

Report to Brentwood Borough Council

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Inspectors appointed by the Secretary of State

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Section 20

Report on the Examination of the Brentwood Borough Local Plan

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Abbreviations used in this report

dpa	Dwellings per annum
dph	Dwellings per hectare
Framework	National Planning Policy Framework
GTAA	Gypsy, Traveller and Travelling showpeople Accommodation Assessment
Ha	hectares
HELAA	Housing and Economic Land Availability Assessment
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
MM	Main modification
PPG	Planning Policy Guidance
PPTS	Planning Policy for Traveller Sites
RAMS	Recreational Disturbance Avoidance and Mitigation Strategies
SA	Sustainability appraisal
SoCG	Statement of common ground
sqm	square metres

Non-Technical Summary

This report concludes that the Brentwood Local Plan Pre-Submission Document and the Addendum of Focussed Changes to the Pre-Submission Local Plan, which together form the Plan, provide an appropriate basis for the planning of the Borough of Brentwood, provided that a number of main modifications [MMs] are made to it. Brentwood Borough Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearing sessions, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a six-week period. In some cases we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the SA and HRA and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Clarifying which existing development plan policies are superseded;
- Clarifying which policies are strategic;
- Merging policies to clearly set out the spatial strategy;
- Inserting new policies on the settlement hierarchy and the need for an immediate Plan update;
- Amending the stepped housing requirement;
- Deleting, merging and amending development management policies including on Green Belt, heritage, transport and design;
- Amending the site allocation policies to remove ambiguity and clarify development requirements;
- Updating the housing supply figures and housing trajectory to reflect the evidence;
- Deleting housing allocations that have gained planning permission;
- Amending the gypsy and traveller policies;
- Replacing the monitoring framework; and
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Brentwood Local Plan Pre-Submission Document and the Addendum of Focussed Changes to the Pre-Submission Local Plan (which together form 'the Plan') in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 (paragraph 35) (the Framework) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound and legally compliant plan. The Brentwood Local Plan Pre-Submission Document and the Addendum of Focussed Changes to the Pre-Submission Local Plan, both submitted in February 2020, form the basis for our examination. The former was published for consultation in February 2019. The latter document sets out five focussed changes to five site allocation policies, and consequential changes to the rest of the Plan, and was published for consultation in October 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearing sessions, the Council prepared a schedule of proposed MMs and carried out SA and HRA of them. The MM schedule was subject to public consultation for six weeks. We have taken account of the consultation responses in coming to our conclusions in this report and in this light we have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA/HRA that has been

undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Proposed Changes to Policies Map as set out in document A8.
6. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map.
7. These further changes to the policies map were published for consultation alongside the MMs as Proposed Changes to the Submitted Policies Map.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Proposed Changes to Policies Map and the further changes published alongside the MMs in the Proposed Changes to the Submitted Policies Map.

Context of the Plan

9. The Brentwood Local Plan Pre-Submission Document and the Addendum of Focussed Changes to the Pre-Submission Local Plan, are together proposed to replace the saved policies of the Brentwood Replacement Local Plan (2005). Along with other relevant development plan documents, including the Essex and Southend on Sea Waste Local Plan and the Essex Minerals Local Plan, it will form the development plan for Brentwood Borough. Whilst reference is made in the Plan to the emerging South Essex Joint Strategic Plan, this is at a very early stage of production, and therefore has had no influence on the Plan submitted for examination.

10. The Borough is approximately 20 miles north-east of central London and has a resident population of around 75,600. At the heart of the Borough lies the market town of Brentwood and its wider urban area. This is surrounded by countryside and a number of villages. There are two key transport corridors running through the Borough, offering access to London and surrounding areas by means of road and rail.
11. All of the Borough's countryside is set within the Metropolitan Green Belt of London. In addition the Thames Chase Community Forest Area covers the south and south-western part of the Borough. There are a range of other natural and built assets including country parks, local wildlife sites, conservation areas and listed buildings.

Public Sector Equality Duty

12. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including the Equalities Impact Assessment of the Plan and specific policy matters such as the provision of gypsy and traveller sites to meet need and accessible and adaptable housing.

Assessment of Duty to Co-operate

13. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
14. The Duty to Co-operate Statement dated February 2019 and additional evidence submitted during the examination, sets out the various steps the Council has taken to co-operate with neighbouring authorities, prescribed bodies and other public organisations, at key stages in the preparation of the Plan. Several cross-boundary strategic planning issues have been identified and considered during the Plan preparation process, including housing, Green Belt, flooding, green and blue infrastructure, education, health and wellbeing, and transport and travel.
15. The positive engagement undertaken by the Council is documented in detail in the above statement and other documents, including the agreed statements of common ground (SoCG). These demonstrate the significant number of collaborative meetings and amount of joint working that has taken place between the Council and relevant bodies, since the start of the plan making process.

16. Existing joint working arrangements with neighbouring and nearby local authorities include the Essex Planning Officers Association, the Co-operation for Sustainable Development Group, the A127 Corridor Economic Task Force and the Association of South Essex Local Authorities.
17. Discussions with neighbouring authorities have also included the issue of whether any of their housing need should be taken account of in setting the housing requirement for Brentwood, but none has been highlighted to the Council. Basildon Borough Council has not asked the Council to accommodate any of its housing need in this Plan, and this was confirmed through the SoCG and at the hearing sessions. There is no compelling evidence that needs from any other neighbouring authority should be met in Brentwood. Similarly, the Council is not seeking to meet its own needs in neighbouring authorities.
18. Whilst there have been disagreements between the Council and neighbouring Thurrock Borough Council over the implications of growth in the West Horndon area and the proposed new settlement at Dunton Hills, we are nevertheless satisfied that the Council has made considerable efforts to engage actively and constructively with Thurrock Borough Council on this issue, in preparing the Plan.
19. The evidence also demonstrates there has been ongoing close working and co-operation with prescribed bodies such as the Highways Authority, National Highways, Transport for London, Natural England, the Environment Agency, and Historic England, particularly on strategic infrastructure matters that are considered necessary to deliver the Plan. In addition, the Council has co-operated with a number of other public bodies, including Sport England, Network Rail and rail operators, Crossrail and water utility providers, as demonstrated in the evidence.
20. We have carefully considered all relevant evidence presented both in writing and orally at the hearing sessions on the duty to co-operate. When viewed in the context of what has been realistic and achievable, we consider the engagement and cooperation that has taken place has maximised effectiveness in the preparation of the Plan. Overall, therefore, the evidence illustrates that the Council has made considerable efforts to engage with all relevant organisations and prescribed bodies throughout the Plan's preparation.
21. We are therefore satisfied that, where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has been met.

Assessment of Other Aspects of Legal Compliance

Sustainability appraisal

22. The Council has carried out detailed SA of the Plan through its various stages of preparation. Interim versions of the SA were published in 2009, 2013 and 2015 alongside early versions of the Plan. This was followed by the SA Report in January 2019 and an Addendum in October 2019 which appraised the submitted Plan including the Focussed Changes. A further Addendum was published in September 2021 which appraised the MMs and updated the 2019 findings.
23. The SA identifies 12 sustainability topics for the Borough from which a range of key objectives are presented. These were established through initial scoping and have been subject to consultation with relevant bodies in accordance with the Regulations. The SA has suitably assessed the sustainability baseline for each of these topics. Taken together, the SA objectives provide a robust framework for assessing the likely effects of alternative spatial options and the policies and site allocations in the Plan, both individually and cumulatively.
24. The SA has appraised various options and reasonable alternatives. At the initial Issues and Options stage of Plan preparation this included the assessment of four growth options for the spatial strategy: centralised, transport corridor-led, semi-dispersed and dispersed. An additional reasonable alternative focusing development primarily at Brentwood, Shenfield and West Horndon was added in 2013, as part of the Preferred Options version of the Plan. A range of 48 site options were also assessed at this stage.
25. The 2015 interim SA report assessed a number of larger scale strategic site options. Of these only Dunton Hills Garden Village and a strategic allocation at West Horndon were considered to be reasonable alternatives. The other strategic site options were appropriately ruled out for various reasons including concerns relating to site constraints and infrastructure and deliverability.
26. Seven strategic spatial options were assessed as reasonable alternatives in the 2019 SA, some of which were a combination of the other options. The preferred approach is Option 3 which is the Dunton Hills Garden Village community. The appraisal presents both positive and negative effects for this option, as is the case for all the other reasonable alternatives. On the whole, Option 3 performs well against the majority of the SA objectives. This option, in addition to the sites that were assessed as 'constants' across all the reasonable alternatives, forms the preferred spatial strategy.

27. Overall, the SA demonstrates that generally, the proposals in the Plan perform similar to, or better than, the reasonable alternatives considered, when assessed against the SA objectives. Whilst we acknowledge the different views about the accuracy or consistency of the scoring undertaken for individual sites, this is inevitably a matter of planning judgement and does not undermine the SA process.
28. The SA has been an integral part of the Plan's preparation, ensuring that the likely social, economic and environmental effects of the policies and proposals within it have been identified, described, appraised and communicated. Overall, it demonstrates that the implementation of the policies and proposals contained in the Plan, will result predominantly in positive effects on the SA objectives, particularly with regards to such factors as meeting housing and economic needs, promoting sustainable living, improving health and wellbeing and supporting sustainable modes of transport.
29. Whilst some negative effects have been identified, the process of appraisal has ensured that appropriate mitigation is included in the Plan's policies, in terms of both site allocations and general development management policies, to avoid or minimise such effects.
30. Furthermore, the 2021 SA Addendum concludes that, in respect of the Plan as a whole, having accounted for the potential MMs, the findings are broadly similar to the 2019 SA and Addendum, for most of the strategic objectives. Whilst the conclusions do differ in relation to housing and landscape, with the former worsening and the latter improving, this does not significantly affect the overall SA findings.
31. Overall, the SA has adequately considered reasonable alternatives and is suitably comprehensive and legally compliant.

Habitats Regulations Assessment

32. The HRA of the Plan, which comprises reports dated January 2019 and October 2019, along with the September 2021 HRA report on the MMs, present the results of the screening and appropriate assessment stages of the HRA process. Whilst no European sites lie within the Borough, at the screening stage it was considered that some policies, when considered in combination, had the potential to result in likely significant effects on European sites relatively close to the Borough and which now form part of the national site network. Three impact pathways were subjected to appropriate assessment, comprising recreational pressure and water quality on the Essex Coast European sites and atmospheric pollution on the Epping Forest Special Area of Conservation.
33. All identified impacts and any measures necessary to avoid or reduce those impacts have been considered within the appropriate

assessment. This includes reference to the preparation of two Recreational Disturbance Avoidance and Mitigation Strategies (RAMS), one for the Essex Coast European sites and another for the Epping Forest Special Area of Conservation. These RAMS aim to deliver the mitigation necessary to avoid significant adverse effects from 'in-combination' impacts of new residential development.

34. At the time of the Plan's submission for examination the Essex Coastal RAMS was still in the process of being prepared by the Essex local planning authorities, in partnership with the County Council and Natural England. Since submission, the Essex Coastal RAMS has been completed and adopted by the Council as a Supplementary Planning Document (2020). The Epping Forest RAMS is currently still being prepared. Only small parts of Brentwood Borough lie within the Essex Coastal Zone of Influence and the Epping Forest RAMS Zone of Influence.
35. Policy NE02 within the Plan seeks to ensure that relevant development schemes contribute to the necessary RAMS mitigation measures. It is necessary to update this policy to reflect the adopted Essex Coast RAMS. We consider this and the consistency and effectiveness of the policy, in combination with Policy NE01, later in our report under main issue 10.
36. Focussing on the legal requirement at this stage, the HRA reports conclude, overall, that the Plan provides sufficient policy framework to ensure that there will be no adverse effects on the integrity of European protected sites, either alone or in-combination with other plans or projects. We are therefore satisfied that the legal requirement to undertake an appropriate assessment in accordance with the Habitats Regulations has been met.

Other legal requirements

37. The Plan has generally been prepared in accordance with the Council's Local Development Scheme.
38. Consultation on the Plan and the MMs was carried out in compliance with the Brentwood Borough Statement of Community Involvement 2018.
39. The Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
40. The Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area

contribute to the mitigation of, and adaptation to, climate change. Specific policies on matters including carbon reduction, renewable energy, water efficiency, managing heat risk and sustainable drainage aim to achieve this. We consider these policies later in our report under issue 10.

41. The Council has confirmed that the Plan will supersede existing development plan documents. Therefore, to comply with Regulation 8 (5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 it is necessary to make it clear within the Plan which plans and policies will be superseded on adoption. Council document F19 provides a list of the plans and policies to be superseded. This was made public prior to the first hearing session and discussed during the examination. As this is a legal requirement it is necessary for us to add this list as an appendix to the Plan. This is achieved through the addition of new **MM119** to the schedule of MMs. This addition does not undermine the participatory process.
42. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

43. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, we have identified 10 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Whether the Plan’s vision, strategic objectives and spatial strategy provide a positive and soundly based framework for the delivery of sustainable development in Brentwood Borough that is justified and consistent with national policy. Whether the Plan period is consistent with national policy or otherwise justified.

Vision, aims and objectives

44. Chapter 3 of the Plan sets out a vision for Brentwood Borough for the end of the Plan period in 2033. This seeks to capitalise on the Borough’s distinctive environmental and village character and good connectivity, to provide for new economic opportunities and a

desirable place in which to live and visit. Overall, it presents a positive statement for the Borough from which the strategic objectives, spatial strategy and policies within the rest of the Plan flow.

45. Following this the Chapter sets out a wide range of different driving factors, overarching aims, strategic objectives and spatial development principles. These are rather fragmented and repetitious in places and it is not clear how they all relate to and have informed the Plan's priorities and overall spatial strategy. Accordingly, amendments are required to simplify the Chapter and ensure it is effective, by focussing on and clearly defining the strategic aims and objectives. This includes the need to incorporate clear links to the spatial strategy and ensure there is consistency with the Plan policies that follow. Other ineffective text is to be deleted. This is achieved by **MM2** which is necessary for effectiveness and to ensure the Plan is positively prepared and justified.
46. The Plan also includes an additional spatial vision, strategic aims and objectives and development principles specifically for the Dunton Hills Garden Village site allocation. We consider these elements later in our report.

Spatial strategy

47. Two key growth areas for development within the Borough are defined in the Plan, as part of the strategic objectives sub-section in Chapter 3. These focus growth principally along the two main transit corridors that run through the Borough: the Central Brentwood Growth Corridor and the South Brentwood Growth Corridor. Within Chapter 4 Policy SP02 identifies that new development will be directed towards the site allocations within the Plan and highly accessible locations along transit/growth corridors. Altogether these elements form the Plan's overarching spatial strategy.
48. Focussing development within the two key transport corridors is a logical approach, providing access to sustainable forms of transport, services, facilities and employment opportunities. The Central Brentwood Growth Corridor runs north-east to south-west through the centre of the Borough along key rail and road routes and includes the main town of Brentwood and surrounding urban areas. Growth in this corridor would maximise the use of brownfield land and provide urban extensions that relate well to existing services, facilities and transport connectivity.

