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Brentwood Local Plan Examination

Proposed Main Modifications

Iceni Projects Limited on behalf of
EA Strategic Land LLP

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PROPOSED MAIN MODIFICATIONS

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1. INTRODUCTION

- 1.1 On behalf of our client, EA Strategic Land LLP, we set out below our comments on Brentwood Borough Council's proposed Main Modifications to the draft Local Plan, as set out in the documents published for consultation in September 2021.
- 1.2 These comments build upon the representations we have made to date and the matters discussed at the Examination Hearing Sessions.

2. COMMENTS ON PROPOSED MAIN MODIFICATIONS

MM4 – Policy SP02

- 2.1 We object to Policy MG01 (previously SP02) as amended by MM4, specifically the new part Aa inserted by the modification.

Housing Requirement

- 2.2 As explained in our previous representations and at the Hearing Sessions, we consider that the housing requirement should be higher than the 7,752 dwellings identified, in order to significantly boost housing supply and reflect Brentwood's strategic position in Essex, whilst also providing sufficient headroom to ensure housing needs are met.

- 2.3 In addition, whilst the policy as amended indicates that provision will be made for 7,752 net additional residential dwellings over the Plan period, the Trajectory at Appendix 1 (modified by MM114) indicates that just 7,146 dwellings will be delivered over the Plan period to 2033. This will result in a shortfall of 606 dwellings. Accordingly, we consider that the wording of part Aa of the policy as amended is incorrect and misleading in terms of the number of homes the Plan actually makes provision for. Furthermore, it is not positively prepared, as the strategy does not meet Brentwood's objectively assessed housing needs.

Stepped Housing Requirement

- 2.4 Part Aa of Policy MG01 as amended also proposes a stepped housing requirement, with 300 dpa for the first 8 years of the Plan period, stepping up to 400 dpa for the proceeding 6 years, and 984 dpa for the final 3 years. This significant back-loading reverses the position the Council adopted during Stage 1 of the Hearings that it would no longer require a stepped requirement, and that it could achieve a 456 dpa average throughout the Plan period. The re-introduction of a stepped requirement is now identified in order to assist the Council to identify a 5 year housing supply following detailed assessment of the trajectory during the Hearings, which has reduced the supply that can reasonably be estimated to come forward from identified sites, and in particular the short term supply in the early years of the Plan following adoption.
- 2.5 For the reasons set out in our previous representations, we object to the introduction of a stepped requirement, which will fail to meet the housing needs of the Borough for the initial years of the Plan, and thus perpetuate the significant affordability issues arising from a lack of supply.
- 2.6 There are suitable sites that are capable of significantly boosting the supply of housing, which have been assessed by the Council as reasonable alternatives and should thus be included as additional

allocations at this stage in order to address the significant socio-economic consequences of failing to meet housing needs in full.

Sustainability Appraisal

- 2.7 We note that the SA Addendum (September 2021) identifies 'strongly negative effects' associated with the Main Modifications that result in the Plan not meeting the full OAN, as well as the particularly low housing supply that will result in the early years of the Plan, which will result in worsening affordability. The SA suggests however that there is no alternative to this situation aside from significant delays to the adoption of the current Plan. An immediate review policy is therefore proposed to allow the current Plan to be adopted whilst ensuring the current deficiencies will be addressed following adoption. We provide further comments below on the review policy (as identified under MM10), but in terms of the general approach to the housing requirement we consider that the most appropriate action would be to include additional sites now.
- 2.8 Sites such as the land west of Thorndon Avenue have been assessed as reasonable alternatives and will support the overall spatial strategy identified in Policy MG01. We consider that such sites can be included in the Plan relatively swiftly at this stage to address the soundness issues identified.
- 2.9 We object to the assertion in Box 1.1 of the SA Addendum that West Horndon West could not deliver early in the Plan period. EASL have undertaken significant technical assessment and masterplanning work in support of the site (as detailed in our previous representations) and are ready to prepare and submit a planning application. The only constraint to the swift delivery of this site is the progress of the Local Plan. The delivery analysis undertaken by EASL indicates that first completions could be achieved in approximately 3 years from adoption of the Plan, thereby providing a significant boost to housing supply in the early years following adoption.
- 2.10 Therefore the assumption that updating the Plan at this stage would result in undue delay and not achieve a significant boost to housing delivery in the short term is not based on accurate evidence and is not justified.

Summary

- 2.11 We therefore object to the proposed modification set out in MM4, as it does not address our previous comments regarding the overall housing requirement or the stepped trajectory. We consider the policy (as amended) to be unsound, as it is not positively prepared or consistent with national policy.
- 2.12 In order to make the policy sound, in our view it is necessary to increase the housing requirement and housing supply, and remove the stepped trajectory from Policy MG01, as discussed at the Hearing Sessions. Whilst the Council considers that it would be most appropriate to deal with these deficiencies through an immediate review of the Local Plan following adoption, we consider that the soundness issues identified can and should be addressed at this stage, with sites such as land west

of Thorndon Avenue providing suitable, deliverable options to significantly boost the supply without undue delay.

