

SITE 011a: LAND TO THE REAR OF 10-20 ORCHARD LANE, PILGRIMS HATCH

I write in response to Brentwood Borough Council's consultation on the Strategic Growth Option Consultation Document 2015 (subsequent to Preferred Options draft Local Development Plan 2015-2030). *I wish to strongly object the proposed allocation of land to the rear of 10-20 Orchard Lane, Pilgrims Hatch (site 011a - SHLAA ref B025).*

- The draft Plan makes clear at Appendix Two that the site proposed for allocation was identified via the Council's Urban Capacity Study, which was undertaken without landowner involvement over ten years ago (2002). I understand that the site was not put forward during the 'Call for Sites' in 2009 and the landowner has not actively promoted it to the Council or even confirmed that it is available for development. As such, there is a significant risk that the proposed allocation and development of the site will not be deliverable during the Plan period, compromising the effectiveness of the Plan and the Council's ability to meet the full, objectively assessed housing needs of the Borough as required by paragraph 47 of the National Planning Policy Framework (NPPF). The proposed allocation of the site is therefore unsound and should be deleted from the Plan.
- I am also concerned that the site is not suitable for development given that it is directly adjacent to and includes land and buildings within the curtilage of Hulletts Farm house, a medieval building which is believed to date from the fifteenth century and is Grade II listed. The gardens, paddocks and farm buildings associated with the farmhouse all provide an important contribution towards the setting of the listed building, which would be substantially harmed by the development of the site. Indeed, the farm buildings themselves must be curtilage listed and are in themselves important heritage assets which should be protected. Development of the site as envisaged by the draft Plan would be likely to result in their total loss. This, together with the substantial harm that would be caused to the setting of the farm house, would contravene the guidance of the NPPF.
- The SHLAA draft plan Appendix 4, Potential Brownfield Sites, Site Reference B025 page 61, states that the dwelling capacity would be 12 dwellings. However, on the Brentwood Local Plan Extract Policies for Pilgrims Hatch Policy D23 Housing Land Allocations Major sites it states: Land at rear of 10-20 Orchard Lane Pilgrims Hatch (011) - 19 dwellings. The proposed allocation of the site is therefore inconsistent and should be deleted from the Plan.

- There has been no assessment of the impact of the proposed allocation on the significance of these important heritage assets and no such justification or exceptional circumstances have been demonstrated by the Council in promoting its preferred option. As such, and given the availability of other sites in the Borough that are not subject to such constraints, I strongly believe that the proposed allocation of the site is unsound on this basis. The existing dwellings (10-20 Orchard Lane) to the south of Hulletts Farm house were designed to protect its setting by inserting the paddock as a buffer to the listed house - this can be confirmed by the current residents of those properties. Properties from 22-24 Orchard Lane have much longer gardens but they are not immediately buffering up to or looking over Hulletts Farmhouse. The paddock in front has always been either farmed (housing either cattle or horses), or mown on a weekly/bi weekly basis, along with all the hedges, and thus kept in an extremely tidy & picturesque way, just as a garden would. This paddock was obviously part of the allowance made by the local planning offices in the late 1950's to protect the listed building and its curtilage, whilst the policy might have been modified, the principle need to protect listed buildings remains intact. Therefore, any proposed development of this site is unsound and should be deleted from the plan.

- I have further concerns about the ability to provide an access to the site that would be safe and not lead to further harm to the listed buildings. The draft Plan does not explain how access to the site may be achieved, despite concerns raised about the constraints of the site in this respect in the Council's own Strategic Housing Land Availability Assessment (SHLAA - published 2011). Indeed, the SHLAA should not have suggested that the land is suitable for development without demonstrating how this constraint could be overcome. I would highlight in particular that:
 - Visibility at the existing access to Hulletts Lane is extremely poor and this was highlighted in the development plan as a possible reason for this option not being achievable. These concerns are extremely valid as the sightline towards Ongar from Brentwood is extremely restrictive.
 - Even if adequate access from the existing public highway could be obtained, it would appear likely that an extension to the adopted highway would be required through the site to enable the development of the paddock land to the south of the farm house. This would require either the demolition of curtilage listed buildings or the construction of a new roadway through the garden of the farmhouse which is only a matter of feet, leading to further harm to the setting and significance of the heritage asset. Neither the SHLAA or the draft Plan provide any details of how this constraint may be overcome and I would suggest that the Council's proposed allocation of the site will remain unsound unless robust evidence is provided in this respect.

- I would also like to highlight that the Council's SHLAA, which assesses the suitability of the site and helps to underpin the decision to propose its allocation for development, wrongly classifies it as 'Brownfield land'. The farm buildings and paddocks were until recently used for livestock farming - indeed the current owner's [REDACTED] was a drover at Chelmsford Market in his working days so derived his living from agriculture. He also bought, fattened up and sold his own cattle so the buildings lawful use remains agricultural. The NPPF clarifies that land that is or has been occupied by agricultural buildings is specifically excluded from the definition of previously developed land (page 55). Private residential gardens are also excluded from the same classification. The whole of the site is therefore Greenfield land that makes a significant contribution to the character and history of Pilgrims Hatch. The NPPF encourages the development and effective use of Brownfield land (para's 17 and 111) but this advice should not apply to this site, which should be protected from development wherever possible.
- I have personally viewed all proposed sites in Pilgrims Hatch, Warley, Shenfield, Hutton & Brentwood with a view to their impact on the locality, loss/gain of amenities and loss/gain to local residents. Some sites are infill's on scrub land from previous developments, and therefore sensible use of unused land. Others sites are on Council owned garage blocks, and there again, a sensible use of unused land, bearing in mind when those Council Garages were built, cars were much smaller. These sites will also tidy up and improve run down areas where illegal activities, ie drug dealing, regularly occur. Given the availability of these other sites in the Borough that are not subject to such constraints as Listed Buildings, I strongly believe that the proposed allocation of the site is unsound on this basis.
- The SHLAA draft plan Appendix 4, Potential Brownfield Sites, Site Reference B025 page 61, states that the current use is "Barns/Storage". The barns at Hulletts Farm are not used for storage, apart from the current owners' private usage. There is no such business usage of these buildings. The proposed definition of this site is therefore incorrect and should be deleted from the Plan.
- I am told by 2 neighbours, who have lived here since #10-20 Orchard Lane were built in 1959, that there was a covenant put in place by the previous own, Mr Osborne. This covenant was on the paddocks/fields/buildings of Hulletts Farm and clearly stated that no development of the land, buildings or house could occur for 100 years.

- I have seen bats in the immediate vicinity of the slated roof "L" shaped barn at night time and would draw your attention to this matter - any development would impact on the habitat of this protected species.
- The impact of such a development with regards to the loss amenity to the Orchard Lane & Hulletts Lane residents would be devastating.

With all these points raised, this site is deemed to be "unsound" - please reject.