

INDEPENDENT EXAMINATION OF THE BRENTWOOD LOCAL PLAN

INSPECTORS' MATTERS, ISSUES AND QUESTIONS FOR THE HEARING SESSIONS: WEEKS 2 and 3

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Introduction

These matters, issues and questions relate to **WEEKS 2** and **3** of the Hearing into the Examination of the Brentwood Local Plan. They should be read in conjunction with the Inspectors' initial questions to the Council and the Council's response. All the documents can be found on the Examination webpage on the Council's website.

Further information about the Examination, hearing sessions and format of any further written statements is provided in the Inspectors' accompanying Guidance Note.

Matter 6 Dunton Hills Garden Village – continuation from Week 1 but focussing on the specific policy details

Policies R01 (I)-(III) DHGV

55. Do policies R01 (I) and (II) provide a sound and effective basis for the development and design of DHGV over the plan period? What planning status will the masterplan and guidance have?
56. Does Policy R01 (III) provide a sound and effective basis for the delivery of DHGV including community involvement, and the deliverability and legacy of the scheme?
57. Do the policies together ensure that valuable site characteristics and features are respected and incorporated into the overall scheme development?
58. Do the policies together ensure that for travel within and to and from DHGV, priority is given to sustainable forms of transport, including the use of West Horndon Station, and is the wording effective?

59. Are the policies for DHGV sufficiently flexible to adapt to change over the period of the Plan but ensure that the strategic objectives can still be met?
60. Do the policies provide sufficient control and direction to ensure that the strategic objectives for the site and the Plan overall can be met?
61. Are the policies effective in terms of securing an appropriate housing mix to meet needs in the local area?
62. What key views are required to be safeguarded and maintained? Is this clear in Policy RO1 (II)?
63. Does the evidence clearly demonstrate the development impacts and the mitigation measures that are required?
64. Are the policies clear as to what infrastructure is required in order to develop the site, when it needs to be in place and how it will be funded and delivered? Are the infrastructure requirements identified in the policies justified by robust evidence? Is any other infrastructure necessary for site delivery?
65. Are the site boundaries justified? Do the policies ensure that adequate boundary treatment, design and buffers will be secured to protect and enhance landscape character and distinctiveness particularly between the site and Basildon?
66. Is the delivery of 2,700 new dwellings by 2033 achievable? It has been suggested by the Council, in F9A, that the site should deliver 2,770 by 2033 – is this achievable? Are there any reasons why the site might not be delivered in accordance with the timescale and trajectory set?
67. The Council has suggested significant other changes to the policies, as set out in F9A. What are the reasons for these changes and are they necessary to ensure the policies are justified, effective and consistent with national policy?

Matter 7 Site allocations

Issue 8 Are the proposed housing and employment site allocations justified, effective and consistent with national policy? Have exceptional circumstances been fully evidenced and justified for those sites proposed to be released from the Green Belt, and are they consistent with national policy?

Matter 7a Site selection methodology

68. Is the methodology for site assessment and selection soundly based? Has the site selection process been robust and is it justified and consistent with national policy?
69. Do any of the sites allocated for development in the Local Plan fall within Flood Zones 2 or 3? Has the sequential test, and exception test where

necessary, been correctly applied in the assessment of flood risk (including surface water flooding) for the selection of potential development sites? Is this adequately evidenced for all sites as part of the site selection process?

70. How have the findings of the SA and the *Green Belt Study (C18)* been considered as part of the site selection process?
71. Has each proposed site allocation been appropriately assessed as part of the overall site selection process?

Matter 7b Site allocations - General questions

72. Many of the site allocation policies allocate the sites for development and refer to these as being '*shown in Appendix 2*', which provides maps of the sites. Is it also clear that the sites are identified on the policies map?
73. Some allocation policies specify the provision of affordable housing whilst others do not. Is it necessary to include this specific provision within each relevant policy or is this adequately covered by Policy HP05?
74. Several policies state that the sites are within a Critical Drainage Area and specify that a mitigation scheme to address the issue of surface water flooding is likely to be required. Is this wording effective and have costs associated with mitigation schemes been factored into the viability assessment for relevant site delivery? Do the Council's suggested wording changes in F9A in this regard provide clarity and do they ensure effectiveness of relevant policies?
75. Some of the policies state that sites are allocated for residential development, but employment land and other facilities are set out as requirements, so are these residential-led or mixed-use developments? Is this clear?
76. The supporting text for several site allocations refer to other specific requirements (such as travel plans, travel information packs and the provision of good accessibility to bus services and the improvement of nearby bus stop infrastructure) that are not in the policies. Are these requirements justified and if so, should they be specifically set out in the site policies or are they covered by other Plan policies? Have these requirements been included in the viability assessments?

Matter 7c Site allocations – Brentwood town

Policy R06 Land off Nags Head Lane, Brentwood

77. Is the proposed allocation of the site for development soundly based? In particular:
 - a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?

- b) Does the proposed development capacity of the site fully take account of site constraints (including the presence or proximity of a gas transmission asset as advised by the National Grid) and sustainable development needs? Are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development principles and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Does the supporting text clearly justify the policy requirements?
- e) Are the Council's suggested wording changes for the policy necessary for soundness? Why is it necessary to add a criterion specifically on heritage impact?
- f) Are the site boundaries justified?
- g) Is the site viable and deliverable?

Policies R10, R11, R13, R14 Brentwood car parks

78. Are these proposed site allocations soundly based? In particular:

- a) On what basis have these car park sites been identified for development? What proportion of total public car parking spaces do they provide? Evidence submitted suggests that those controlled by the Council (R11, R13 and R14) provide nearly 600 spaces which constitutes 45% of publicly available parking in the town centre. Is this correct? What impact, if any, will this loss of car parking have on total provision within Brentwood town centre and the town centre economy? Or are these car parks surplus to requirements and if so is this clearly demonstrated in robust evidence?
- b) If the sites are no longer required for parking, why do the policies require proposals to '*consider wider Town Centre parking needs in order to ensure that the current level of Town Centre public parking spaces is maintained*'? How is this achievable? Furthermore, is the requirement in Policy R13 (Chatham Way car park) for the possible retention of public car parking and the cross reference to the sites R11 and R14 justified and effective?
- c) Policy R14 (William Hunter Way car park) is allocated for both housing and retail development. Is this mix of development on this site deliverable and achievable? How much retail development is proposed, is this meeting an identified need and is it justified? Is the inclusion of development principles on heritage assets justified and effective?

- d) Does the proposed development capacity of the sites fully take account of any site constraints and sustainable development needs? Are the assumptions on density consistent with the evidence?
- e) Have appropriate lead-in times and delivery rates been used when assessing delivery timeframes for the sites and are they realistic?
- f) Are the development principles and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Does the supporting text clearly justify the policy requirements?
- g) As regards Policy R11 (Westbury Road car park), is the inclusion of development principles on heritage assets justified and effective? What specific design quality is required to be met on this site and is reference to the Town Centre Design Plan justified and effective?
- h) Are the Council's suggested wording changes for the policies necessary for soundness, including in relation to drainage and flood risk or are other changes required?
- i) Are the site boundaries justified?
- j) Are the sites viable and deliverable?

Policy R12 Land at Hunter House

79. Is the proposed allocation of the site for development soundly based? In particular:

- a) Does the proposed development capacity of the site fully take account of any site constraints and sustainable development needs? Are the assumptions on density consistent with the evidence?
- b) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- c) Are the specific development principles and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is the inclusion of development principles on heritage assets justified and effective? Is any other infrastructure necessary for site delivery? Does the supporting text clearly justify the policy requirements?
- d) Are the Council's suggested wording changes for the policy necessary for soundness?
- e) Are the site boundaries justified?
- f) Is the site viable and deliverable?

Policy R15 Wates Way Industrial Estate

80. Is the proposed site allocation soundly based? In particular:

- a) The site is allocated for both housing and retail development. Is this mix of development on this site deliverable and achievable? How much retail development is proposed, is this meeting an identified need and is it justified? Is the loss of the site for employment use justified by robust evidence?
- b) Does the proposed development capacity of the site fully take account of any site constraints and sustainable development needs? Are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development principles and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is the inclusion of a development principle on local historic context necessary and effective? Is any other infrastructure necessary for site delivery? Does the supporting text clearly justify the policy requirements?
- e) Are the Council's suggested wording changes for the policy necessary for soundness?
- f) Are the site boundaries justified?
- g) Is the site viable and deliverable?

Matter 7d Site allocations - Shenfield

Policy R03 Land North of Shenfield

81. Is the proposed allocation of the site for development soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of the site fully take account of site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?

- d) Are the specific development requirements proposed, including the care home, self-build and custom build housing and land for education and employment use, justified by robust evidence?
- e) Are the development principles justified, effective and supported by credible evidence?
- f) Are the site infrastructure requirements clearly identified, are they necessary and are they justified? Is any other infrastructure necessary for site delivery? Does the supporting text clearly justify the requirements?
- g) Are the Council's suggested wording changes for the policy necessary for soundness?
- h) Are the site boundaries justified?
- i) Is the site viable and deliverable?

Policy R18 Land off Crescent Drive, Shenfield

82. This site has recently been granted planning permission for the provision of 86 apartments. It is therefore a committed development site. As such is it necessary to allocate the site and if so what requirements are necessary to be set out in the policy?

Policy R19 Land at Priests Lane, Shenfield

83. Is the proposed allocation of the site for development soundly based? In particular:

- a) Is the allocation of the site for development consistent with paragraph 97 of the NPPF? Is the site surplus to playing field requirements or is it necessary to require an appropriate replacement? Is this demonstrated in the evidence?
- b) The policy seeks the provision of around 75 new homes within the site and potential for the provision of a care home for around 40 beds. Is the provision of a care home justified, what type of care home is envisaged and why does the policy only refer to it as being a potential form of development? Why is it not referenced in the supporting text?
- c) Does the development capacity of the site fully take account of any site constraints and sustainable development needs and is it justified by the evidence?
- d) The Council has suggested, in A2 and F9A, that the site should now deliver around 45 new homes and a care home to provide around 40 bed spaces. Is this policy change justified by robust evidence and is it necessary for soundness? Are the other suggested wording changes in F9A necessary for soundness?

- e) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- f) Are the specific development principles and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is the provision for the expansion of the Endeavour school, to accommodate a sixth form, justified? Is the development to provide just the land or to build the extension as well? Is this clear? Is any other infrastructure necessary for site delivery?
- g) Are the site boundaries justified?
- h) Is the site viable and deliverable?

Policy R20 The Eagle and Child Public House

84. Is the proposed site allocation soundly based? In particular:

- a) Does the proposed development capacity of the site fully take account of any site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- b) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- c) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Does the supporting text justify the policy requirements?
- d) Are the site boundaries justified?
- e) Is the site viable and deliverable?
- f) Are the policy changes suggested by the Council in F9A necessary for soundness?

Matter 7e Site allocations – Urban neighbourhoods

Policy R04 and R05 Ford Headquarters and Council Depot Warley

85. Is the proposed site allocation soundly based? In particular:

- a) Where are the existing uses on the Council depot site to be relocated? On what basis has this site been identified for redevelopment for residential development? Is the loss of this employment site justified by robust evidence?
- b) Is the provision of a residential care home, land for self-build and custom build housing and 2 ha of employment land justified? Is the

policy clear on what employment uses would be acceptable within the site?

- c) Does the proposed development capacity of the site fully take account of site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- d) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- e) Are the specific development principles and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? How will development be required to preserve the setting of nearby listed buildings? Is this clear? Has this and consideration of the historic context of the area already been considered as part of the site allocation process? How are existing community facilities as defined in criterion B d of the policy, to be integrated into the development?
- f) Is any other infrastructure necessary for site delivery? Are the requirements suitably justified in the supporting text?
- g) Are the site boundaries justified?
- h) Is the site viable and deliverable?
- a) Are other policy changes suggested by the Council in F9A necessary for soundness?

Policy R07 Sow and Grow Nursery, Pilgrims Hatch

86. Is the proposed site allocation soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of the site fully take account of site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Are the requirements justified by the supporting text?

- e) Are the site boundaries justified?
- f) Is the site viable and deliverable?

Policy R08 Land at Mascalls Lane, Warley

87. Is the proposed site allocation soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of the site fully take account of site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Are the requirements justified by the supporting text?
- e) Is the site boundary justified?
- f) Is the site viable and deliverable?

Policy R09 Land off Warley Hill

88. Is the proposed site allocation soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of the site fully take account of site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Are the requirements justified by the supporting text?
- e) Is the site boundary justified? Does it ensure that the Green Belt boundary is defensible in the long-term?

- f) Is the site viable and deliverable?

Policy R16 and R17 Land off Doddinghurst Rd

89. Is the proposed site allocation soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of the site fully take account of site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Are the requirements justified by the supporting text?
- e) Are the site boundaries justified?
- f) Is the site viable and deliverable?

Matter 7f Site allocations - Large villages (West Horndon and Ingatestone)

Policy R02 Land at West Horndon Industrial Estate

90. Is the proposed site allocation soundly based? In particular:

- a) On what basis has this site been identified for redevelopment for residential development? Is the loss of most of the employment use justified by robust evidence?
- b) The policy includes requiring the provision of a residential care home for around 60 beds. Is this justified by robust evidence and should it be justified in the supporting text?
- c) Does the development capacity of the site fully take account of any site constraints and sustainable development needs and is it justified by the evidence?
- d) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?

- e) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? In particular, the creation of a new village centre comprising retail and community facilities is identified in the policy, though it is not referred to in the supporting text. Is this to be provided within the site allocation and if so, is this justified? What community facilities are required and how much retail development is proposed?
- f) Is any other infrastructure necessary for site delivery?
- g) Are the policy changes suggested by the Council in F9A necessary for soundness?
- h) Are the site boundaries justified?
- i) Is the site viable and deliverable?

Policies R21 and R22 Ingatestone

91. Are the proposed site allocations soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the removal of the sites from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of the sites fully take account of any site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the sites? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development and site infrastructure requirements clearly identified for each site, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for each site to be delivered? Does the supporting text justify the requirements?
- e) Are the sites boundaries justified?
- f) Are the sites viable and deliverable?

Policy E08 Land adjacent to A12 and Slip Road, Ingatestone

92. Is the proposed site allocation soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?

- b) Has full account been taken of any site constraints, including access and sustainable development needs and are the assumptions for the development of the site consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes for the site? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the development principles necessary and are they justified by robust evidence?
- e) Are any specific infrastructure requirements necessary for site delivery?
- f) Are the site boundaries justified?
- g) Is the site viable and deliverable?

Matter 7g Site allocations - Rural villages (Kelvedon Hatch and Blackmore)

Policies R23 and R24 Kelvedon Hatch

93. Is the proposed site allocation soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the removal of the sites from the Green Belt been clearly demonstrated?
- b) Does the proposed development capacity of each site fully take account site constraints and sustainable development needs and are the assumptions on density consistent with the evidence?
- c) Have appropriate lead-in times been used when assessing delivery timeframes? How have the delivery rates within the updated trajectory been determined and are they realistic?
- d) Are the specific development and site infrastructure requirements clearly identified for each site, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Does the supporting text justify the requirements?
- e) Are the boundaries of each site justified?
- f) Are the sites viable and deliverable?

Policies R25 and R26 Blackmore

94. Are these proposed site allocations soundly based? In particular:

- a) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the removal of the sites from the Green Belt been clearly demonstrated?
- b) The Plan seeks the provision of around 40 new homes within site R25 and 30 new homes within site R26. Do these levels of development capacity fully take account of any site constraints and sustainable development needs and are they justified by the evidence?
- c) The Council has suggested, in A2 and F9A, that the sites should now deliver around 30 new homes for R25 and around 20 new homes for R26. Is the reduction in the capacity of the sites to deliver housing, justified by robust evidence and are the suggested policy changes necessary for soundness?
- d) Is the requirement for a minimum of 25% of the proposed dwellings, within each site, to be reserved for people with a strong local connection or be over 50 years of age justified, effective and consistent with national policy? The policies state that these dwellings should be affordable housing. Is this consistent with Policy HP05 and is it justified, effective and consistent with national policy?
- e) Are the specific development and site infrastructure requirements clearly identified for each site, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Does the supporting text justify the requirements?
- f) Have appropriate lead-in times been used when assessing delivery timeframes? How have the delivery rates within the updated trajectory been determined and are they realistic?
- g) Are any other suggested wording changes in F9A necessary for soundness?
- h) Are the boundaries of each site justified?
- i) Are the sites viable and deliverable?

Matter 7h Site allocations – other employment sites

Policy E11 Brentwood Enterprise Park

95. Is this proposed site allocation soundly based? In particular:

- a. Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b. Has full account been taken of any site constraints and sustainable development needs in allocating the site and is it consistent with the evidence?

- c. The policy proposes to allocate at least 25.85 ha of land for employment use, principally B1, B2 and B8 uses, together with any associated employment generating sui generis uses and ancillary and supporting uses. Due to recent changes to the Use Classes Order, the Council has proposed a modification in F9A to amend the policy. Is the suggested new policy wording effective? Is it clear when referring to Class E, what development will be permitted? Is the policy clear on what is meant by '*high quality employment development*'?
- d. The policy defines ancillary uses as being a hotel, retail and/or use class D1 uses. Are such uses acceptable within the site and are they justified in this location? Would other forms of ancillary or supporting development also be acceptable? Are the changes proposed by the Council in F9A to reflect the amended use classes in this context effective? Is it clear what development will be permitted?
- e. Are the specific development principles justified by robust evidence?
- f. Are the site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Are the requirements justified by the supporting text?
- g. Is the site boundary justified?
- h. Is the site viable and deliverable?

Policy E10 Codham Hall Farm

- 96. The policy proposes to allocate land at Codham Hall Farm for employment use. As identified in figure 7.6 in the Plan, 9.01 ha of the site is in existing employment use with vehicular access directly off junction 29 of the M25. The proposed extension is for 0.61 ha of additional employment land. This equates to 9.62 ha of land proposed to be in employment use. This part of the site is proposed to be released from the Green Belt. The rest of the allocation (8 ha) is proposed to provide '*landscaping, amenity, access and ancillary uses to support the sustainability of the site*' and is proposed to remain within the Green Belt. Is our understanding of this site allocation correct?
- 97. Is the proposed site allocation soundly based? In particular:
 - a) Why is it necessary to allocate all the site for employment use? Is the allocation and the proposed different uses justified by robust evidence? Has full account been taken of any site constraints and sustainable development needs in allocating the site and is it consistent with the evidence?
 - b) Has full consideration been given to the impact of the proposed development on the Green Belt? Have exceptional circumstances for

part of the site's removal from the Green Belt been clearly demonstrated? Are the uses for the land proposed to remain in the Green Belt consistent with national policy on Green Belt?

- c) The policy proposes to allocate the land principally for B1, B2 and B8 employment uses, together with any associated employment generating sui generis uses. Due to recent changes to the Use Classes Order, the Council has proposed a modification in F9A to amend the policy. Is the suggested new policy wording effective? Is it clear when referring to Class E, what development will be permitted? How will the policy apply to the existing employment uses within the site?
- d) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery? Are the requirements justified by the supporting text?
- e) Is the site boundary justified?
- f) Is the site viable and deliverable?

Policy E12 Childerditch Industrial Estate

98. The policy proposes to allocate land at Childerditch Industrial Estate for employment use. As identified in figure 7.6 in the Plan, this comprises of 11.25 ha of existing employment land allocated in the existing development plan and 3.52 ha of existing employment use that has not previously been allocated. The proposed extension is for 5.87 ha of additional employment land. This equates to the 20.64 ha of employment land within the site. The 11.25 ha of existing land is not within the Green Belt. The rest of the allocation is proposed to be released from the Green Belt. Is our understanding of this site allocation correct?

99. Is the proposed site allocation soundly based? In particular:

- a) Is the extension to the existing site justified by robust evidence?
- b) Has full consideration been given to the impact of the proposed extension on the Green Belt? Have exceptional circumstances for part of the site's removal from the Green Belt been clearly demonstrated?
- c) Has full account been taken of any site constraints and sustainable development needs in allocating the site and is it consistent with the evidence?
- d) The policy proposes to allocate the land principally for B1, B2 and B8 employment uses, together with any associated employment generating sui generis uses. Due to recent changes to the Use Classes Order, the Council has proposed a modification in F9A to amend the policy. Is the suggested new policy wording effective? Is it clear when referring to Class E, what development will be permitted? How will the policy apply to the existing employment uses within the site?

- e) Are the specific development and site infrastructure requirements clearly identified, are they necessary and are they justified by robust evidence? Is it necessary to seek the provision of access via the A127 when it is already in situ? Is the 'consideration' of junction improvements effective wording in the policy? Are the requirements justified by the supporting text?
- f) Is it necessary to include the consideration of potential heritage impacts within the policy, as suggested by the Council? Has this been considered as part of the allocation process?
- g) The Council has also suggested a modification to the supporting text of the policy, to include wording on flood risk. This includes stating that the 'proposed development area is at risk of flooding from surface water.....' On this basis, is the policy justified and is it consistent with paragraph 157 of the NPPF?
- h) Is the site boundary justified?
- i) Is the site viable and deliverable?

Policy E13 East Horndon Hall

100. We note that the site received outline planning permission in April 2020 for its redevelopment for Classes B1b, B1c, B2 and B8 and A3, together with associated infrastructure. The site is therefore a committed development site. In this context, is Policy E13 justified, effective and consistent with national policy? In particular:

- a) Have exceptional circumstances for the site's removal from the Green Belt been clearly demonstrated?
- b) Are the specific development and site infrastructure requirements justified by robust evidence? Is it clear what 'improved sustainable links' to DHGV and the railway station at West Horndon mean? How is this proposed to be achieved? How will development be required to preserve the setting of nearby listed buildings? Is this clear? Has this already been considered as part of the site allocation and planning application processes? Is any other infrastructure necessary for site delivery? Has full account been taken of any site constraints and sustainable development needs in setting the criteria?
- c) Due to recent changes to the Use Classes Order, the Council has proposed a modification to the policy, as set out in F9A. Is the suggested new policy wording effective, particularly as the site now includes planning permission for Class E uses and change of use within that class does not constitute development and therefore does not require planning permission?
- d) Are the delivery timeframes for the site realistic?

Matter 8 Housing Provision

Issue 9 – Does the Plan set out a positively prepared strategy for the supply and delivery of housing development that is justified, effective and consistent with national policy?

Housing supply

101. Does the Plan set out a robust housing land supply that meets the identified needs? In particular:
- a. Does the supply identify sufficient land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, in accordance with paragraph 68 of the NPPF?
 - b. Is there sufficient flexibility in the housing trajectory to ensure that housing land supply within the Plan area will be maintained and will deliver the housing requirement set out in Policy SP02?
 - c. Is there credible evidence to support the expected delivery rates set out in the housing trajectory? In particular, with 679 total completions for the period 2016/17 to 2019/20, this means that around an average of 544 completions per year would have to be achieved from 2020/21 to the end of the plan period to meet the 7,752 housing requirement. This is a significant rise in house building rates from recent and historic trends in the borough. Does the evidence support that this can be achieved?

Five year housing land supply

102. Is a five year housing land supply clearly demonstrated? Is it based on robust evidence and is it justified?

Other housing policies

(Policies HP01-HP04 and HP06)

Policy HP01 Housing mix

103. Does the policy, and the Plan as a whole, adequately address the needs of different groups in the community in accordance with paragraph 61 of the NPPF?
104. Criterion A a i of the policy requires a housing mix as set out in the SHMA or similar evidence. The supporting text provides more detail on the mix being sought, but also states that this will be subject to negotiation. Does this approach provide sufficient flexibility concerning the mix of house types and sizes to allow reactions to market forces and updated local needs evidence?
105. Criterion A a ii of the policy requires that on residential sites of 10 or more new dwellings, Building Regulations M4(2) for accessible and adaptable dwellings will apply to all new homes, unless they are built to the M4(3) wheelchair adaptable standard. Is this requirement justified and supported by

robust evidence? Would it address an identified need as specified by national policy?

106. Is criterion A b of the policy requiring a minimum 5% of new affordable dwellings to meet the M4(3) standard, on sites of 60 or more dwellings, justified by robust evidence? Is the threshold level justified and effective? Does this provision address an identified need as specified by national policy?

107. Criterion A c of the policy sets a threshold of sites of 500 dwellings or more on which self-build (and custom build) homes and specialist accommodation are required to be provided.

a) Is the requirement for a minimum 5% self-build homes justified and supported by a credible evidence base? What amount of self-build homes would this provide? Is this level of provision echoed in all relevant site allocations and is it consistent?

b) What specialist accommodation is being sought? Is this clear, is it justified and is it based on robust evidence?

c) The Council has suggested that the threshold be reduced so that the requirements apply to sites of 100 dwellings or more. Is this justified, supported by the evidence and necessary for soundness? What implications, if any, would this have for any other policies within the Plan and would it effect site viability?

108. It has been suggested that criterion B of the policy could hinder the delivery of smaller sites with two or more separate ownerships where land parcels are separated physically or legally. Is the wording of the policy justified and effective in this regard?

109. Have the requirements of the policy been suitably viability assessed?

Policy HP02 Protecting the existing housing stock

110. Is the policy soundly based?

Policy HP03 Housing density

111. Are the density figures for residential development justified in Policy HP03 and is the policy clear when they will be applied or when other densities will be sought? Is the overall approach to residential density within the Plan soundly based?

Policy HP04 Specialist accommodation

112. The supporting text to the policy refers to the SHMA and the identified requirement for 494 additional specialist units during the plan period, including 466 units as sheltered housing and 28 extra care units. Has this requirement been appropriately assessed? Paragraph 6.26 also refers to the production of a Specialist Accommodation Report. Has this been produced? How will it assist the provision of specialist accommodation?

113. Does the Plan clearly identify how much specialist accommodation is needed, of what types and where these are required to be located? How and where are the sheltered housing and extra care units, as referenced above, proposed to be provided? Several site allocation policies include the delivery of residential care homes. Are these justified by the evidence?
114. Are the criteria set out in Policy HP04 justified? Are the changes to the policy suggested by the Council necessary for soundness?
115. Why is it necessary to specify that a condition may be imposed where relevant? Is it the role of the Plan to specify when conditions may be used or not?

Policy HP06 Housing standards

116. Is the requirement, in criterion A of the policy, for all new residential development to comply with the nationally described space standard (NDSS) justified and consistent with footnote 46 of paragraph 127 of the NPPF? Is it necessary for soundness to set the NDSS out within the supporting text? Does the evidence demonstrate that the application of the NDSS is viable?
117. Are the proposed external residential space requirements justified, effective, consistent with national policy and have they been included in the viability assessment?
118. Are criteria C to F of the policy relating to housing quality sound? Is the suggested Council modification to delete criteria C and D necessary for soundness?

Matter 9 Gypsies, travellers and travelling showpeople accommodation

Issue 10 – Is the identified housing need for gypsies, travellers and travelling showpeople supported by robust and credible evidence, and is it justified and consistent with national policy? Does the Plan meet the identified housing needs of gypsies, travellers and travelling showpeople and is the approach sound?

(Policies HP07-HP11)

119. The Brentwood Gypsy and Traveller Accommodation Assessment (GTAA) 2017 concludes that there is a need for 12 gypsy and traveller pitches for the plan period for those individuals who meet the Planning Policy for Traveller Sites (PPTS) definition. The Plan identifies a need for the provision of 13 pitches which includes a pitch lost through redevelopment. The GTAA also concludes that there is a need for 66 additional pitches for gypsy and traveller households who do not meet the PPTS definition. Are these identified needs based on a robust methodology and is it consistent with national policy?
120. The GTAA concludes that there is no current need for transit or travelling showpeople sites. Are these conclusions robust? What progress has been

made on assessing transit site needs for the county? Has more up to date evidence been produced or is consideration of this matter at a later date, through the review of the Plan, justified and effective?

121. Is the GTAA conclusion that there is no identified need for travelling showpeople accommodation based on a robust assessment?
122. The GTAA evidence concludes that there is a need for 66 additional pitches during the plan period for gypsies and travellers who do not meet the PPTS definition. The Plan states in paragraph 6.57 that the Council will assess and plan to meet these accommodation needs through Policy HP04 Specialist Accommodation. Is this approach justified and will it be effective?

Policy HP07 Provision for gypsies and travellers and Policy HP08 Regularising suitable existing traveller sites

123. In response to our initial questions, the Council has clarified in their *Gypsies, Travellers and Travelling Showpeople Topic Paper (F5F)* that the gypsy and traveller sites referred to in Policies HP07 and HP08 are to be allocated. As such changes to the policies are necessary to clarify this. The Council has suggested that Policy HP07 is deleted from the Plan and changes are made to Policy HP08 and its supporting text.
124. Has the provision of sites to meet the identified needs been positively prepared and are the three proposed site allocations justified? Are the changes to Policies HP07 and HP08 necessary to ensure the Plan is justified and effective? In particular:
- a. All three proposed sites involve the development of land designated as Green Belt. Two sites (GT16 and GT17) are proposed to remain in the Green Belt, whilst the site at DHGV is proposed to be removed from the Green Belt. Is this differential approach justified and consistent with national policy? Have exceptional circumstances been demonstrated to justify the removal of the site from the Green Belt within the DHGV proposal? What other options were considered? Are there exceptional circumstances to justify the removal of all three sites from the Green Belt?
 - b. Policy HP08 requires that for sites GT16 and GT17 proposals for expansion will not be allowed. Is this justified and consistent with national policy?
 - c. In relation to site GT16 is the requirement for a landscape framework justified and effective?
 - d. As regards the DHGV R01 site, is the proposed requirement for the 5 gypsy and traveller pitches to comply with the site-specific criteria of Policy HP11 justified and consistent with national policy? If these pitches to be provided within the first 5 years of the development, as suggested by the Council, should this be set out in policy?

- e. Does the submitted evidence clearly demonstrate that the three sites are available, deliverable and suitable? Is the timeframe for delivery realistic and can a five year land supply at adoption be clearly demonstrated?
- f. Are the Council's suggested modifications to Policies HP07 and HP08 necessary for soundness?

Policy HP09 Safeguarding permitted sites

125. Policy HP09 identifies 15 existing gypsy and traveller sites located within the Green Belt and seeks to safeguard them from alternative development. Relevant development proposals for all sites would therefore need to accord with national Green Belt policy including demonstrating very special circumstances.
- a. How will the approach of keeping such sites in the Green Belt be effective in ensuring that needs associated with the occupants of those sites can be met?
 - b. Are there exceptional circumstances to justify removing safeguarded sites from the Green Belt and instead allocate them specifically as traveller sites as referred to in PPTS policy E?

Policy HP10 Sub-division of pitches or plots

126. Is Policy HP10 sound? In particular:

- a) The policy states that it applies to all authorised sites. Would it also apply to the allocated sites within the Plan?
- b) Is the policy consistent with national policy relating to Green Belt development, particularly regarding the need to demonstrate very special circumstances?
- c) Are the criteria within the policy justified? Is the requirement for a 10 pitch restriction on sites justified by robust evidence?
- d) Does the suggested deletion of Policy HP07 have implications for criterion B of Policy HP10?

Policy HP11 Proposals for gypsies, travellers and travelling showpeople on windfall sites

127. Is Policy HP11 sound? In particular:

- a) Are the criteria in criterion A of the policy justified, effective and consistent with national policy or are they overly restrictive? Is the negative framing of the policy justified? Does a similar policy apply for

other forms of residential accommodation? Is the requirement for a 10 pitch restriction on sites justified by robust evidence?

- b) Are the requirements in the policy adequately justified in the supporting text?
- c) Is criterion B of the policy consistent with national policy on Green Belt and the need to demonstrate very special circumstances?
- d) Is the Council's suggested modification for Policy HP11 necessary for soundness? Are any other amendments required?

Matter 10 Employment Land Provision

Issue 11 – Does the Plan set out a positively prepared strategy for the provision and delivery of employment land to meet identified needs within the Borough that is justified and effective. Are the policies for employment sites sound?

Policies PC03-PC06

Employment land supply

128. Does the Plan set out a robust employment land supply that meets the identified needs? Is the provision of 47.39 ha of new employment land justified?

Policy PC03 Employment land allocations

129. Policy PC03, together with the individual site policies, allocate employment land within the Plan and identifies when redevelopment or change of use may be permitted. Is the approach set out in Policy PC03 sound? In particular:

- a) Is it necessary to allocate existing employment sites within the Plan and to distinguish between them as set out in Figure 7.6?
- b) Four of the existing employment sites listed under Figure 7.6 are proposed to remain in the Green Belt, though we note that two now have planning permission for residential development and are proposed to be removed from the list of existing employment sites. In comparison, new allocations are proposed to be removed from the Green Belt. Is the different approach for these sites justified, effective and consistent with national policy? If Policy PC03 applies to employment sites within the Green Belt, is it consistent with national policy in this regard?
- c) Are the criteria in the policy clearly justified and supported by evidence or are they unduly restrictive?
- d) What impact do the recent changes to the Use Classes Order have on the policy? As changes of use within the same class do not constitute development, is the approach of the policy to restrict uses that are

not employment related, effective and consistent with the revised Regulations?

- e) The Council has suggested that the sites listed in figure 7.6 should be incorporated into the policy. Is this necessary for effectiveness?
- f) Does the supporting text appropriately justify the policy?

Deliverability

130. At our request the Council has provided, in F5H, an employment land trajectory. Of the new employment land proposed, is development achievable within the timescales indicated? Are there any reasons as to why the sites may not come forward as indicated?

Other employment policies

Policy PC04 Development and expansion of business space

131. Is the purpose of Policy PC04 clear and are the criteria soundly based? Is it consistent with other policies in the Plan? The policy appears to encourage the location of new office, research and development and research facilities in designated centres and areas within walking and cycling distance to the train stations. Is this justified and is the wording effective?? Is the Council's suggested modification which includes adding a new criterion for allocated and established employment sites, necessary for soundness?
132. What is the purpose of criterion C of the policy? Does it provide clear direction to an applicant or decision-maker?

Policy PC05 Employment development criteria

133. Policy PC05 sets out development management criteria for new employment proposals. The supporting text confirms this is for new employment proposals within and outside allocated employment areas. Is this justified and if so should it be made explicitly clear within the policy?
134. What impact do the recent changes to the Use Classes Order have on the policy? Does the Council's suggested modification clarify this and are the changes necessary for soundness?
135. Are the criteria in the policy soundly based?

Policy PC06 Supporting the rural economy

136. Are all rural areas within the borough located in the Green Belt? If so, is the approach set out in the policy consistent with national policy on development in the Green Belt?
137. What impact do the recent changes to the Use Classes Order have on the policy? Does the Council's suggested modification clarify this and are the changes necessary for soundness?
138. Are the criteria in the policy soundly based

Matter 11 Retail Provision

Issue 12 – Does the Plan set out a positively prepared strategy for the provision and delivery of retail development to meet identified needs within the Borough that is justified and effective. Are the policies for retail development and designated centres sound?

(Policies PC07-PC13)

Policy PC07 Retail and commercial leisure growth

139. The retail needs for the borough have been assessed through the *Brentwood Retail and Commercial Leisure Study* (2014) [C14]. This concluded there are identified needs for both convenience and comparison retail floorspace. As regards commercial leisure, the study concluded that except for a cinema there is limited potential other large scale facilities over the plan period. The *Brentwood Retail Study Update Addendum* [F7B] provides a partial update of the 2014 study. Have retail and commercial leisure needs been suitably assessed by robust and up to date evidence?

140. Policy PC07 defines that provision is made to meet the identified needs for comparison and convenience retail floorspace. Is this sound? Should it be modified to reflect the updated retail evidence in F7B? Should the policy define the locations where development is to be located, in accordance with the evidence? Is it clear within the Plan how much retail development is being proposed and does it meet the identified needs?

141. Do the identified needs include the proposed new centres at DHGV and West Horndon or are these in addition? How have the size and amount of retail development in these centres been assessed? Have assessments been carried out on the effect, if any, that these new centres may have on other local retail centres?

142. Is the Council's suggestion, in F9A, to move the policy and supporting text to chapter 4 of the Plan necessary for soundness?

Policy PC08 Retail hierarchy of designated centres

143. Is the retail hierarchy and sequential approach, set out in the policy, justified by the evidence, effective and consistent with national policy?

144. Has the hierarchy of centres, listed in Figure 7.7, been based on robust evidence and is it effective? Is it generally consistent with the overall settlement hierarchy categorisation and the planned growth for the plan period? For instance Shenfield is identified as a main town in the settlement hierarchy, and a district shopping centre in the retail hierarchy. Is this correct? Is the proposed creation of new centres for DHGV and West Horndon appropriately set out in the retail hierarchy?

145. What implications, if any, do the recent changes to the Use Classes Order have on the policy?

146. Is the Council's suggested deletion of criterion F necessary for soundness?

Policy PC09 Brentwood town centre

147. Is the policy justified, effective and consistent with national policy? