding to the village another 20% of housing stock to the 350 already here flies in the face of logic.

Before I finish let me refer you once again to Boris Johnson who said this in 2006.

“The trouble with her (economist Kate Barker) proposal to develop the less idyllic pieces of the Green Belt is that one man’s pylon-infested dump is another man’s rural dream; and no sooner do the Barker homes march on to the pylon-infested dump than the developers start looking greedily at the really green spaces nearby, and soon big yellow machines are slicing up the fields and linking one village with the next”. Today 70 homes tomorrow many, many more and probably not affordable as 25% target of the proposed 70 new homes to go to locals was instantly dismissed by the planning inspector and the Council’s own barrister as ridiculous. At least we agree on something!

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 documents** 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.

Please continue on a separate sheet if necessary