49. The South Brentwood Growth Corridor is focussed on a separate east-west road and rail transport route along which are existing employment sites and the settlement of West Horndon. The strategy seeks to enhance existing services and facilities by delivering supporting strategic employment and mixed use developments in this location, including a new self-sustaining garden village community. Development in areas outside these two growth area corridors is limited.
50. Overall, we are satisfied that the spatial strategy makes effective use of the Borough's assets and opportunities, aligns with the overarching strategic aims and objectives and provides a suitable framework to achieve sustainable development. Whilst site allocations and deliverability of the Plan are discussed in detail under the relevant sections elsewhere in the report, we consider that the Plan overall includes an appropriate strategy for the Borough.
51. Notwithstanding this, some changes are necessary to make the spatial strategy explicit within the Plan. Amendments to Chapter 3 are required so that it is clear that the growth areas form part of the spatial strategy and the wording is effective. Furthermore, for effectiveness and reasons of consistency, the Key Diagram needs to be modified to show these broad locations for development, as required by the Framework, and remove references to 'green wedges' which do not form part of the Plan. These changes are achieved through **MM2**.
52. In addition, Policy SP02 needs to be re-named and modified to ensure the spatial strategy is set out in a strategic policy (now proposed to be Strategic Policy MG01). This includes inserting the distribution of growth into the policy. **MM4** rectifies this so the Plan is positively prepared and effective in this regard. Other amendments to Strategic Policy SP02 are also necessary, but these are covered in other sections of this report.
53. Policy SP01 generally emulates the Framework's presumption in favour of sustainable development. However, as national policy should not be repeated in local development plans, the policy and its supporting text need to be deleted from the Plan to ensure it is consistent [**MM3**].

Settlement hierarchy

54. A settlement hierarchy is included in an introductory Chapter of the Plan. Each settlement is categorised within Figure 2.3 of the Plan

according to its character, size and the range of services and facilities on offer to determine its role in delivering sustainable growth. At our request, during the examination, the Council submitted further updated evidence to justify the settlement hierarchy. This included identifying the existing facilities and services for each settlement, such as schools, healthcare, retail provision and the availability of public transport. Based on this, the settlement hierarchy is justified.

55. However, to be effective in the decision-making process this hierarchy needs to be set out within a new policy rather than introductory text and located within a policy Chapter of the Plan. Relevant text therefore needs to be incorporated into this new policy to ensure that the settlement hierarchy is succinctly and clearly defined.
56. Furthermore, the settlement hierarchy categories in the Plan confusingly include reference to development opportunities which are either unclear or conflict with other Plan policies. Accordingly, these inconsistencies need to be removed. Other amendments to the category descriptions and supporting text are also necessary for clarity and to provide overall Plan consistency.
57. To this end, Figure 2.3 of the Plan and relevant supporting text on the settlement hierarchy are moved to Chapter 4 and amended to form a new policy (Policy MG03) as defined in **MM5**. This ensures the Plan is effective. Changes to the policies map are also required to ensure the settlement boundaries and hierarchy categories are clearly defined in map form.

Strategic and non-strategic policies

58. The Plan does not define whether policies are strategic or non-strategic. This is contrary to paragraph 21 of the Framework and therefore, in order to be effective and consistent with national policy, the Plan needs to be amended to include a list of strategic and non-strategic policies. This is achieved through **MM1** which adds appropriate wording to the introductory text of the Plan and **MM116** which adds a new appendix detailing the strategic and non-strategic policies. Other policies within the Plan are also amended to clarify when they are strategic, as set out in later MMs in our report.

Plan period

59. Paragraph 22 of the Framework confirms that strategic policies should look ahead over a minimum 15 year period from adoption. The Plan

period is from 2016 to 2033. As the earliest possible adoption of the Plan would now be 2022, the strategic policies will only look forward 11 years, which would not accord with national policy. However, to extend the Plan period would require the Council carrying out additional work, resulting in a significant delay in the adoption of the Plan. This could frustrate sites in the Plan from coming forward in a timely manner and would be contrary to the Government's objective to significantly boost the supply of housing.

60. Moreover, the existing Brentwood Replacement Local Plan 2005 only sets out provision to meet development needs up to 2011, so without this new replacement Plan there are currently limited opportunities to bring forward development to contribute to meeting identified needs. It is therefore better to get this Plan in place now and provide certainty for site delivery, rather than delay adoption to extend the Plan period.
61. Furthermore, whilst the Council is required to review its policies at least once every five years to assess whether they need updating, we discuss the need for a new policy requiring an immediate review of the Plan later in our report. The extension of the Plan period can be considered further as part of this immediate review.

Conclusion

62. In conclusion, subject to the above MMs, the Plan's vision, strategic objectives and spatial strategy provide a positive and soundly based framework for the delivery of sustainable development in Brentwood Borough that is justified and consistent with national policy. Furthermore, whilst the Plan period is not consistent with national policy we are satisfied that it is justified, for the reasons specified above.

Issue 2 – Whether the identified housing need and requirement have been positively prepared and are justified and consistent with national policy.

Housing need

63. The Framework, at paragraph 61, states that housing need 'should be informed by a local housing need assessment, conducted using the standard method in national planning guidance'. Alternative approaches should only be used in exceptional circumstances.

64. The Plan identifies the Borough's housing need as 456 dwellings per annum (dpa) for the Plan period which equates to 7,752 dwellings overall. This was based on a calculation using the 2019 version of the standard method, which was in place at the time, to which an additional supply buffer was added, to cover a potential increase to local housing need from a revised standard method which was being proposed.
65. Since submission of the Plan, the way of calculating local housing need using the standard method has been adjusted, as defined by revised national policy and guidance. The housing need calculated using this revised standard method is 452 dpa, which results in 7,684 dwellings for the Plan period, which is not materially different to the need set out in the Plan. Consequently, we consider that the Plan's figure of 456 dpa (7,752 overall) is broadly consistent with the revised approach to calculating housing need, has been positively prepared, and is justified.
66. The Planning Practice Guidance (PPG) advises that 'local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination.' As the Plan was submitted for examination on 14 February 2020, a more recent local housing need figure should be considered. However, the local housing need for the Borough, when assessed using the standard method at November 2021, equates to 459 dpa, which is only marginally higher than the Plan's identified housing need of 456 dpa. As such, although the Plan has been in examination for just over two years, the latest standard method calculation indicates that the local housing need set out in the Plan is not materially different to the most recent identified housing need figure. We are satisfied, therefore, that in this case, it can be relied upon as an appropriate calculation of housing need in the Borough.

Principle of exceptional circumstances to release Green Belt

67. Currently, approximately 89% of the Borough is within the London Metropolitan Green Belt. Paragraph 140 of the Framework states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.
68. The Council's Green Belt Study 2018 provides a comprehensive strategic assessment of the effects that potential development may have on the first four of the five purposes of the Green Belt, as

defined in paragraph 138 of the Framework. The fifth purpose, 'to assist in urban regeneration, by encouraging the recycling of derelict and other urban land', was not assessed, as the Council considered that all Green Belt land performs this purpose equally. This is a logical approach.

69. The Green Belt Study divides the Borough's Green Belt into 70 separate land parcels using existing man-made or natural physical boundaries. Whilst the size of these parcels varies quite widely, the approach used to define the boundaries is appropriate. Furthermore, the assessment criteria, to determine the contribution each parcel makes to the Green Belt purposes, both individually and overall, are reasonable. We are therefore satisfied that the Green Belt Study sets out a clear methodology and robust evaluations of the identified strategic land parcels.
70. Notwithstanding this, we requested further written evidence from the Council on demonstrating exceptional circumstances at the strategic level for the removal of land from the Green Belt. The resultant Green Belt Topic Paper 2020 explains why the Council considers it is necessary to release land from the Green Belt and explains how the Plan, and the spatial strategy within it, seeks to minimise harm to the Green Belt as far as is reasonably possible.
71. Based on the identified growth needs there is an obvious requirement to provide development land in the Borough. In accordance with paragraph 141 of the Framework, the Council has carried out a thorough assessment of urban capacity as part of the Plan process, based on evidence in the Housing and Economic Land Availability Assessment (HELAA), to determine the extent of development opportunities on non-Green Belt land. Whilst this shows the availability of a significant proportion of sites within a number of settlements, this is insufficient to deliver all the planned growth on non-Green Belt land.
72. In addition, the density of development has been optimised through the HELAA and appropriately adjusted to take account of site specific constraints. The Council has also held discussions with neighbouring authorities about accommodating need, but they are also constrained by Green Belt land. The Council has therefore examined all other reasonable options for meeting its identified need for development outside the Green Belt.

73. The delivery of new development within the Borough would contribute significantly towards meeting local housing requirements including the provision of much needed additional affordable housing. This is against a background of persistent under delivery of housing within the Borough and worsening affordability. Without the release of Green Belt land in the Borough of Brentwood, a substantial level of new dwellings would not be delivered.
74. Moreover, the spatial strategy seeks to locate the majority of development along the two main transport corridors, so most Green Belt land releases would be adjacent to existing built-up areas and transport infrastructure. Furthermore, the scale of overall development proposed would require the release of around 435 hectares of land from the Green Belt, which amounts to approximately 3% of the total Green Belt land area in the Borough. This is a relatively small reduction. Therefore, whilst the release of some land parcels would inevitably result in harm, development could be accommodated without having significant effects on the overall integrity of the Green Belt within the Borough.
75. Therefore, in the absence of reasonable alternatives, and given the benefits associated with local housing growth, we are satisfied that exceptional circumstances exist in principle to justify the release of land from the Green Belt.
76. Whilst the need for the release of land from the Green Belt has been demonstrated in principle at the strategic level, the demonstration of exceptional circumstances on a site by site basis is considered later in this report.

Housing requirement

77. Policy SP02 of the Plan identifies the housing requirement as 7,752 net new homes to be provided during the Plan period. This reflects the identified housing need and is therefore justified.
78. The requirement is set out in the policy as a stepped requirement with an annual average of 310 new homes between 2016 and 2023 and 584 new homes between 2023 and 2033. This is justified because a greater proportion of the allocated sites are proposed to be delivered later in the Plan period, particularly the strategic sites.
79. As set out later in our report, we conclude that lead-in times and delivery rates for a range of site allocations should be revised to

reflect the evidence. Consequently, this impacts on the ability of the Plan to deliver the stepped housing requirement as set out in the submitted Plan, and results in necessary amendments to Policy SP02 (now proposed to be Strategic Policy MG01) to alter the stepped requirement figures. **MM4** achieves this to ensure the policy is justified.

80. For the reasons specified, the housing requirement of 7,752 dwellings for the Plan period is sound.

Conclusion

81. We conclude that, subject to the above MMs, the identified housing need and requirement have been positively prepared and are justified and consistent with national policy.

Issue 3 – Whether the identified employment and retail development needs have been positively prepared and the employment land and retail floorspace requirements in the Plan are justified and effective.

Employment need

82. The employment need for the Borough has been assessed in the Economic Futures 2013-2033 study (January 2018). Four different scenarios have been used based on economic forecasts from Experian and the East of England Forecasting Model, the identified housing need and past historic take-up of employment floorspace. The employment forecasts used in the scenarios have taken account of the supply and demand for labour, an approach recommended by the PPG.

83. Based on the four scenarios, the Borough is forecast to require between 33,300 square metres (sqm) and 106,400 sqm of new employment floorspace. This equates to a gross employment land need of between 8.1 ha hectares (ha) and 20.3 ha over the Plan period. Overall, we are satisfied that the identified employment need has been positively prepared and is justified.

Principle of exceptional circumstances to release Green Belt land for employment use

84. As set out in issue 2, we are satisfied that the Green Belt Study sets out a clear methodology and robust evaluations of the identified

strategic land parcels. In addition the Green Belt Topic Paper explains why the Council considers it is necessary to release land from the Green Belt. The delivery of new development within the Borough would contribute significantly towards meeting economic needs offering a range of new job opportunities. Without the release of Green Belt land, a substantial level of employment floorspace would not be delivered.

85. Therefore, as set out in issue 2, given the absence of reasonable alternatives, along with the benefits associated with economic growth, we are satisfied that exceptional circumstances exist in principle to justify the release of land from the Green Belt for employment use.
86. Whilst the need for the release of land from the Green Belt has been demonstrated in principle at the strategic level, the demonstration of exceptional circumstances on a site by site basis is considered later in this report.

Employment requirement

87. In addition to the above identified need, the Plan includes proposed and forecast losses of existing employment land. This consists of 21.01 ha of existing employment land which is proposed to be allocated for alternative uses in the Plan and 4.65 ha of land which is forecast to be lost through other means such as permitted development. In total, the Plan identifies the employment land requirement as a range between 33.76 and 45.96 ha.
88. The Council has since carried out further employment land monitoring, and confirms that between 1 April 2016 and 31 March 2020, the combined loss from other means has increased from 4.65 ha to 9.3 ha. This is due to an additional loss of two employment sites. Therefore in total the employment requirement now ranges from 38.41 ha to 50.61 ha. The Plan needs updating to reflect this revised evidence.
89. Policy PC02 presents the employment requirement as 'circa 47.39 ha of new employment land', which sits within the need range. This is based on an assessment of land provision. Whilst this figure needs correcting to 46.64 ha to reflect updated survey evidence, it still sits near the top of the need range. It is justified because it ensures that lost employment sites are replaced, a sufficient range of employment opportunities are provided within the Borough to align with housing

and workforce needs and it provides sufficient flexibility to respond to any rapid changes.

90. Overall, the approach used to assess the employment need and overarching requirement is in line with the Framework and the PPG and is based on credible evidence.
91. Nevertheless, for reasons of effectiveness and to ensure the Plan is positively prepared and justified, development requirements are to be brought together in Policy SP02 to form a spatial strategy policy (proposed to be Strategic Policy MG01). The updated employment land requirement is therefore added to this policy as set out in **MM4**. This MM includes moving relevant supporting text from Policy PC02.
92. As a consequence Policy PC02 is deleted through **MM57** to remove unnecessary duplication. We have also added the total employment land loss of 9.3 ha and revised requirement range of 38.41 to 50.61 ha to the MM, to update paragraph 7.19 in the Plan. This MM also amends remaining supporting text to accord with the 2020 changes to the Use Classes Order. This modification is necessary for effectiveness.

Retail need and requirement

93. The identified need for convenience and comparison retail development has been assessed within the Brentwood Retail and Commercial Leisure Study (2014) (2014 Retail Study) and robustly updated in the 2020 Brentwood Retail Study Update: Addendum. This Addendum concludes a need for additional net convenience retail floorspace of 4,438 sqm and 1,604 sqm net of comparison retail floorspace within the Borough. This evidence forecasts that this, together with the delivery of the additional employment land, will enable the creation of at least 5,000 additional jobs during the Plan period. We are satisfied that the approach used to assess the retail need is appropriate and based on robust evidence.
94. The retail need and requirement for comparison and convenience retail floorspace in the Plan are based on the 2014 Retail Study. Whilst these are clearly set out in Policy PC07, it is necessary for the figures to be amended to reflect the updated 2020 evidence.
95. Furthermore, as set out above, for reasons of effectiveness and to ensure the Plan is positively prepared and justified, development requirements are to be brought together in a new spatial strategy policy (Policy MG01). The updated comparison and convenience retail development requirement is therefore to be removed from Policy

PC07 through **MM62** and included within Policy SP02 (proposed to be Strategic Policy MG01) as set out in **MM4**.

Conclusion

96. We conclude that, subject to the above MMs, the identified employment and retail development needs have been positively prepared and the employment land and retail floorspace requirements in the Plan are justified and effective.

Issue 4 – Whether the Plan's approach to the provision of affordable housing, Gypsy, Traveller and Travelling showpeople accommodation and the housing needs of other groups, is justified, effective and consistent with national policy.

Affordable housing

97. Part 2 of the Strategic Housing Market Assessment (SHMA) identifies a need for 107 affordable homes per annum. The definitions and method used for assessing affordable housing needs, accord with the PPG, and we are satisfied that the approach used is proportionate and robust.

98. To achieve the required need, Policy HP05 seeks 35% of dwellings to be provided as affordable housing on 'proposals of 11 or more (net) units or sites of 10 units or less which have a combined gross internal floorspace in excess of 1,000 sqm'. This is a higher percentage than the 30.6% requirement set out in the SHMA, in recognition that not all sites will deliver affordable housing, as some will not meet the thresholds. This is an appropriate response, which will assist in meeting the identified needs.