MM10 – Policy MG06

- 2.13 We do not support the principle of an early review to address the soundness issues discussed in relation to MM4 above. As is evident from the Housing Trajectory (MM114), the key issue is one of early delivery, with a significant shortfall against the annualised requirement of 456 dpa in the early years of the Plan. An early review of the Plan will not remedy this issue, as it will not result in additional sites being allocated for several years, when there is the most urgent need to significantly boost the supply of housing. In our view the SA Addendum is not correct to indicate that MM10 to some extent mitigates the harm generated by the failure to meet the OAN in full, as the key issue is one of early delivery, which the review will not address. Therefore we do not consider that this strategy addresses the fundamental issues with housing delivery that we have raised, and it would not be positively prepared or justified.
- 2.14 Furthermore, given the permanence of Green Belt boundaries and the emphasis at paragraph 140 of the NPPF (2021) on Green Belt boundaries enduring beyond the Plan period, we consider it would be more appropriate to allocate additional sites now rather than postponing this to an updated version of the Plan. Green Belt boundaries will clearly need to be amended again as part of the immediate review in order to meet housing needs, and therefore the boundaries established by the current Plan would not endure for more than a few years, let alone to 2033.
- 2.15 However, notwithstanding these objections to the principle of an early review, if the Inspectors were minded to deem the Plan sound on the basis of an early review policy, we provide our comments below on the suggested wording set out at MM10, on a without-prejudice basis.

Timescales

- 2.16 With regard to the first paragraph of the proposed policy, we object to the 28 month period identified for submission of the review. Whilst we agree that any review should commence immediately following adoption, in our view 28 months is too long a period for submission of the review for examination. It is unclear why 28 months has been specified, and what assumptions this is based on. In order to be effective and ensure sites are allocated and brought forward within the first 5 years following adoption of the current Plan, it will be necessary to adopt the updated Plan as soon as practicable.
- 2.17 It is likely that housing need will continue to be high in the coming years, having regard to factors such as the movement of people out of London, the opening of the Elizabeth Line, and unmet need arising from London. Meanwhile affordability is likely to persist as a significant issue in the short term given the Plan does not meet the full OAN on an annualised basis in the early years of the Plan. It is

therefore essential that any early review takes place as soon as practicable to address these issues and ensure a strategy is identified to address the soundness issues with the adopted Plan and facilitate the adoption of a Plan that is positively prepared.

- 2.18 We consider that it would be reasonable to prepare and submit the review for examination within 2 years (24 months). We anticipate that this should provide the Council sufficient time, given that it already has a good knowledge of sites in its area and the main options have been through the SA process, which has identified reasonable alternatives. We would not anticipate the spatial strategy to differ significantly from the adopted strategy, in terms of focussing development in the most sustainable locations around the two transport corridors identified in Policy MG01.

Scope of Review

- 2.19 We support the intention to review the OAN and to undertake a full Green Belt review, with the aim of allocating additional sites to meet the full OAN for Brentwood. The delivery of housing is one of the fundamental soundness issues that has been identified throughout the examination process, and thus should be the focus of an early review.
- 2.20 We consider that in order to be effective and provide a sufficiently robust evidence base to inform plan making, the Green Belt review should not only undertake an assessment of individual parcels against the purposes of Green Belt but also consider the suitability of releasing particular sites from the Green Belt in order to meet the identified housing need. It will be necessary for clear conclusions to be set out in order to ensure the new allocations are fully justified.

Monitoring and Effectiveness

- 2.21 We are concerned that the policy as currently drafted is not sound, as it is not sufficiently clear as to what would happen in the event that the review is not prepared and submitted for examination in accordance with the timescales set out in the first paragraph of the policy.
- 2.22 We consider that text should be added to the policy to make it clear to a decision maker what would happen (in terms of weight given to adopted policies) in the event that the review was not submitted for examination by the deadline, and thereby ensure the policy is effective.
- 2.23 The Monitoring Framework set out at Appendix 3 (MM117) does not include any reference to the delivery of Policy MG06. It discusses how delivery of MG01 will be monitored and actions that will be taken should delivery drop below 80% of the housing trajectory over a 3 year period, the main action being to undertake an early review of the Plan. However, there is no discussion as to what actions should be taken if the early review identified a Policy MG06 does not take place in accordance with the timescales and scope identified, and no mechanism to monitor progress and ensure this does take place. As such, we consider that the policy is not effective.

2.24 Therefore, in order to ensure the early review as described in MG06 takes place, and thus housing supply is sufficient boosted to address the issues identified with the current Plan, in our view it is necessary to include a section within the policy which clarifies that should the requirements of the policy not be met, relevant policies for the supply of housing will be considered out of date.

2.25 This would ensure that should the immediate review not take place as expected, the housing supply issue would be addressed and additional sites could come forward to meet housing needs. We consider this to be a reasonable approach, as if the Plan is found to be sound on the basis of an immediate review policy, by implication the immediate review is necessary in order to make the Plan sound and address the housing delivery issues identified. If this immediate review was then not to take place, the policies must logically be considered out of date, and the presumption in favour of sustainable development would apply.

Summary

2.26 Notwithstanding our objection to the principle of an early review, we support the proposed scope of the early review as set out in MM10, should the Inspectors consider it appropriate to proceed on the basis of an early review. However, in order to ensure the policy is effective and sufficiently clear, we consider it necessary to update the timescales to require the review to be submitted for examination within 24 months, and for the policy to clarify that should this not take place, relevant policies for the supply of housing will be out of date.

3. SUMMARY

- 3.1 We have set out above, on behalf of EASL, our comments on the proposed Main Modifications as set out by Brentwood Borough Council in the documents published in September 2021. These build upon our previous representations and matters discussed at the Examination Hearing Sessions.
- 3.2 In particular, we discuss our outstanding concerns regarding the amendments set out in MM4, in terms of the housing requirement identified in Policy MG01, which in our view emphasises the need for additional sites to be included as allocations in this version of the Plan to address short term delivery issues. Notwithstanding, should the Inspectors be minded to support the principle of an early review policy, we have provided our comments on MM10 and in particular emphasised the need for the policy to be effective and ensure the review takes place promptly, enabling the full OAN to be met.