99. The required tenure mixes in the policy are based on the SHMA evidence, and the 35% requirement has been suitably tested and found to be viable. Overall, we are satisfied that the policy approach for requiring 35% affordable housing is justified. Nevertheless, to be consistent with the Framework, the requirement should apply to residential schemes of 10 or more units rather than the thresholds set out above. Furthermore, for effectiveness, clarification is needed in Part D of Policy HP05 to set out the circumstances whereby off site provision of affordable housing, or a financial contribution in lieu of on-site provision, would be acceptable. In addition, in order to be consistent with the Framework, the supporting text should be

amended to clarify when viability assessments would be acceptable at the decision making stage. All these necessary changes are set out in **MM39**.

Gypsy, traveller and travelling showpeople accommodation

Identified needs

100. The need for gypsy, traveller and travelling showpeople accommodation has been assessed through the Brentwood Borough Council Gypsy, Traveller and Travelling showpeople Accommodation Assessment (2017) (GTAA). This uses a jointly commissioned GTAA methodology prepared for the Essex local authorities and Southend-on-Sea and Thurrock Councils.
101. The GTAA identifies a need for 12 additional nomadic gypsy and traveller pitches, to be developed by 2033, for those who meet the national Planning Policy for Traveller Sites (PPTS) definition. Since the GTAA was completed, one existing gypsy and traveller pitch within the Borough has been lost, increasing the need to 13 pitches for the Plan period.
102. No needs have been identified for travelling showpeople or transit sites. However, in relation to transit sites the GTAA recommends that further work at the Essex wide level be undertaken to identify any need for future transit provision. This is a reasonable approach and the research findings can be taken into account at a future review of the Plan.
103. Additional needs for gypsies and travellers who do not meet the PPTS planning definition will be provided for through Policy HP04 which sets out criteria for the provision of specialist accommodation. We consider the specific wording of this policy later in our report. Overall, the GTAA applies a robust methodology that accords with national policy and the needs identified are justified.

Pitch supply

104. The Plan sets out at Figure 6.4 the approach that has been used to identify suitable sites to accommodate the identified gypsy and traveller accommodation needs for 13 pitches. No suitable non-Green Belt sites were identified through the Council's site assessment process and as demonstrated through the HELAA. Suitable sites in the Green Belt have therefore been assessed with the focus on the

proposed new settlement and existing unauthorised sites. The assessment has identified that 8 pitches can be provided on two existing unauthorised sites and that 5 serviced pitches can be brought forward as part of the Dunton Hills Garden Village allocation. The Council has confirmed that the two existing unauthorised sites at Oaktree Farm and Hunters Green have not formed part of the GTAA and therefore their identification as gypsy and traveller sites within the Plan is reasonable in contributing to meeting the identified pitch needs.

105. The siting of 5 pitches within the Garden Village is being considered through the ongoing site masterplanning process. This approach will ensure that the pitches are integrated within the planned new settlement to support inclusive communities, and is justified.
106. Policy HP07 clearly sets out the identified gypsy and traveller need for 13 pitches and seeks to identify how this will be met. Whilst the policy states that 5 pitches will be provided as part of the Dunton Hills Garden Village allocation, the requirement to accord with Policy HP11 is not justified or effective as this only relates to windfall sites.
107. Policy HP07 is also unclear on how the remaining 8 pitches are to be delivered as it only requires 'consideration of the regularisation of 8 pitches' on the sites set out in Policy HP08. Whilst Policy HP08 lists the two unauthorised sites at Oaktree Farm and Hunters Green it does not allocate them. Instead it supports planning applications for Gypsy and Traveller accommodation on the identified sites.
108. The Plan confirms that these sites would remain within the Green Belt. Accordingly, any future planning applications for gypsy and traveller accommodation on these sites would amount to inappropriate development which would require the demonstration of very special circumstances. This policy approach and resultant uncertainty in provision is inconsistent with national policy and the Plan is neither positively prepared nor effective in this regard. Moreover, it is at odds with the Plan's approach to other forms of residential development where sites are proposed to be allocated and removed from the Green Belt.
109. These soundness issues are rectified through **MM41** which merges Policies HP07 and HP08 to form one cohesive policy (Policy HP07) that allocates the three gypsy and traveller sites within the Plan and removes them from the Green Belt. In this regard we are satisfied that exceptional circumstances have been demonstrated for the reasons set out above, namely, the lack of any suitable alternatives on non-Green Belt land to meet identified need. The MM also makes consequential amendments to the supporting text for reasons of

consistency and effectiveness. Changes to the policies map are required to show the sites are removed from the Green Belt.

110. Subject to these modifications, we are satisfied that the Plan's approach for the provision of gypsy and traveller accommodation for the Plan period is justified by robust evidence and meets the identified needs. The provision of 8 pitches on existing sites also clearly demonstrates that there is a five year supply of deliverable sites.

Development management policies

111. Policy HP09 seeks to safeguard 15 existing temporary and permanent permitted gypsy and traveller sites from alternative uses. The Council has confirmed that these sites all lie within the Green Belt and are proposed to remain as such within the Plan.
112. National policy clearly states that traveller sites in the Green Belt are inappropriate development and should not be approved except in very special circumstances. Accordingly, any further planning applications for gypsy and traveller related development within these sites, including applications for permanent use of temporary sites, would have to be considered against Green Belt policy. This is despite the policy actively supporting permanent use of permitted temporary sites, subject to occupants meeting the PPTS definition.
113. Overall, the retention of existing gypsy and traveller sites within the Green Belt undermines the effectiveness of the policy and the Plan is not consistent with national policy in this respect. **MM42** rectifies this by amending Policy HP09 to state that the sites are removed from the Green Belt. Moreover, changes to the policies map are necessary to clearly show the inseting of these sites in the Green Belt. In this regard we are satisfied that exceptional circumstances have been demonstrated.
114. Policy HP10 provides a list of criteria to be met when considering proposals for the sub-division of authorised gypsy and traveller pitches and travelling showpeople plots.
115. Criterion A c of the policy requires that the sub-division of sites does not result in 'more than 10 pitches on a site'. Criterion B includes requiring need for any additional provision to be demonstrated. The PPTS requires that criteria based policies should be fair and effective in facilitating the traditional and nomadic life of travellers while

respecting the interests of the settled community. The available evidence does not demonstrate why sites should be restricted to 10 pitches, nor why need must be demonstrated to sub-divide existing pitches or plots. Furthermore, the policy contains other criteria against which the impact and scale of any proposals within the site would be clearly considered. For these reasons, and given the lack of evidence, the criteria relating to a 10 pitch limit and need are not justified, effective or consistent with national policy and must be deleted from the policy.

116. If additional sites within the Green Belt came forward during the Plan period, the sub-division of these plots and pitches would need to be considered against Green Belt policy. This needs to be clarified within the policy for reasons of effectiveness and consistency with national policy.

117. For the reasons stated above, **MM43** makes necessary changes to both Policy HP10 and relevant supporting text. We have also corrected the wording of the MM to ensure that paragraph 6.77 of the Plan refers to the PPTS.

118. Policy HP11 provides a list of criteria to be met for gypsy, traveller and travelling showpeople development proposals on windfall sites. As gypsy and traveller sites are inappropriate development in the Green Belt, it is necessary to amend the policy so that it clearly states that such proposals will need to demonstrate very special circumstances, in accordance with the Framework. **MM44** rectifies this to ensure the policy is effective and is consistent with national policy. It also removes duplicate criteria and makes consequential changes to the supporting text for reasons of effectiveness.

Other housing needs

119. The SHMA Part 2 has assessed the housing needs of other particular groups in the community, including older people, families with children, people with disabilities, people wishing to build their own homes, and people in the private rented sector. This comprehensive evidence base is in line with national policy and guidance and therefore other housing needs have been robustly assessed. These needs are to be provided for through various site allocation policies and development management policies, as discussed under issues 6 and 7 below.

Conclusion

120. We conclude that, subject to the above MMs, the Plan's approach to the provision of affordable housing, gypsy, traveller and travelling

showpeople accommodation and the housing needs of other groups, is justified, effective and consistent with national policy.

Issue 5 – Whether the housing, employment and mixed use development site allocations are justified, effective and consistent with national policy.

Site assessment process

121. The methodology and assessment criteria used to assist the selection of potential housing and employment sites for inclusion in the Plan, is summarised within the Council's Site Selection Methodology and Summary of Outcomes document.
122. Identified sites were initially assessed through the 2010 Employment Land Review and 2011 Strategic Housing Land Availability Assessment. Following 'Call for Sites' between 2015 and 2017 these initial assessments were updated and superseded by the 2018 HELAA. This process has provided adequate opportunities for submitting sites for assessment alongside consultation during the Plan's preparation.
123. In accordance with the PPG, sites in the HELAA have been assessed against a number of reasonable criteria to establish site suitability, availability and achievability for development. Following this the findings of the Green Belt Study 2018 and SA assisted the selection of sequentially preferable sites.
124. The Green Belt Study provides a comprehensive strategic assessment of the effects that potential development may have on the first four of the five purposes of the Green Belt, as defined in paragraph 138 of the Framework. The fifth purpose, 'to assist in urban regeneration, by encouraging the recycling of derelict and other urban land', was not assessed, as the Council considered that all Green Belt land performs this purpose equally. This is a logical approach.
125. The Green Belt Study divides the Borough's Green Belt into 70 separate land parcels using existing man-made or natural physical boundaries. Whilst the size of these parcels varies quite widely, the approach used to define the boundaries is appropriate. Furthermore, the assessment criteria, to determine the contribution each parcel makes to the Green Belt purposes, both individually and overall, are reasonable. We are therefore satisfied that the Green Belt Study sets

out a clear methodology and robust evaluations of the identified strategic land parcels.

126. Overall, we are satisfied that the Council's approach to site assessment and selection is appropriate and is justified. All allocated sites are considered in further detail below, including those which are proposed for removal from the Green Belt.

General site allocation matters

127. The Plan, in Chapter 9, proposes a number of site allocations. The Chapter sets out introductory text which identifies that each allocation policy provides the key site requirements against which proposals would be considered. As any proposals will also be considered against other relevant Plan policies, this needs to be made explicit. The introductory text also lists the sites as either housing or employment allocations, when in fact most are residential-led or mixed-use. **MM83** amends this introductory text to provide consistency and ensure the Plan is effective.
128. Appendix 2 in the Plan shows in map form each proposed site allocation and provides additional details including delivery forecasts. Appendix 4 lists some proposed changes to the adopted policies map. Appendix 5 shows maps of two gypsy and traveller sites. These duplicate other parts of the Plan or the policies map and in most cases now require updating to reflect amended boundaries and delivery timescales, as set out elsewhere in this report. These appendices are therefore unnecessary and their deletion provides clarity and ensures Plan effectiveness. **MM115** and **MM118** achieve this.
129. The site allocation policies all specify that development proposals 'should consider' the criteria identified for that site. This includes the amount and type of development proposed, development principles and infrastructure requirements. This does not provide sufficient clarity for a decision-maker when considering how to react to development proposals, as required by paragraph 16 of the Framework. Accordingly, each site allocation policy is amended so that the development requirements are succinctly and unambiguously set out. These necessary changes are incorporated into each site allocation policy MM, as specified below, to ensure the Plan is consistent with national policy and is effective.

130. In terms of determining the site capacities for each allocation, the Council has based this on evidence in the HELAA, and where relevant has revised these to take account of any additional site constraints or local characteristics. The Council has generally used higher development densities in urban areas and lower densities on greenfield sites. The former optimises use of previously developed land, whilst the latter generally reflects the characteristics of the locality.
131. The identification of 'around' housing figures for the capacity of each relevant site allocation allows for an appropriate degree of flexibility in provision. Furthermore, it does not prevent higher density development from being brought forward if this conforms with other policies in the Plan as a whole. The approach to site capacity within the Plan is therefore justified.
132. Estimated housing delivery rates for all relevant sites are contained in the housing trajectory in Appendix 1 of the Plan. The rates used have been based on local evidence of historic delivery rates and on information provided by infrastructure providers, developers and site promoters. However, having considered the available evidence, including the SoCG and hearing statements, we consider that, for a number of the sites, particularly the larger ones, the lead-in times are likely to be greater and annual delivery rates lower, than set out in the Plan. Indeed, the housing trajectory shows delivery of some of the site allocations from 2020/21, but as this is now not possible, the delivery rates need amending. Where relevant, this is discussed further below for each site.
133. We appreciate that highway and other transport-related concerns have been raised about several sites. We consider specific details for relevant individual sites below, and provide an overall conclusion on the provision of transport and other infrastructure later in this report.
134. Many of the proposed sites are located within a Critical Drainage Area, as assessed through the Borough's Strategic Flood Risk Assessment and Surface Water Management Plan. It is therefore key that development proposals, particularly those in Critical Drainage Areas, minimise and mitigate surface water runoff in accordance with Policy BE08 on sustainable drainage (now proposed to be BE05). However, the relevant site allocation policies do not succinctly set this out. To rectify this, amendments are incorporated into each relevant site allocation policy MM, as specified below, for reasons of effectiveness.

135. As identified earlier in our report, land is proposed to be released from the Green Belt to accommodate planned growth. During the examination we requested further written evidence from the Council on site specific exceptional circumstances to demonstrate whether the release of proposed allocation sites from the Green Belt was justified.
136. The subsequent document includes a summary of each relevant site's contribution to the Green Belt purposes and identifies the extent to which the impacts on these purposes 'may be ameliorated or reduced to the lowest reasonably practicable extent'. It also identifies other factors, where relevant, including the level of accessibility to everyday services and facilities, the extent of physical and visual site containment, a comparison of local character, and an assessment of site boundary defensibility.
137. In most instances the Green Belt boundary follows the site allocation boundaries precisely. However, in some instances this approach would result in small areas of isolated Green Belt land remaining. In these cases the approach taken is to set new boundaries along distinguishable and permanent features in the landscape, such as a road or field boundary. This is to ensure that boundaries are 'defensible' against future alterations. We find these modest boundary alterations to be logical and appropriate and determine that exceptional circumstances have been demonstrated in this regard.
138. We consider specific details for relevant sites below, in order to determine whether exceptional circumstances have been demonstrated and the amended Green Belt boundary overall is therefore justified.

Strategic Residential-Led Site Allocations

139. The Plan allocates four strategic housing-led sites within the Borough.

Policies R01 (I), (II) and (III) Dunton Hills Garden Village

140. The Plan provides a specific spatial vision, strategic aims and objectives and development principles for the Dunton Hills Garden Village allocation. These flow from the overall provisions in the Plan and are justified.

141. Policy R01 (I) allocates approximately 259 ha of land for the creation of a new sustainable Garden Village settlement at Dunton Hills, based on Garden Community principles. The site is within the Green Belt and is located to the south-east of the Borough with West Horndon village to the west and the Boroughs of Basildon and Thurrock immediately to the east and south respectively. The site consists of fields, woodlands and a golf course.
142. The policy specifies that, for the Plan period, the development will deliver a mix of uses including at least 2,770 new homes, a gypsy and traveller site for five serviced pitches, 5.5 ha of employment land and associated infrastructure to serve and support the site. This includes the provision of a new village centre and neighbourhood hubs, healthcare, schools, sustainable transport and significant green infrastructure. Ultimately the development is proposed to deliver an additional 1,300 new homes beyond the Plan period.
143. The Green Belt Study has assessed the development as making a moderate to high contribution overall to the purposes of the Green Belt. The site is well-contained by existing transport infrastructure, being bounded by the A128 to the west, the A127 to the north and the railway line to the south. A gas mainline runs along the eastern boundary of the site creating a significant constraint, requiring a substantial undeveloped landscape buffer along this boundary. This would reinforce the eastern boundary as a permanent defensible boundary. Furthermore, the proposal seeks to deliver 50% of the site area as multi-functional green infrastructure.
144. Dunton Hills Garden Village is the largest allocation within the Plan and as such it will make a significant contribution to meeting identified housing and economic needs within Brentwood for the Plan period. As well as the designated employment land, it proposes flexible working space, along with community services and facilities within the Garden Village centre and neighbourhood hubs. In addition, the proposed mobility hub and mobility corridor will facilitate bus, walking and cycling connections within the locality, particularly to West Horndon railway station which is in relatively close proximity. This will assist in maximising the provision and utilisation of sustainable transport modes, ensure the delivery of other infrastructure that is necessary to serve and support the new neighbourhoods.
145. We acknowledge that the amount of housing development planned for this location is substantial and that concerns about the loss of

Green Belt and other impacts on the locality, including the effect on the local and strategic road networks have been raised. However, the proposal seeks to deliver a development using sustainable Garden Community principles. We consider that this and the elements highlighted above will assist in the proposal contributing towards mitigating, as far as possible, its moderate to high impact on the purposes of the Green Belt. We are therefore satisfied that exceptional circumstances exist for the site's removal from the Green Belt and that the allocation is justified.

146. We have carefully considered the anticipated timescale for the delivery of Dunton Hills Garden Village within the Plan period. The trajectory in the Plan shows housing being delivered from 2022/23, which is clearly not achievable. The site does not have planning permission, though we note that a planning application has recently been submitted to the Council, and does not meet the definition of deliverable within the Framework. As it therefore does not form part of the five year housing land supply, but is clearly developable, the delivery rates on the housing trajectory need to reflect this. This reduces the amount of housing to be delivered from the site during the Plan period from 2,770 to 1,650 dwellings. Policy R01 (I) needs to be amended to reflect this, to ensure the policy is positively prepared and justified in this regard.
147. Whilst some of the development and infrastructure requirements set out in the Policy R01 (I) are, on the whole, justified, most need amending and clarifying so that they are clearly defined and unambiguous, accord with updated infrastructure evidence, including on early years, nursery and school provision, and are consistent with other Plan policies. Additional requirements for a sustainable transport hub, a district shopping centre and local centres also need incorporating in the policy to ensure such facilities are provided as part of the development.
148. **MM84** provides these necessary changes, to ensure the Plan is consistent with national policy and is justified and effective.
149. Policy R01 (II) is a lengthy criteria-based policy, that sets out spatial design requirements for Dunton Hills Garden Village, on a range of different areas, including green and blue infrastructure, views, transport, heritage, street hierarchy and social infrastructure. A significant proportion of these requirements duplicate other policies in the Plan or national policy. Furthermore, the evidence confirms that the proposal is subject to an approved masterplan, providing

clear design and layout details. The deletion of the policy and replacement with succinct design requirements to be delivered through a masterplanning process, provides necessary clarity, justification and effectiveness and ensures the policy is consistent with national policy. This is achieved through **MM85**.

150. This MM also deletes Policy R01 (III) as it is ineffective and insufficiently precise on scheme delivery and future management of the development. Instead, criteria setting out requirements for the delivery of the scheme and the long-term stewardship of the public facilities to be provided within the development, are incorporated into Policy R01 (II). This is a justified approach and ensures the Plan is effective and consistent with national policy. **MM85** also amends the supporting text to provide consistency with these changes. We have also revised the MM to clarify that reference to public rights of way is to the network, which should be retained and enhanced. We have also removed criterion 3 relating to the timing of education provision as this is ineffective and unjustified, as confirmed by Essex County Council.

Policy R02 Land at West Horndon Industrial Estate

151. The site is a large industrial estate lying on the western side of West Horndon village, opposite the railway station. Much of the site is still in existing industrial and employment use. Policy R02 allocates the site for around 580 new homes, 2 ha of employment land and a residential care home.
152. The site comprises previously developed land and in principle its redevelopment for a residential-led scheme incorporating employment and service provision, in a location well served by public transport, accords with the Framework's objective of making the best and most effective use of brownfield land within settlements.
153. As most of the site is currently in use and unavailable and there is no planning consent in place for its redevelopment, it does not meet the Framework's definition of being deliverable, and therefore its inclusion within the five year housing land supply is not justified. Indeed, the evidence before us indicates that there is a considerable

amount of planning and site preparation work to be completed before development could commence. This will inevitably take some time, and we heard during the examination that work relating to detailed arrangements for securing access from St Marys Lane and the site's relationship with the station access, are still being considered by the relevant parties.

154. Nevertheless, we acknowledge there are short leases for existing businesses on the site that would allow the development to come forward in phases during the Plan period, and a vacant field close to the proposed access point which could be brought forward first. On the basis of the evidence, the site is clearly in a suitable location for housing development, with a reasonable prospect that it will be available and viably developed within the Plan period. As such, the evidence justifies the site being allocated as a strategic residential-led development.
155. A number of changes to Policy R02 are required for effectiveness and consistency with national policy. These include more specific policy wording on the scale and nature of care home provision and the transport infrastructure and service facility requirements that are necessary, including improvements to West Horndon railway station. Clarification is also necessary on the required employment use classes within the policy. In addition, due to the site's proximity to a Registered Park and Garden and Conservation Area, a requirement for development to conserve the significance of these designated heritage assets and their settings, needs to be added as a criterion to the policy, to ensure there is consistency with national policy. These changes are set out within **MM86**.

Policy R03 Land North of Shenfield

156. Policy R03 allocates land north of Shenfield for around 825 new homes, 2 ha of employment land, a residential care homes and around 2.1 ha for a co-located early years and childcare nursery. The proposed mix of development is reasonable for this strategic site, including the provision of employment land, though the policy should refer to 'around 2 ha and clarify what forms of employment uses are acceptable.
157. The Green Belt Study has assessed the site as making a moderate contribution overall to the purposes of the Green Belt. The site is well

contained on all sides by existing main transport infrastructure which forms strong defensible boundaries and severs the site from the countryside beyond. Existing urban development lies to the south and south-east of the site, and residential ribbon development runs along Chelmsford Road to the west.

158. The site is a key gateway location and provides a logical extension of the built up area of Shenfield, close to existing facilities including schools, shops and the Shenfield railway station which now incorporates the Elizabeth Line. The policy seeks to bring development forward through a comprehensive masterplan, and to enhance sustainable transport connections to local services and the wider area. Furthermore, landscaping and buffers are required along relevant boundaries and new green infrastructure and open space incorporated into the design, which would contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances exist for the site's removal from the Green Belt and that the allocation is justified.
159. We have carefully considered the anticipated timescale for the delivery of the site within the Plan period. It is clear from the SoCG that the site is able to move forward fairly quickly and we are satisfied that it can accommodate the development proposed and can be fully developed in the Plan period. Furthermore, based on the SoCG there is a realistic prospect that some housing will be delivered on the site within five years. However we consider the delivery rates per year as identified in the Plan, are overly optimistic and need to be reduced, to reflect more realistic rates. This needs to be amended in the policy supporting text and the housing trajectory.
160. A number of other changes to the text of Policy R03 are also required for effectiveness. These include clarifying the requirement for off-site infrastructure improvements and ensuring an appropriate level of playing field provision is incorporated within the site.
161. The site boundaries include existing ribbon development on Chelmsford Road. It is therefore necessary for the policy to require that the design of the development has a functional relationship with this existing development and make it clear that the policy does not apply to these properties.
162. All of the above changes to Policy R03 and its supporting text are set out in **MM87**, which are necessary for effectiveness and to ensure the Plan is justified and consistent with national policy.

Policy R04 and R05 Ford Headquarters and Council Depot Warley

163. This is one policy which proposes two adjacent sites as one allocation. To remove any confusion it should be set out as one policy allocation, Policy R04. Both sites lie within the urban area of Warley, adjacent to the Green Belt. The allocation includes the conversion of the former Ford office building and the redevelopment of land adjacent to it and an existing Council depot. The office building has deemed consent and conversion works are underway. This part of the site allocation has therefore now become a housing commitment. As such, it is necessary to reduce the expected provision from the remainder of the allocation to around 133 dwellings.

164. As well as housing, the policy allocates a residential care home and 2 ha of employment land within the site. Whilst these provisions are justified, the policy needs to revise the use classes specified and clarify that other specialist accommodation to meet identified need could also be provided instead of a care home. There is also a need for the policy wording and the supporting text to require high quality design and to conserve the significance of the nearby listed buildings and their settings. These elements are set out in **MM88** and are necessary for consistency with national policy and effectiveness.

165. A scheme to bring the remaining part of the site forward is currently being progressed and is anticipated to commence in 2022/23. The site is available now, offers a suitable location for housing and is clearly deliverable as the site overall is currently under construction. The allocation positively re-uses an existing brownfield site, which is consistent with the Framework. The site allocation is therefore justified.

Housing allocations: Brentwood Town

166. The Plan allocates seven housing allocations within Brentwood Town.

Policy R06 Land off Nags Head Lane

167. This policy allocates land to the west of the Brentwood Town urban area for around 125 new homes. The site is located in the Green Belt and the Plan seeks to remove it from this designation. It is well contained by existing commercial and residential development to the north and east, the railway line to the south and Nags Head Lane to the west. This level of containment would, altogether, provide a new

strong defensible Green Belt boundary. Furthermore, the site proposes landscape buffers and public open space. This, together with its topography and close proximity to existing urban development, would contribute to mitigating the moderate impact of the development on the purposes of the Green Belt overall. We are therefore satisfied that exceptional circumstances exist for the site's removal from the Green Belt and that the allocation is justified.

168. Whilst the amount of development to be provided on the site, the development principles and infrastructure requirements are justified by the evidence, amendments are necessary so that the development requirements are succinctly and unambiguously set out and references made to other Plan policies are updated. A further criterion, requiring development to conserve the nearby Grade II listed public house and its setting, is required to provide consistency with national policy. The site is deliverable from 2022/23 rather than the 2021/22 period referenced in the supporting text so this requires updating. **MM89** is necessary for these reasons and to make the policy wording effective and justified. In addition, consequential changes are made to the supporting text for clarity and consistency.

Policies R10, R11, R13 and R14 Brentwood car parks

169. These sites comprise four existing surface level car parks, one in the control of Transport for London at Brentwood railway station and three within the ownership of the Council, at Westbury Road, Chatham Way and William Hunter Way. All four policies allocate the car parks for housing with Policy R14 also including some retail provision as well. Confusingly all the policies also require that current levels of Town Centre public parking spaces are maintained. In response to our questions on this and our request for further evidence, the Council produced further evidence in the form of Examination Notes, which set out the Council's approach to the sites.
170. Policy R10 allocates land at the Brentwood railway station car park, for around 100 new homes. It is a long and relatively thin site, bounded by the railway line to the south, residential development to the north and Warley Hill (B186) to the east, with the railway station beyond.
171. The density of the site is low, when compared to the capacity of the site, as assessed through the HELAA. The evidence indicates that around 200 new homes could easily be accommodated on the site, with the remainder of the site still sufficient for long term car parking

needs. This would maximise the use of previously developed land in a town centre location that is well served by public transport, in accordance with the Framework. This needs amending in the policy.

172. Other changes are required to ensure parking on the site is sufficient to meet existing and future rail traveller needs and to clarify the infrastructure contributions. These changes are rectified through **MM93** to ensure the policy is consistent with national policy, justified and effective. The site boundary also requires slight adjustments on the policies map, to ensure it includes all available land for development, that is not required for car parking purposes.
173. The Westbury Road, Chatham Way and William Hunter Way sites (Policies R11, R13 and R14), all offer opportunities to provide new homes on previously developed land within the town. However, as these are existing town centre car parks, it is necessary to ensure that the number of residual car parking spaces will be sufficient to meet overall town centre parking needs, in combination with each other and other car parks. It is therefore necessary for Policies R11, R13 and R14 to clearly reflect this requirement in order that they are justified and effective. Changes to each of these policies are also required to clarify the infrastructure contributions that are necessary. These amendments are rectified through **MM94**, **MM96** and **MM97**.
174. Whilst the available evidence indicates that the Westbury Road car park site is deliverable within the next five years, the evidence demonstrates that the delivery of new homes would occur in 2023/24. This needs to be amended within the Plan. Policy changes are also required to clarify the development requirements so that they are unambiguous. These are achieved by **MM94** which is necessary to ensure that Policy R211 is justified and effective.
175. Policy R13 allocates land at the Chatham Way car park car park for around 31 new homes. The site is developable, when considered against the Framework definitions, and this needs to be reflected in the Plan by removing delivery from the five year housing land supply. Delivery therefore needs to be moved to 2026/27 within the Plan. Policy changes are also required to clarify the development requirements so that they are unambiguous. These are achieved by **MM96** which is necessary to ensure the policy is justified and effective.
176. Policy R14 allocates land at the William Hunter Way car park for around 300 new homes and retail use. The site is developable, when

considered against the Framework definitions, and this needs to be reflected in the Plan by removing delivery from the five year housing land supply. Delivery is therefore moved to 2026/27. Policy changes are also required to clarify the development requirements so that they are unambiguous. These are achieved by **MM97** which is necessary to ensure Policy R14 is justified and effective.

Policy R12 Land at Hunter House

177. This brownfield site lies within the Town Centre and is proposed to be redeveloped for around 48 new dwellings. It is surrounded by existing commercial and residential development. The evidence demonstrates that the site is deliverable and achievable, with a realistic prospect that housing will commence delivery in 2025/26, rather than 2024/25. The supporting text needs to be amended to reflect this change.

178. The policy also needs to clarify that the development needs to conserve the significance of the Brentwood Conservation Area and its setting. Other changes are necessary to provide clarity on infrastructure contributions. **MM95** rectifies these issues for effectiveness and to ensure the policy is justified.

Policy R15 Wates Way Industrial Estate

179. The Wates Way Industrial Estate is located within Brentwood Town Centre and is allocated for around 80 new homes and retail/commercial use. Since the submission of the Plan, a more detailed scheme for the site has been drawn up and it is now expected that the site would be predominantly used for retail, commercial and leisure purposes, but include around 46 residential units. The site is also expected to be delivered by 2023/24, which is a year earlier than the supporting text indicates. Other changes are necessary to provide clarity on infrastructure contributions. **MM98** rectifies these issues for effectiveness.

Housing allocations: Shenfield

180. The Plan allocates three housing sites in Shenfield.

Policy R18 Land off Crescent Drive, Shenfield

181. This site lies within the Shenfield urban area, adjacent to the Green Belt. As this site has now secured planning permission, the allocation

is not required for effectiveness and therefore the policy and supporting text is deleted (**MM100**). The site allocation will also need removing from the policies map.

Policy R19 Land at Priests Lane, Shenfield

182. The Plan allocates land at Priests Lane for around 45 new homes and a care home. The site is bounded by existing residential development, a school and a railway line. It relates well to the existing urban development and is located close to services and facilities. On the basis of the evidence, the allocation is justified.
183. However, the proposed yield from the site of around 45 dwellings is very low for such an urban site. Indeed the 12 dph density of the site is lower than the prevailing density for the locality of 14 dph.
184. In order to make effective use of land and accord with national policy, the density of the site should be increased to that set out in the Pre-Submission version of the Plan, before the focussed changes were applied. This means increasing the capacity in Policy R19 to 'around 75 dwellings'. Whilst this would still provide a relatively low yield for the site, when compared to other urban sites, this figure has previously been assessed and consulted on as part of the Pre-Submission version of the Plan. This includes consideration of impacts on such matters as infrastructure, flood risk and viability.
185. Whilst concerns have been about the impact of the proposal on the local highway network and on the safety of pedestrians and other users on Priests Lane, the highway authority has raised no objection to the higher capacity of 75 new homes. Furthermore, the detailed design of the access point and any off-site transport measures would be a matter for the planning application stage.
186. Furthermore, and as discussed earlier in this report, the inclusion of an 'around' figure for housing provision on the site does not prevent higher density development from being brought forward, if this conforms with other policies in the Plan as a whole.
187. As regards the proposed care home, there is no demonstrable evidence to support the requirement in this location, or determine whether it is achievable or viable. Accordingly this provision should be deleted from Policy R19.

188. Other changes to the policy and the supporting text are required to provide clarity on infrastructure and replacement playing field financial contributions. Whilst the site is considered to be deliverable and achievable with a realistic prospect that it will be delivered within five years, the supporting text needs to be amended to clarify that the anticipated delivery would now be between 2022 and 2024, rather than between 2020 and 2023.
189. The above issues are rectified by **MM101**, which are necessary to ensure the policy is effective, justified and consistent with national policy.

Policy R20 The Eagle and Child Public House

190. This site lies within the Shenfield urban area. As the site has now secured planning permission, the allocation is not required for effectiveness and therefore the policy and supporting text is deleted (**MM102**). The site allocation will also need removing from the policies map.

Urban neighbourhood site allocations

191. The Plan allocates four housing sites in other urban neighbourhoods.

Policy R07 Sow and Grow Nursery, Pilgrims Hatch

192. Policy R07 allocates land for the provision of around 38 new homes. It is a brownfield site within the Green Belt, and forms a relatively small extension to the existing urban area of Pilgrims Hatch, lying in close proximity to existing services and facilities. The site itself is already urban in character due to the presence of existing development, and it therefore relates well to the surrounding built form.
193. The site is well contained by existing defensible boundaries, including Ongar Road to the east, existing residential development to the north, allotments to the west and established field boundaries to the south, with a large woodland beyond forming part of a local wildlife site. This significant self-containment separates the site from the wider countryside. Furthermore, the policy requires landscaping along some of its boundaries which would contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are

satisfied that exceptional circumstances exist for the site's removal from the Green Belt and that the allocation is justified.

194. There is a need for the policy wording and the supporting text regarding the nearby South Weald Park, a registered park and garden, to be amended, to ensure that the significance of this heritage asset and its setting are conserved. Other changes are necessary to provide clarity on infrastructure contributions. It is also necessary for the supporting text to be amended as delivery is proposed to be during 2022/23 rather than between 2020 and 2022, as evidenced by the hearing statements. **MM90** rectifies these issues and is required to ensure the policy is justified, effective and consistent with national policy.

Policy R08 Land at Mascalls Lane, Warley

195. This is a small undeveloped site within the Green Belt, allocated for around 9 dwellings. It has been assessed as making a low to moderate contribution to the purposes of the Green Belt, as set out in the Green Belt Study. The site is well contained by Mascalls Lane to the south and existing development to the north, east and west, which form strong defensible boundaries. The site relates well to the existing Warley urban area and is located close to existing services and facilities.
196. Overall, the site would form a natural small scale extension to the existing built-up form along Mascalls Lane. Furthermore, the policy requires landscaping along its boundaries which would contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances exist for the site's removal from the Green Belt and that the allocation is justified.
197. Changes to the policy text are required to provide clarity on the landscape provision. Whilst the site is considered to be deliverable and achievable with a realistic prospect that it will be delivered within five years, the supporting text needs to be amended to clarify that the anticipated delivery would now be in 2022/23 rather than 2020/21. These changes, as set out in **MM91**, are necessary to ensure the policy is justified and effective.

Policy R09 Land off Warley Hill, Warley

198. Policy R09 allocates land off Warley Hill for around 43 new homes. The site is part of the former hospital site within the Green Belt and is partly previously developed. The proposed development has been assessed as having a moderate impact on Green Belt purposes overall.
199. The western boundary of the site would be contained by the existing woodland and a wildlife site. The eastern boundary would be contained by a road whilst to the north there is existing built development. The surrounding area, particularly to the east and south, has a predominantly urban character and the site is in close proximity to existing facilities including shops, schools and Brentwood railway station. The development would contribute towards meeting local housing need, is deliverable and achievable with a realistic prospect that it will be delivered within five years.
200. The use of appropriate landscaping throughout the site, as required by the policy, and the application of other Plan policies when planning applications are considered for the sites, would assist in mitigating the impacts on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances have been demonstrated for the removal of the site from the Green Belt and that the allocation is justified.
201. There is a need for the policy wording and the supporting text to require the conservation of the significance of the listed buildings within the site and in the vicinity, including their settings. Specific reference should be made to the Water Tower within the site and the nearby Warley Hospital and Lodge House. Other changes are necessary to provide clarity on infrastructure contributions. It is also necessary for the supporting text to be amended as delivery is proposed to be between 2022 and 2024, rather than 2023 to 2025, as agreed in the SoCG. **MM92** rectifies these issues for reasons of effectiveness and to ensure the policy is justified and consistent with national policy.

Policy R16 and R17 Land off Doddinghurst Rd, Pilgrims Hatch

202. This is one policy which proposes two adjacent sites as one allocation to deliver around 200 new homes. To remove any confusion it should be set out as one policy allocation, Policy R16. The sites are located in the Green Belt and have been assessed as making a moderate contribution overall to the Green Belt purposes.

203. The sites lie either side of the A12 and are well contained by existing residential development and adjacent roads. They currently have a Green Belt role in extending the countryside into the urban area but that has been eroded by the presence of built development at the Brentwood Centre east of Doddinghurst Lane. Coalescence between Brentwood and Pilgrims Hatch has already occurred west of the sites. The sites are well located, close to existing facilities including shops and schools and would provide an important contribution towards meeting local housing need. The allocation is considered to be deliverable and achievable with a realistic prospect that it will be delivered within five years.
204. Whilst the sites are within close proximity to the A12, good design including the use of appropriate landscaping buffers, as required by the policy, and the application of other Plan policies when planning applications are considered for the sites, would assist in mitigating any adverse impacts in relation to air quality and noise. They would also contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances have been demonstrated for the removal of the sites from the Green Belt and that the allocation is justified.
205. Other changes are necessary to provide clarity on infrastructure contributions. It is also necessary for the supporting text to be amended as delivery is proposed to commence in 2022/23 rather than 2023/24, as agreed in the SoCG. **MM99** rectifies these issues for effectiveness and to ensure the policy is justified.

Village site allocations

206. The Plan allocates six housing sites in three of the Borough's villages, at Ingatestone, Kelvedon Hatch and Blackmore.

Policies R21 and R22 Ingatestone

207. Policy R21 allocates the site of a former garden centre and highways depot for around 161 new homes. It is a triangular shaped area of brownfield land situated within the Green Belt, and has been assessed as making a low to moderate contribution to the purposes of the Green Belt. The site is wedged between and bounded by dominant transport infrastructure (the A12 and the railway line) and existing residential development, which form strong defensible boundaries. It is also near to existing facilities including Ingatestone railway station and would provide an important contribution towards

meeting local housing need. The use of appropriate landscaping and buffers, as required by the policy, would contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances have been demonstrated for the removal of the site from the Green Belt and that the allocation is justified.

208. During the examination, outline planning consent was granted on appeal for 110 homes on the former garden centre part of the site. Ordinarily, a committed site would be removed as an allocation from the Plan for consistency. However, in this case, keeping the whole site as an allocation ensures that all the land is removed from the Green Belt, and any reserved matters application accords with the policy requirements.
209. Changes to the policy and supporting text are required to provide clarity on infrastructure provision, and to require a heritage assessment to take account of archaeological potential in the proximity of Roman Road. Whilst the site is considered to be deliverable and achievable with a realistic prospect that it will be delivered within five years, the supporting text needs to be amended to clarify that the anticipated delivery would now be between 2022 and 2025 rather than 2021 and 2024. These changes, as set out in **MM103** and are necessary to ensure the policy is justified and effective. We have also added a change to the supporting text to ensure reference is made to Policy BE16 rather than Policy BE17 which is to be deleted.
210. Policy R22 allocates a small site within the Green Belt adjacent to the A12 for around 57 new homes. It is well contained, is bounded on four sides by roads and adjoins existing residential development. The A12 presents a strong defensible boundary to the wider countryside beyond. It makes low to moderate contributions to the Green Belt limited function in terms of meeting Green Belt objectives. It is close to existing facilities including Ingatestone railway station. The use of appropriate landscaping and buffers, as required by the policy, would contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances have been demonstrated for the removal of the site from the Green Belt and that the allocation is justified.
211. Changes to the policy and supporting text are required to provide clarity on infrastructure provision, and to require a heritage assessment to take account of archaeological potential in the

proximity of Roman Road. Whilst the site is considered to be deliverable and achievable with a realistic prospect that it will be delivered within five years, the supporting text needs to be amended to clarify that the anticipated delivery would now be between 2022 and 2024 rather than 2021 and 2024. These changes, as set out in **MM104** and are necessary to ensure the policy is justified and effective. We have also added a change to the supporting text to ensure reference is made to Policy BE16 rather than Policy BE17 which is to be deleted.

Policies R23 and R24 Kelvedon Hatch

212. Policy R23 allocates an area of land at Brizes Field in Kelvedon Hatch for 23 homes. Policy R24 allocates an area of land off Stocks Lane, in Kelvedon Hatch, for 30 homes. Both are greenfield sites situated on the edge of the village and are located in the Green Belt. They have both been assessed as making moderate contributions to the purposes of the Green Belt. Development of the sites would encroach into the countryside, but they would appear as modest extensions to the village. They are relatively well contained and the inclusion of landscape buffers, as required by the policy, would ensure there would be defensible physical boundaries. The landscaping would also contribute to mitigating the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances have been demonstrated for the removal of the sites from the Green Belt and that the allocations are justified.
213. The Policy R24 site, at 18 dwellings per hectare (dph), has a low density, especially when compared with the Policy R23 site density of 29 dph. It is also lower than the prevailing density of 24 dph for Kelvedon Hatch overall. In order to make effective use of land and accord with the Framework, the density of development on the Policy R23 site should be increased to the prevailing figure for the village. This would give an expected yield of around 40 dwellings for the site, rather than 30 dwellings.
214. Changes to both policies are required to provide clarity on infrastructure provision. and to require a heritage assessment to take account of archaeological potential in the proximity of Roman Road. Whilst the sites are considered to be deliverable and achievable with a realistic prospect that they will be delivered within five years, the supporting text of both policies needs to be amended to clarify that the anticipated delivery would now be between 2022 and 2024 rather

than 2021 and 2023. These changes, as set out in **MM105** and **MM106**, are necessary to ensure the policy is justified and effective.

Policies R25 and R26 Blackmore

215. Policy R25 allocates land to the north of Woollard Way in Blackmore for around 30 dwellings. Policy R26 allocates land north of Orchard Piece for around 20 dwellings.

216. Both are greenfield sites within the Green Belt and lie adjacent to each other to the north of the village. Their development would extend the built up form of the village out to Redrose Lane. Redrose Lane would act as a strong defensible boundary to the north whilst other roads extending out of the village would form strong defensible boundaries to the west and east. They have both been assessed as making moderate contributions to the purposes of the Green Belt.

217. Development of the sites would encroach into the countryside, but this would be limited in extent. The sites would appear as modest extensions to the village. They are relatively well contained with defensible boundaries. Furthermore, the policies require the provision of good pedestrian and cycling connections and public open space. The development of the two sites would contribute to meeting local housing need and support the existing local services. Taking account of these factors, we are satisfied that exceptional circumstances have been demonstrated for the removal of the sites from the Green Belt and that the allocations are justified.

218. The density of both sites in the submitted Plan, as set out in the Addendum of Focussed Changes, is less than the prevailing density for Blackmore village of around 20dph overall. The density of the two sites are 12 and 13 dph. In order to make effective use of land and accord with national policy, the amount of housing proposed for the sites should be increased to that set out in the Pre-Submission version of the Plan, before the focussed changes were applied. This means increasing the capacity of the Policy R25 site to 'around 40 dwellings' and the Policy R26 site to 'around 30 dwellings'. Whilst both sites would still be at a density lower than the village as a whole, these densities have previously been assessed and consulted on as part of the Pre-Submission version of the Plan. This includes consideration of impacts on such matters as infrastructure, flood risk and viability. Indeed, the highway authority has raised no concerns on the grounds of highway safety for these higher capacities.

219. Furthermore, any development on the site would need to accord with all relevant Plan policies, including those on design, open space, heritage and drainage. Overall, the sites are considered to be deliverable and achievable with a realistic prospect that they will be delivered within five years.
220. Other changes to both policies and the supporting text are required to provide clarity on access, infrastructure provision and archaeological potential. Amendments are also necessary to delete unsupported and unjustified requirements restricting occupation of the properties. The above issues are rectified by **MM107** and **MM108**, which are necessary to ensure the policies are effective, justified and consistent with national policy. **As these two sites are not within Critical Drainage Areas we have amended the MMs by removing the criteria on drainage.** We have also added further changes so the supporting text refers to Policy BE16, rather than Policy BE17 which is to be deleted. These amendments are necessary for effectiveness.

Strategic employment site allocation

221. The Plan allocates one strategic employment site at Brentwood Enterprise Park.

Policy E11 Brentwood Enterprise Park

222. Policy E11 allocates land south east of junction 29 of the M25 for 'at least 25.85 ha' for employment use and supporting ancillary uses. The site is located in the Green Belt and has been assessed as making a moderate contribution to the purposes of the Green Belt. Accordingly the development would have a moderate impact. The site is situated at a key strategic location, adjacent to the M25 junction 29 and the A127, within the South Brentwood Growth Corridor. It is associated with the former M25 works site and is predominantly previously developed land. Existing businesses currently occupy some of the site and it has a predominantly developed appearance.
223. The site is relatively well-contained with defensible boundaries to the north, east and west. The southern boundary comprises a ridgeline along which there is a public right of way. The proposed provision of landscape buffers along this boundary would strengthen this boundary. It would also assist in mitigating the moderate impact to the Green Belt.

224. The allocation would support the Plan's objectives of economic growth within the Brentwood Southern Growth Corridor. It would provide a positive re-use of a large brownfield site and bring some environmental enhancements to the site. Taking account of these factors, we are satisfied that exceptional circumstances exist for the site's removal from the Green Belt. The site is available and deliverable and the allocation, as a strategic employment site, is justified.
225. Whilst the Council put forward suggested changes to the boundary of the site during the examination, we are satisfied that the boundary in the submitted Plan is sound. Any changes to this boundary would need to be considered as part of a future Plan review. Any future additional landscaping and access proposals put forward, on land outside the site allocation, would need to be considered at that time, and determined in accordance with local and national Green Belt policy.
226. Changes to Policy E11 are required to update the use classes specified, to reflect the revised Use Classes Order, and to clarify the need for the development to provide high quality design, a high-quality landscaping scheme, and the provision of necessary off-site infrastructure contributions, including to West Horndon Station. The ancillary uses listed within the policy should also be deleted, and replaced with a requirement permitting 'ancillary supporting development within classes C1, E and F1 or other sui generis ancillary supporting development'. These are rectified by **MM109** which is necessary to ensure the policy is effective, justified and consistent with national policy. We have also removed the requirement for the early years and childcare nurseries, as these are not justified, as confirmed by Essex County Council.

Other employment site allocations

227. The Plan allocates four other employment sites within the Borough.

Policy E08 Land adjacent to A12 and slip road, Ingatestone

228. Policy E08 allocates 2.06 ha of land, adjacent to the A12 and slip road in Ingatestone, for employment use. This small triangular shaped site is situated in the Green Belt. Whilst the site has been assessed as making a moderate contribution to the Green Belt, it is well contained by roads on all sides, with the A12 and its slip road presenting a particularly strong physical defensible boundary, that also substantially restricts views to the wider countryside beyond.

Development within the site would relate well to the urban form of the settlement, being within close proximity to existing residential development, the railway station and other facilities. Taking account of these factors, we are satisfied that exceptional circumstances exist for the site's removal from the Green Belt. The site is available and deliverable and the allocation is justified.

229. Clarification of the policy wording to reflect the recent changes to the Use Classes Order and to make clear the requirement for infrastructure contributions is necessary for effectiveness. These changes are set out in **MM113**. We have also added an additional criterion to this MM relating to drainage, as the site is located within a Critical Drainage Area. This is necessary for effectiveness.

Policy E10 Land at Codham Hall Farm

230. Policy E10 allocates 9.6 ha of land at Codham Hall Farm for employment use and an additional 8 ha for landscaping, amenity, access and ancillary uses. The entire site lies within the Green Belt and has been assessed as making a low to moderate contribution to the purposes of the Green Belt. The majority of the 9.6 ha of the employment part of the allocation is in existing use and the allocation proposes to remove this from the Green Belt. The remaining 8 ha of the allocation is proposed to remain in the Green Belt.
231. The site is well contained by the A127, distinct natural features including woodland and the Codham Hall Wood local wildlife site, and existing service roads. The landscaping proposed to be incorporated into the site would assist in reducing the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances exist for the 9.6 ha part of the site allocation to be removed from the Green Belt. The site is available and the allocation is justified.
232. Clarification of the policy wording to reflect the recent changes to the Use Classes Order and to make clear the requirement for infrastructure contributions, is necessary for effectiveness. These changes are set out in **MM111**.

Policy E12 Childerditch Industrial Estate

233. Policy E12 allocates 20.64 ha of land at the existing Childerditch Industrial Estate for employment use. The allocation includes the existing 11.25 ha industrial park, which is inset from the Green Belt, plus additional extensions of land to the south and west, totalling around 9.29 ha, which are in the Green Belt. As such the site allocation requires amending to 20.54 ha. The two additional extensions of land have been assessed as having moderate and low impacts on the Green Belt, as identified in the Green Belt Study.
234. A significant proportion of the site is in existing industrial use and the site overall is well-contained by established natural features including field boundaries, treelines and existing planting on the southern boundary, which form a strong defensible site boundary. The site is strategically placed in the South Brentwood Growth Corridor to support wider residential and mixed-use development in the locality and the extensions provide modest opportunities to expand the site's industrial use. Landscape buffers would be incorporated to reduce the impact on the Green Belt. Taking account of these factors, we are satisfied that exceptional circumstances exist for the site's removal from the Green Belt. The site is available and deliverable and the allocation is justified.
235. Due to the site's proximity to a Registered Park and Garden and Conservation Area, a requirement for development to conserve the significance of these designated heritage assets and their settings, needs to be added as a criterion to the policy, to ensure there is consistency with national policy. Criteria for the provision of justified infrastructure contributions, sustainable transport and landscaping also need to be added to the policy for effectiveness and consistency with other Plan policies. In addition, the use classes specified within the policy need updating to provide consistency with the revised Use Classes Order. These changes are achieved by **MM110**.

Policy E13 Land at East Horndon Hall

236. Policy E13 allocates 5.5 ha of land at East Horndon Hall for employment use. The site is located in the Green Belt and has been assessed as making a moderate contribution to the purposes of the Green Belt, as set out in the Green Belt Study. Since submission of the Plan, the site has gained planning permission for employment use. Accordingly, without this site allocation, any further applications for use of the site for employment purposes, would still need to be considered under local and national Green Belt policies. This is neither effective nor justified.

237. Furthermore, the site is adjacent to the proposed Dunton Hills Garden Village allocation, and has strong defensible boundaries on all sides, due to prominent existing highway infrastructure. Taking account of these factors we are satisfied that exceptional circumstances exist for the site's removal from the Green Belt and that the allocation is justified.

238. Whilst the development requirements in Policy E13 would only apply to any future planning applications for the site and not for the consent already given, clarification is needed on these to ensure the policy wording is consistent with national policy, is justified and effective. **MM112** achieves this by removing ambiguity, including provisions to conserve relevant listed buildings and their settings and make infrastructure contributions where relevant and updating the use classes to accord with the revised Use Classes Order.

Conclusion

239. We conclude that, subject to the above MMs, the housing, employment and mixed-use development site allocations are justified, effective and consistent with national policy.

Issue 6 – Whether the Plan sets out a positively prepared strategy for the supply and delivery of housing development that is justified, effective and consistent with national policy.

Overall housing supply

240. The Plan identifies a supply of housing over the Plan period from a range of sources, including completions, commitments, windfall and allocations, equating to 7,752 new homes. During the examination, this housing supply evidence has been revised and updated to 31 March 2021, to reflect the Council's up to date monitoring data.

241. In relation to completions and commitments, there have been 977 new dwellings built since the start of the Plan period, and extant permissions now account for 1,036 dwellings.

242. In addition, windfall sites are now expected to come forward from Year 11 of the Plan in 2026. This means an allowance of 62 dpa is to be applied to the housing supply over the latter part of the Plan period, between 2026 and 2033. This is based on historic evidence. Between 2009 and 2021, net windfall completions have, on average, accounted for a rate of 84 dpa. On this basis, the assessment of windfall allowances is robust and as such, we are satisfied that

windfall sites will provide a reliable source of supply, as is required by the Framework. The inclusion of a cautious windfall allowance of 62 dpa in the housing supply, is therefore justified.

243. As regards the site allocations in the Plan, we have already considered and updated the lead in times and delivery rates for some of these, for the reasons identified under issue 5.
244. As a consequence to all the above, the housing trajectory within the Plan should be amended in accordance with this updated evidence. Appendix 1 of the Plan is therefore replaced by a revised version, as set out under **MM114**. This ensures the Plan is positively prepared, justified and effective.
245. Overall, this results in an updated housing land supply figure for the Plan period of 7,146 new dwellings. Accordingly, the Plan is not able to meet the identified housing requirement of 7,752 new dwellings, resulting in a shortfall of 606 dwellings over the Plan period.
246. The Framework requires planning policies to identify specific deliverable sites for years one to five of the Plan period, and specific, developable sites or broad locations for growth, for years 6-10 and where possible, for years 11-15 of the Plan. So, whilst the Plan does not make provision to meet all its housing need for the Plan period, it does identify sites to meet the housing requirement for the next 10 years, which is consistent with the Framework.
247. Fundamentally, the Plan supports the delivery of much needed housing within Brentwood, significantly boosting supply in accordance with Government policy. This includes providing more affordable housing, which has historically been under-delivered within the Borough, affecting overall affordability.
248. It is imperative that there is a Plan in place to enable housing to come forward now, including the removal of land from the Green Belt to facilitate this, otherwise there would be a significant shortage of housing land supply in the Borough, due to limited opportunities outside the Green Belt. This would not help to meet the identified housing need. Furthermore, we conclude later in this report, under issue 11, that an immediate review of the Plan needs to be carried out, with the objective of meeting in full the identified housing needs. This is a necessary and pragmatic approach.

Five year housing land supply

249. Since the start of the Plan period there has been an under delivery of 523 dwellings against the 1,500 housing requirement over the same period.
250. The PPG states that any deficit or shortfall 'should be added to the plan requirements for the next 5 year period (the Sedgefield approach).....If a strategic policy-making authority wishes to deal with past under delivery over a longer period, then a case may be made as part of the plan-making and examination process....'.
251. The Council's spatial strategy relies on a number of strategic and other housing sites coming forward from land to be released from the Green Belt, or from brownfield site with known constraints. Some of these sites will inevitably take time to progress and deliver housing, particularly where infrastructure provision is required. To ensure that the overall spatial strategy is not put at risk, particularly the delivery of some of the larger and more strategic sites and their associated infrastructure, the delivery of the shortfall across the remaining Plan period (the Liverpool approach) is justified in this case. On this basis, the Council indicates it would have a 5.21 year supply of housing land on adoption of the Plan.
252. In accordance with the Housing Delivery Test, there has been significant under delivery of housing over the past three years. As such, in accordance with paragraph 74 of the Framework an additional 20% buffer needs to be applied to the housing requirement figure, when calculating the five year supply. The Council's calculation of its five year supply of housing land on adoption includes this 20% buffer. The evidence considered elsewhere in this report, in respect of the housing allocations and other housing provision, including sites with planning permission and windfall sites, within the 5 year supply, is robust and indicates that they would be deliverable.
253. Accordingly we conclude that there is a realistic prospect that the Council will be able to demonstrate a five year supply of deliverable housing sites upon adoption of the Plan.

Other housing policies

254. Policy HP01 is a criteria based policy which defines thresholds for the provision of various housing mixes and standards. As the Council has confirmed that this is a strategic policy, this needs clarifying in

the Plan. The policy also needs to specify that decisions on proposed schemes will be based on the most up to date housing need evidence.

255. On residential development schemes of 10 or more dwellings, the policy requires that each unit meets the accessible and adaptable requirement M4(2) of the Building Regulations, unless it is built to the M4(3) standard of being wheelchair adaptable. On developments of 60 or more dwellings, the policy requires a minimum of 5% of new affordable dwellings to meet the M4(3) standard. This threshold is the minimum required to deliver one such unit. The Council has estimated that this requirement could deliver around 98 affordable dwellings built to M4(3) standards during the Plan period, which would broadly meet projected need. Overall, the available evidence demonstrates that the application of these optional standards is justified.
256. On larger development sites of 500 or more dwellings the policy seeks a minimum of 5% as self-build homes (including custom housebuilding), and the provision of specialist accommodation, in accordance with housing need and Policy HP04. However, due to this threshold, the policy would only apply to two of the allocated sites, limiting the availability and amount of self-build homes and specialist accommodation that could come forward over the Plan period. The reduction of the threshold to sites of 100 or more dwellings will assist in meeting these specific needs and is justified, subject to being based on the most up to date evidence on needs. These changes to Policy HP01 are made by **MM35** and are necessary for effectiveness and to ensure the Plan is justified.
257. Whilst Policy HP02 is justified, Part B requires amending so that decisions on proposed schemes are based on the most up to date housing need evidence. **MM36** rectifies this and is necessary for effectiveness. We have also added a change to the supporting text for consistency. This is set out in the same MM.
258. Policy HP03 emphasises the need for a design-led approach to residential density and seeks the efficient use of land. It generally requires residential proposals to achieve a net density of at least 35 dwellings per hectare unless local character or site constraints dictate otherwise. It also specifies that higher densities, generally above 65 dwellings per hectare are expected in designated retail centres and locations with good public transport connections. These densities are based on robust evidence set out in the SHMA and HELAA, and are justified. Notwithstanding this, the policy needs to clarify when the densities apply. This is rectified by **MM37** which is necessary for effectiveness.

259. Policy HP04 states that proposals for specialist accommodation will be encouraged and supported. This should be strengthened to provide a more definitive 'will grant permission' for effectiveness. Whilst the criteria-based policy approach is justified, changes are required to remove elements that unnecessarily duplicate other policies and clarify that proposals to meet gypsy, traveller and travelling showpeople needs will be determined through Policy HP10. These amendments are provided by **MM38** for reasons of effectiveness. This includes updating the supporting text as regards Supported Living.

260. Policy HP06 sets out internal and external space requirements for all residential development. It expects compliance with the internal nationally described space standards and seeks external private and/or communal outdoor space. The requirements are justified by the evidence and are viable. However, clarity needs to be provided as to what development proposals are required to deliver in relation to external space. The policy also sets out housing quality criteria which duplicates other Plan policies and therefore needs deleting. These amendments, including consequential changes to the supporting text are provided by **MM40**, for reasons of effectiveness.

Conclusion

261. We conclude that, subject to the above MMs, the Plan sets out a positively prepared strategy for the supply and delivery of housing development that is justified, effective and consistent with national policy.

Issue 7 – Whether the Plan provides for identified employment and retail needs and the policies for employment and retail development are justified, effective and consistent with national policy.

Employment land supply

262. The Plan seeks to provide around 46.64 hectares of employment land through specific site allocations which are clearly defined in the Plan, as discussed under issue 5 above. This meets the identified need and requirement for employment land for the Plan period.

Employment development management policies

263. Policy PC01 seeks to cultivate a strong and competitive economy within the Borough. It lists a range of criteria, but these are Council objectives, not specific development requirements. It is not clear how

a decision maker would use the policy when determining development proposals, as is required through paragraph 16 of the Framework.

MM56 deletes the policy and relevant supporting text from the Plan and moves the policy wording to the supporting text to form employment development objectives. This ensures the Plan is effective and consistent with national policy.

264. New employment sites are allocated in the Plan through individual site allocation policies, which are discussed earlier in this report. Policy PC03 unnecessarily duplicates this by further allocating these new sites for general employment and office use. Confusingly the policy also allocates existing employment sites. The policy then sets out a list of criteria for when redevelopment or change of use of such sites would be acceptable. Some of the criteria are not effective or consistent with national policy.
265. The Council confirmed in the Hearing that the purpose of Policy PC03 is to be a strategic policy that seeks to protect employment sites from alternative uses unless certain criteria apply. This is in order to maintain an adequate employment land supply within the Borough. Accordingly, modifications are necessary to make this purpose clear and unambiguous within the policy and the supporting text, including in relation to relevant sites within the Green Belt. It is also necessary to reflect the new Use Classes Order. **MM58** makes these necessary modifications for reasons of effectiveness and consistency with national policy.
266. Policy PC04 seeks to encourage business and employment development by reference to certain locations. Policy PC05 seeks to encourage employment uses, subject to several amenity criteria being met. However, as the policies read as Council objectives rather than providing clear purposes and development requirements, it is unclear how a decision-maker should interpret them. The locational and development requirements for employment uses are set out in other policies within the Plan. The deletion of Policies PC04 and PC05 ensures the Plan is effective and consistent with national policy (**MM59** and **MM60**).
267. Policy PC06 seeks sustainable rural development through supporting small scale rural enterprise and the diversification and expansion of economic activities in rural areas. The policy includes Council objectives and a list of criteria.

268. The Council confirmed at the Hearing that farms and rural land are located within the Green Belt. As such, development proposals would be subject to national Green Belt policy, but this is not made clear within the policy. Overall there is ambiguity in the way the policy could be interpreted by a decision maker and it is therefore neither effective nor consistent with national policy. **MM61** rectifies this by removing the objectives and criteria from the policy and ensures that compliance with Green Belt policy is a clear requirement. It also modifies the supporting text to reflect these amendments and to ensure reference is made to the revised Use Class Order by changing B1 business use to office use.

Retail provision and development management policies

269. The Plan does not effectively define in policy where the identified retail need is to be provided. Policy PC07 therefore requires modifying to clearly set out the specific mixed-use sites where retail development forms part of the proposal. The supporting text to the policy also needs to accord with the updated retail evidence and to include reference to the proposed new centres at West Horndon and Dunton Hills. This ensures the Plan is positively prepared in respect of the provision of new retail floorspace to meet the identified need. It is achieved by **MM62** so that the Plan is justified, effective and consistent with national policy.

270. Part A of Policy PC08 seeks to identify the retail hierarchy of designated centres, where main town centre uses are to be provided. However, for this to be effective the hierarchy needs to be moved from the supporting text to the policy and amended in relation to the proposed new retail centres at the Dunton Hills Garden Village. To ensure consistency with paragraph 90 of the Framework, Part F of the policy needs to clarify that both retail and leisure development outside town centres will be subject to an impact assessment. These issues are rectified by **MM63**. The policy threshold of 2,500 sqm aligns with national policy and is justified.

271. Policy PC09 sets out criteria for development within Brentwood Town Centre. It has been informed by the Brentwood Town Centre Design Plan 2017 which seeks to enhance the town through appropriate development on key opportunity sites and improved links and public realm. The policy includes general requirements and specific criteria for defined town centre areas, as well as

improvements to public realm and linkages to Brentwood railway station. Whilst the approach of the policy is justified, criteria that read as Council statements and duplicate other Plan policy requirements need to be amended or deleted respectively. This is achieved through **MM64** to ensure the Plan is effective.

272. Policy PC10 seeks to maintain and support mixed use development in designated centres. The policy refers back to Policy PC08 which clearly defines the retail hierarchy of designated centres. Part B of the policy should be amended to clarify that the loss of 'centre uses' means main town centre uses, and to include new criteria on marketing and the number of non-town centre use units present, against which proposals will be assessed. Other references in the policy to 'centre uses' should also be changed, as above.

273. Part C d of the policy includes restricting new hot food takeaways within 400 metres walking distance of primary and secondary schools, excluding the defined exceptions. It includes restricting opening hours to specific times. Whilst supporting the health and well-being of school pupils is a laudable objective, the restrictive approach in the policy is neither justified by evidence nor effective. Furthermore, it conflicts with Policy SP03 which requires health impact assessments to be provided for hot food takeaway proposals, to establish any impacts on health as part of the application process. Accordingly, Part C d of the policy should be deleted. Policy SP03 is discussed further in issue 10 below.

274. **MM65** makes these necessary amendments to Policy PC10 and its supporting text, for effectiveness and to ensure the policy is justified. It also changes the policy to reflect the revised Use Classes Order for consistency with national policy.

275. Policy PC11 seeks to retain retail use as the main type of use within primary shopping areas. Clear reference is made to Policy PC08 and the policies map where these areas are defined. **MM66** removes a number of criteria that are duplicated in other Plan policies for effectiveness and revises the policy to reflect the updated Use Classes Order for consistency with national policy.

276. Policy PC12 seeks to maintain and enhance the vitality and viability of town centres by requiring a balance to be struck between competing town centre and non-town centre uses. Whilst this approach is justified, the policy and Figure 7.8 in the supporting text require amending, to reflect the updated Use Classes Order, to

ensure that active frontages are in keeping with the designated centres, and to clarify how the policy will be applied. **MM67** provides these changes for reasons of Plan effectiveness and consistency with national policy.

277. Policy PC13 aims to manage the night-time economy, by supporting after-hours cultural, entertainment and leisure uses in designated centres, whilst balancing this with other main town centre uses and protecting the living conditions of local residents. It was clarified during the examination that the policy also relates to the evening economy so this needs to be added to the policy for effectiveness. As some of the criteria read as objectives, changes are necessary so the policy requirements are succinct and effective. There is very limited supporting text, the addition of which would explain the policy's purpose and ensure its effectiveness. These issues are rectified by **MM68**.

Conclusion

278. We conclude that, subject to the above MMs, the Plan provides for identified employment and retail needs and the policies for employment and retail development are justified, effective and consistent with national policy.

Issue 8 – Whether the Plan's approach to infrastructure provision is justified, effective and consistent with national policy.

279. The provision of necessary infrastructure to support planned growth is acknowledged as being important in the Plan's overarching strategic objectives, and requirements are identified within many of the Plan's policies. Infrastructure requirements are based on various evidence-based assessments and brought together in the Council's Infrastructure Delivery Plan (IDP). The IDP identifies the main items of infrastructure needed to mitigate the cumulative impacts of the planned development. Relevant new development is required to either deliver or contribute to the necessary infrastructure requirements as defined in the IDP and site allocation policies, where these are compliant with national policy and legislation. This approach is justified.
280. The preparation of the IDP has involved engagement with a variety of key stakeholders including infrastructure providers and developers. Based on the available information it includes estimated timings,

indicative costs and funding sources and lists the development sites relevant to the infrastructure requirement. As a live document it has been regularly updated. Overall, we are satisfied that the approach set out in the IDP for identifying necessary infrastructure, is justified and consistent with national policy.

281. The criteria for seeking developer contributions for necessary infrastructure are identified in Policy SP04 (now proposed to be Policy MG05), within the Plan. The policy needs amending to ensure it clearly identifies what contributions will be sought and when, by referring to other relevant Plan policies and guiding applicants and decision-makers to the IDP. Also a new criterion and supporting text needs adding so that proportionate contributions may be sought for any forward-funded infrastructure that may come forward that is relevant to development schemes. Clarification also needs to be provided on scheme viability and how this will be assessed if necessary. **MM7** modifies the policy and supporting text in this way to ensure it is justified and effective. It also includes other amendments to ensure consistency with other Plan policies.

Transport infrastructure

282. The transport infrastructure necessary to support the planned growth, as set out in the IDP, is supported by several assessments and studies produced for the Council, including the Transport Assessment 2021, Cycling Action Plan 2018, and the South Brentwood Growth Corridor Sustainable Transport Integration Vision 2020.

283. The Transport Assessment has been prepared to appraise, at a strategic level, how the highway network is likely to operate with the additional planned growth, as defined in the Plan. The appraisal has considered the broad impact of the planned growth on local and strategic junctions, but detailed assessments relating to specific sites are expected to be carried out as part of the planning application process. This Transport Assessment has been prepared in consultation with National Highways and Essex County Council as Highway Authority.

284. A separate Model Build Report 2021 has been produced providing a comprehensive summary of the method used to develop the highway modelling used in the Transport Assessment. The assumptions and trip generation and distribution used within the modelling are appropriate for the assessment of the strategic road network.

285. It is clear from the available evidence, that several aspects of strategic highway infrastructure within the Borough will be at capacity by the end of the Plan period. This specifically includes junction 12 of the A12 and junctions 28 and 29 of the M25. The Plan seeks to mitigate the impacts of the planned growth on these and other local junctions. Whilst the principle of the proposed mitigation measures is accepted by National Highways and the Highway Authority, it became clear during the examination that additional work is necessary to agree the more technical details. We acknowledge that further joint working on this is progressing. We are satisfied that these can be appropriately considered as part of the required immediate review of the Plan, as discussed later in our report.
286. The Plan acknowledges that sustainable transport is a key component of sustainable development and seeks to promote and improve accessibility by focussing connectivity on sustainable transport options. As discussed under issue 1, the spatial strategy concentrates growth within the two main transit corridors, where the greatest range of existing or proposed sustainable transport options would be available. This approach helps to promote travel and overall accessibility via sustainable modes.
287. Policy BE11 (now proposed to be Strategic Policy BE08), provides a list of Council objectives on strategic transport infrastructure and in parts duplicates other Plan policies. The Council confirmed during the examination that the purpose of the policy should be to identify the strategic transport infrastructure that is critical to the delivery of the planned growth, as identified in the IDP. The deletion of the policy text and its replacement with new wording that identifies this strategic transport infrastructure is necessary to provide clarity and ensure the Plan is effective [**MM22**]. Consequential changes to the supporting text are also included in the MM for consistency and effectiveness.
288. Policy BE12, which seeks to encourage car-limited proposals in appropriate locations, should be deleted for effectiveness, to remove unnecessary repetition of other Plan policies [**MM23**].
289. The Plan seeks the provision of sustainable modes of transport, through Policy BE13 (now proposed to be BE09). Whilst the approach is justified, sustainable measure for walking, cycling and passenger transport should be provided where appropriate to the development scheme to ensure it is effective. This is rectified by **MM24** which also changes the supporting text for reasons of clarity and consistency.

290. Whilst the provisions for sustainable passenger transport are justified in Policy BE14 (now proposed to be BE10), amendments are required to clarify the requirement for pick up and drop off facilities for passenger transport. This is provided by **MM25** for effectiveness. Reference to the County Council's policies for sustainable passenger transport provision are also added to the supporting text for clarity.
291. Policy BE15 (now proposed to be BE11) seeks the provision of appropriate infrastructure for electric and low emission vehicles. For effectiveness, to ensure the requirements are clear, changes are necessary, as set out in **MM26**.
292. Policy BE16 (now proposed to be BE12) seeks to mitigate the transport impacts of development. The criteria within the policy require clarifying and amending, to ensure the requirements accord with the evidence and are effective. These changes are made by **MM27** which also amends the supporting text for clarity.
293. Policy BE17 (now proposed to be BE13) states that development proposals should comply with the most up-to date Essex Parking Standards and provides criteria setting out when deviations from the standards may be acceptable. Whilst parking quality and levels are important development management considerations, the standards do not form part of the Plan and are not before us for examination. **MM28** therefore amends the policy to clarify that regard should be had to these standards.

Green and blue infrastructure

294. Policy BE18 (now proposed to be Strategic Policy NE02), states that green and blue infrastructure should be protected, enhanced and managed. However the majority of the policy criteria either read as objectives or lack clarity on what exactly is sought. It also contains some inconsistencies with other Plan policies and national policy, particularly paragraph 174 of the Framework. Accordingly, clear development requirements for the protection, provision and maintenance of green and blue infrastructure need to replace the existing policy text.
295. Moreover, in order to provide the necessary strategic approach in the Plan, the policy needs to be defined as a strategic policy. Consequential amendments to the supporting text are also required to reflect the policy changes. This includes clarifying the green and blue infrastructure definition and amending and updating the

typologies in Figure 5.3 of the Plan. These issues are rectified by **MM29** which makes the policy effective and consistent with national policy.

296. Policy BE19 unnecessarily duplicates criteria from other Plan policies, particularly Policies BE18 and NE03. Its deletion, including relevant supporting text provides clarity and ensures effectiveness of the Plan (**MM30**).

297. Policy BE20 relates to allotments and community food growing space, but the two criteria within it provide Council statements rather than clear development requirements. The policy needs amending to rectify this. It also needs to clarify that it applies to all allotment sites including those that are non-statutory. Consequential changes to the supporting text also need to be made to reflect the policy amendments. **MM31** achieves this for reasons of effectiveness.

298. Policy BE21 also includes the protection of allotments which duplicates Policy BE20. As such, reference to allotments in the policy and supporting text are deleted via **MM32**, to remove unnecessary duplication between policies and for effectiveness. This MM also modifies the policy to protect resident amenity and privacy and makes other consequential changes to the supporting text for clarification. These are necessary for the policy to be effective.

299. Policies BE22 and BE23 relate to the provision of open space and recreational facilities. To ensure the Plan is justified, effective and consistent with national policy, the policies are to be merged and amended to remove overlapping, duplicated or ineffective requirements. It is also necessary to clarify that existing open spaces and recreational facilities are to be protected in line with paragraph 99 of the Framework. The combined policy also needs to address how new provision or the enhancement of existing spaces and facilities will be considered when determining development proposals and to clearly set out management requirements for effectiveness. Consequential changes to the supporting text ensures consistency with these policy amendments. These are achieved by **MM33** and **MM34**.

Community infrastructure

300. Policy PC14 seeks to protect and enhance community assets. It requires amendments to clarify it is a strategic policy and to ensure that the terms and criteria used accord with the Framework,

particularly in relation to community facility loss, change of use or replacement. Subsequent changes to the supporting text are also required for consistency, to clarify the position regarding Assets of Community Value and to make clear that the policy relates to buildings, as outdoor spaces and facilities are covered by a separate policy. This is achieved through **MM69** which ensures the policy is justified, effective and consistent with national policy.

301. In relation to Policy PC15 on education facilities, it is necessary to delete criteria that read as Council objectives and delete those requirements that are covered by other Plan policies in order to minimise repetition and remove inconsistencies. The supporting text also requires amending to provide clarity on the policy requirements. **MM70** makes these necessary modifications for effectiveness.

302. Policy PC16, which relates to buildings for institutional purposes, does not provide clear definitions and its overall purpose lacks clarity. Other policies within the Plan provide clear criteria for considering relevant development. The deletion of the policy and relevant supporting text aids overall clarity of the Plan and is necessary for effectiveness (**MM71**).

Communications infrastructure

303. The Plan recognises that the provision of high quality communications infrastructure and digital connectivity as part of future development, are important for the Borough's economy and overall sustainable growth objectives. It seeks appropriate communications and digital infrastructure through Policies BE09 (now proposed to be Strategic Policy BE06), and BE10 (now proposed to be BE07). Whilst both policies are justified, some of the criteria require amending to ensure that the development requirements are clear and unambiguous. This ensures the Plan is effective in this regard and is achieved through **MM20** and **MM21**.

Conclusion

304. We conclude that, subject to the above MMs, the Plan's approach to infrastructure provision is justified, effective and consistent with national policy.

Issue 9 – Whether the Plan's development management policies for the Green Belt, natural environment, historic environment, design and place-making, climate change and other environmental matters, are justified, effective and consistent with national policy.

Green Belt

305. The management of development in the Green Belt is a key component of the Plan. The Framework clearly states that within the Green Belt inappropriate development should not be approved except in very special circumstances. Paragraphs 149 and 150 set out the types of development that form exceptions or are not inappropriate.
306. The Council has confirmed that Policy NE09 is the overarching strategic policy for Green Belt in the Plan. Accordingly, this needs to be made explicitly clear in the Plan. Whilst the policy states that all development proposals within the Green Belt will be considered in accordance with the Framework, it also provides a range of insufficiently precise criteria which either must be met or given 'consideration' when determining specific development schemes. This approach, and the terminology used in the criteria is ineffective and inconsistent with the provisions in the Framework. Accordingly, it is necessary to simplify and amend the policy and make consequential changes to the supporting text to ensure the Plan is effective and consistent with national policy. This is achieved through **MM81**.
307. The Plan sets out a number of other policies (Policies NE10 to NE15) for managing different forms of development in the Green Belt. Policy NE10, which provides criteria for new development, extensions and replacement buildings in the Green Belt, repeats national policy and includes additional requirements that are either not supported by evidence or are inconsistent with the Framework. It should be removed from the Plan, along with its supporting text.
308. Policy NE11 permits relevant residential development in seven defined areas of existing ribbon development that are located in the Green Belt. This includes allowing development on 'genuine infill plots' within these areas. However as these are not villages, this contradicts paragraph 149 of the Framework which clearly refers to 'limited infilling in villages' as an exception to the rule that buildings are inappropriate in the Green Belt. Furthermore, the supporting text at paragraph 8.110 states that 'some relaxation of Green Belt policy' will be allowed in these defined ribbon development areas due to their

urban character. This approach is clearly contrary to the Framework and therefore the policy and supporting text should be removed from the Plan. Development proposals within these areas can be effectively determined through other relevant Plan policies, particularly Policy NE09 and the Framework.

309. Policy NE12 sets out a number of criteria and permits development on brownfield land in the Green Belt. The approach is inconsistent with national policy and the policy requires deleting. The deletion of Policy NE13 is also necessary as it duplicates other policies. In addition, it seeks the provision of significant community benefits for both existing local communities and new residents for sites allocated for housing in the Green Belt, which does not accord with the Framework.

310. As all land within the Borough, outside the urban areas and identified villages is located in the Green Belt, any proposals for new agricultural workers dwellings and the re-use and conversion of rural buildings would need to be determined against relevant local and national Green Belt policy. Surprisingly, Policy NE14 makes no specific reference to this, and the requirements of the policy are generally covered by other local and national policies anyway. Whilst Policy NE15 refers to Green Belt, it similarly duplicates other Plan policies. The removal of these policies from the Plan would provide necessary clarification.

311. In response to the above issues **MM82** deletes Policies NE10 to NE15 and relevant supporting text from the Plan, for reasons of effectiveness, consistency with national policy and to ensure local policy on Green Belt is justified.

Natural environment

312. The need to protect the natural environment forms an important part of the Plan's strategic objectives and Chapter 8 includes several specific policies to achieve this purpose.

313. Whilst the purpose of Policy NE01 to seek to protect and enhance the Borough's natural environment is justified, its approach regarding the hierarchy of protection for international, national and locally designated sites, securing net gains in biodiversity and compensatory measures, is imprecise and inconsistent with national policy. In addition, requirements for development proposals located within the RAMS zone of influence for relevant international sites, are

confusingly set out in a separate policy (Policy NE02) and do not reflect the adopted Essex Coast RAMS, as we have previously specified under the HRA section of this report.

314. This is rectified by **MM74** which deletes Policies NE01 and NE02 and replaces them with a single cohesive policy that ensures the development requirements are effective and consistent with national policy. Consequential amendments to the supporting text are also necessary to ensure consistency with the policy text and are included in this MM. We have also revised the MM so that it effectively reflects the RAMS requirements, clarifies that a small part of Brentwood Borough is within the Epping Forest Special Area of Conservation Zone of Influence and removes reference to the Habitats Directive.
315. It is also necessary to amend strategic objective SO4 to include the securing of measurable net gains for biodiversity so that there is consistency with national policy [**MM72**]. Other amendments to the 'Natural Environment' section's introductory text are required to update it and clarify references to green infrastructure, landscape, biodiversity, geodiversity and country parks, to ensure there is consistency with other policies in the Plan and to provide overall effectiveness [**MM73**].
316. Whilst Policy NE03 is titled 'Trees, Woodlands and Hedgerows' the policy wording goes beyond this requiring no detrimental effect on or loss of significant landscape heritage or features of ecological importance. This duplicates other policies in the Plan that protect such landscapes and features, particularly Policy NE01. Furthermore, no specific reference is made in the policy to ancient woodland and ancient or veteran trees. The wording in the policy also lacks clarity and direction on what is actually required from development proposals as regards trees, woodlands and hedgerows.
317. To ensure the Plan is positively prepared, effective and consistent with national policy, it is necessary to delete Policy NE03 and replace it with a new policy that identifies clear development requirements. This is achieved through **MM75**.
318. Policy NE04 relates to development proposals that fall within the Thames Chase Community Forest area. It is necessary to amend the policy and the supporting text to clearly define the purpose of the Community Forest, and its management and implementation through the Thames Chase Plan. This is achieved through **MM76** which ensures the Plan is effective in this regard.

Historic environment

319. The Plan includes a section which contains several policies seeking to protect the Borough's heritage assets. However, as it is located in the housing Chapter, it is unclear whether the policies relate to other forms of development or not. To rectify this the section needs to be relocated to the built environment Chapter to clarify that it applies to all relevant development proposals.
320. Policies HP19-HP23 set out criteria for the historic environment, but lack clarity due to inconsistencies and duplication of requirements. They also do not accord with national policy, particularly in relation to some of the terminology used and the requirement that development conserves, sustains and enhances in all cases. Policy HP19 should therefore be amended so that it forms one cohesive strategic policy setting out succinct criteria for the historic environment that accord with national policy.
321. These changes are all achieved through **MM51** to ensure the Plan is effective and consistent with national policy. It also makes consequential changes to the policy's supporting text for consistency. We have also revised the MM in relation to non-designated heritage assets to ensure consistency with national policy.
322. Policies HP20-HP23 are therefore unnecessary and should be deleted and relevant supporting text amended and moved to support Policy HP19 as set out in **MM52, MM53, MM54 and MM55**. These MMs ensure the Plan is consistent with national policy and effective by removing duplication and inconsistencies.

Design and place-making

323. The Plan's strategic objectives focus on managing growth sustainably to ensure there is a 'strong sense of place'. Key to this is good design and the creation of sustainable communities that provide healthy and resilient built environments and valued natural spaces.
324. The Plan includes a section on design and place-making which includes several policies seeking high quality and inclusive design for all development. Confusingly this is located in the housing Chapter. **MM45** rectifies this by relocating the section to the built environment Chapter. It also amends the introductory supporting text to provide clarity and remove outdated and unnecessary document and policy references. The MM is necessary for reasons of effectiveness.

325. Policy HP12 states that the Council will work with partners, stakeholders and developers to plan inclusive communities and sets out a list of objectives. To be effective the policy requires amending so that the objectives read as clear development requirements. This is achieved through **MM46**. It also amends the supporting text to ensure it is consistent with the policy.
326. Policies HP13-HP16 and Policy HP18 all relate to issues of design and place-making, but lack clarity due to inconsistencies and duplication of requirements between the policies. They also do not entirely accord with national policy. For effectiveness, and to ensure the Plan is consistent with national policy on design matters, criteria from these policies should be merged into Policy HP13 and amended, to form one cohesive strategic policy on design, that sets out robust development requirements. This is achieved through **MM47** which also amends the supporting text for consistency.
327. Furthermore, key design related requirements from Policy SP06 are also merged into Policy HP13 for effectiveness and Policy SP06 and its supporting text are deleted to avoid repetition [**MM9**].
328. Policies HP14-HP16 and Policy HP18 are therefore to be deleted and relevant supporting text amended as defined in **MM48**, **MM49** and **MM50**, to ensure the Plan is effective and consistent with national policy.
329. Policy HP17 sets out criteria for paving over front gardens, which duplicates development requirements in other policies, particularly those relating to design and flood risk. As such, to avoid any confusion and inconsistency and ensure the Plan is effective, **MM49** deletes the policy and relevant supporting text.

Climate change and other environmental matters

330. The Plan seeks to ensure that the development and use of land will contribute to the mitigation of and adaptation to climate change, through the spatial strategy and a combination of Plan policies.
331. Several policies (Policies BE02-BE08) seek sustainable construction and resource efficiency requirements relating to carbon reduction, renewable energy, water efficiency, heat risk and sustainable drainage. Whilst incorporating such sustainable measures within the Plan is justified, there is significant duplication and some inconsistencies between some of these policies or with others in the

Plan, which is confusing and ineffective. It also results in several requirements being inconsistent with national policy.

332. Accordingly, Policy BE02 should be deleted as sustainable construction and resource efficiency requirements are set out in other more specific Plan policies, particularly Policies BE03, BE04 and BE08. The removal of this policy reduces repetition and ensures the Plan is clear and effective in this regard [**MM12**].

333. Changes are required to Policy BE03 (now proposed to be BE01), to clarify that it is a strategic policy within the Plan and to remove the separate standards for sustainable construction and carbon reduction that apply up to the year 2020. As the viability evidence demonstrates that a 10% reduction in carbon emissions above building regulations is achievable on all major development, not just residential proposals, the policy should be amended to reflect this. The BREEAM standards set out in the policy for new non-residential development also require updating.

334. There are several requirements for renewable energy within the policy which should be merged and simplified for reasons of effectiveness. It is also necessary to make it clear that any shortfall from on-site provision can be provided via funding contributions or off-site provision.

335. All these changes are achieved through **MM13** for effectiveness and consistency with national policy. Amendments to the supporting text are also included for consistency.

336. Moreover, to aid the reading of Policy BE03 and ensure overall effectiveness of the Plan and consistency with national policy in this regard, the MM also removes the requirements relating to water efficiency from the policy. Instead, these are merged with other relevant criteria from several other policies, to form a new policy (Policy BE02) on water efficiency and management, incorporating robust development requirements that accord with the Framework. This is achieved by **MM14** which is necessary for effectiveness and consistency with national policy.

337. Policy BE04 (now proposed to be BE03), encourages the provision of low carbon and renewable infrastructure networks, including stand-alone, decentralised and building scale technologies. However, some of the criteria duplicate other Plan policies, particularly in relation to Green Belt and design, and should be deleted for effectiveness.

Several other criteria also require merging and simplifying so that the requirements for energy infrastructure are clear and effective. **MM15** sets out these changes to both the policy and supporting text.

338. Policy BE05 unnecessarily and confusingly duplicates requirements identified in other relevant Plan policies. **MM16** deletes the policy and supporting text for reasons of effectiveness.
339. To contribute to carbon reduction targets within the Borough, Policy BE06 requires provision of improved energy efficiency measures in existing dwellings when relevant extensions or conversions are applied for. However, it is not the role of planning policy to duplicate building regulations. The policy and supporting text are therefore deleted to ensure the Plan is justified and does not conflict with other legislation [**MM17**].
340. Whilst Policy BE07 (now proposed to be BE04), which seeks to manage heat risk, is justified, some of the criteria need modifying to ensure the policy is effective. **MM18** makes the necessary amendments including clarifying that passive ventilation is to be maximised and other ventilation and active cooling systems are to be provided where necessary.
341. Policy BE08 (now proposed to be BE05) on sustainable drainage requires amending to clarify that mitigation schemes for development within a Critical Drainage Area must address appropriate issues and to set out clear sustainable drainage design criteria. Relevant guidance and other Plan policies also require referencing in the policy to provide clarity and consistency. Furthermore, the seeking of appropriate development surfaces to be permeable where possible, requires adding to the policy. **MM19** makes the necessary adjustments so that the policy is justified, effective and consistent with national policy. It also includes consequential amendments to the supporting text. We have also kept reference to the need for a Flood Risk Assessment within the policy for effectiveness.
342. Policy SP05 identifies construction management criteria. However, it is not the role of planning policy to duplicate matters that are covered by other legislation. Furthermore, the management of such factors as noise, vibration, light, dust and odours during construction can also be enforced through planning conditions. The policy and its supporting text are therefore deleted from the Plan to ensure it is justified and does not conflict with other legislation. **MM8** achieves this.

343. Policy BE01 seeks all applications to take into account various principles of future proofing, including in relation to climate change. However, the policy reads as a statement of intent and as such does not set out clear development requirements. Furthermore, the principles listed in the policy are identified in other Plan policies. **MM11** deletes the policy to remove unnecessary repetition and to ensure the Plan is effective.
344. Policy NE05 sets out a range of development requirements in relation to air quality, but these are not entirely consistent with national policy or effective. Hence, amendments are required so that development complies with the relevant national air quality standards and concise requirements added that clarify how the policy would be applied. This includes clarification on requirements for development proposals within air quality management areas and on cumulative impacts. This is achieved by **MM77**, which also amends the supporting text for consistency and effectiveness.
345. Policy NE06 (now proposed to be Strategic Policy NE09) provides a criteria-based approach to flood risk. To ensure it is both effective and consistent with national policy amendments are required to clarify how the policy is to be applied. This requires identifying the suitability of land use vulnerabilities within different flood zones, incorporating criteria for site specific flood risk assessments, and ensuring consistency with the sequential and exception tests set out within the Framework. Reference to the Borough's Critical Drainage Areas more logically aligns with the Plan policy on sustainable drainage. These changes are necessary to ensure that the policy accords with the 2018 Strategic Flood Risk Assessment recommendations, and national policy and guidance. This is achieved by **MM78**, which also amends the supporting text for consistency.
346. Policy NE07 sets out criteria for development proposals involving contaminated land and hazardous substances, but these are neither effective nor consistent with national policy. Accordingly, the wording of the policy and relevant supporting text is amended, to clearly set out the development requirements and when they would apply, to remove any ambiguity and to align with the Framework, as defined in **MM79**.
347. Whilst Policy NE08 on floodlighting and illumination is justified, some of the criteria are imprecise and require amending to provide clarity and ensure the policy is effective overall. **MM80** makes the necessary amendments to both the policy and supporting text.

348. For effectiveness, Policy SP03 (now proposed to be Policy MG04) requires amending so that it clearly defines the circumstances when a health impact assessment will be required. The policy therefore needs to specify that it applies to residential developments above the threshold size of 50 units or more (or less at the discretion of the local planning authority); non-residential development of 1,000 sqm or more; and certain hot food takeaway proposals, based on location.
349. In the submitted Plan, restrictions for hot food takeaway proposals are set out in Policy PC10. These are to be deleted from Policy PC10, as set out elsewhere in this report. The requirement for health impact assessments to be provided for hot food takeaway proposals, is justified, so that any impacts on health can be established as part of the application process.
350. However, to accord with the evidence submitted during the examination, it is necessary to make it clear that Policy SP03 would only be required for hot food takeaway proposals outside designated town, district or local centre and within 400 metres of a school entrance. **MM6** makes these changes to the policy for effectiveness. It also amends the supporting text to clarify the respective roles of the Council and Public Health England in this regard.

Conclusion

351. We conclude that, subject to the above MMs, the Plan's development management policies for the Green Belt, natural environment, historic environment, design and place-making, climate change and other environmental matters, are justified, effective and consistent with national policy.

Issue 10 – Whether the Plan is viable and capable of being effectively implemented, monitored and reviewed.

Viability

352. The Council's viability assessment 2018 provides a robust assessment of the overall cumulative impact of the policies in the Plan, in accordance with national policy, good practice guidance and relevant regulations. It models appropriate development typologies that are likely to come forward over the Plan period. For residential development this includes 25 specific appraisals for different sized brownfield and greenfield modelled sites and four strategic sites, including the Dunton Hills Garden Village, which are appraised

separately. Other typologies include older people's housing, employment uses, retail and leisure.

353. The values and assumptions used within the assessment and overall approach to viability have been consulted on with the development industry. The Council has also had regular communications with all the site promoters/developers of the larger strategic growth sites. SoCG have been drafted for all large strategic sites, which conclude that the requirements set out in the Plan can be viably met.
354. The assessments include all policy impacts, including affordable housing, defined standards and the Council's proposed Community Infrastructure Levy rate. They conclude that, in most cases, development is viable, with some assessments demonstrating significant viability margins, well above the defined viability threshold. Whilst some non-residential uses are identified as being unviable, the viability assessment concludes that this is due to general market conditions, rather than the cumulative impact of the Plan policies.
355. Overall therefore we are satisfied that the evidence credibly indicates that the cumulative impact of the Plan's policies will not put implementation of the Plan at serious risk.

Monitoring

356. The Plan is to be monitored through the key indicators and targets set out in the monitoring framework within Appendix 3 of the Plan. Whilst the monitoring tables provide key indicators and targets against each relevant policy, these do not provide sufficient detail and clarity to be effective. They also do not include actions and contingencies to be taken by the Council, should the policies not deliver the required outcomes.
357. We therefore consider it necessary for the Plan's monitoring framework to be amended to ensure that the indicators are appropriate and consistent with other MMs for the Plan and set appropriate triggers and actions. **MM117** rectifies this, by replacing the monitoring framework in Appendix 3 of the Plan providing necessary clarity so that the monitoring of relevant policies is effective.

Implementation and review

358. Paragraph 33 of the Framework states that policies and spatial development strategies 'should be reviewed to assess whether they need updating at least every five years, and should then be updated as necessary.'
359. As set out earlier in this report, the identified housing need and requirement in the Plan, cannot be met in full during the Plan period. Accordingly, it is therefore essential that the Council commence work on producing an update of the Plan immediately on adoption and submit it for examination in a timely manner. To give this the prominence it needs within the Plan, a new 'Local Plan Review and Update' policy (Policy MG06) is required. This provides a clear 28 month timescale for submission of an update, from adoption of the Plan, which the Council has assured us can be resourced and met.
360. Also, as acknowledged earlier in this report, the extension of the Plan period can be considered further as part of this immediate update, along with the identified transport and highway infrastructure matters. The Council's commitment to undertaking this immediate update is critically important for meeting identified housing need over the Plan period.
361. **MM10** adds this new policy to the Plan, though we have amended it, as highlighted above, to accord with the wording in the Framework, as it is clear that an update is necessary. This MM ensures that the Plan is justified and consistent with national policy. A consequential change also needs to be made to the original **MM116** to reflect this amendment.

Conclusion

362. In conclusion, subject to the above MMs, the Plan is viable and is capable of being effectively implemented, monitored and reviewed.

Overall Conclusion and Recommendation

363. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
364. The Council has requested that we recommend MMs to make the Plan sound and legally compliant and capable of adoption. We conclude that the duty to cooperate has been met and that with the

recommended MMs set out in the Appendix, the Brentwood Local Plan Pre-Submission Document and the Addendum of Focussed Changes to the Pre-Submission Local Plan, satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Yvonne Wright and Mike Worden

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.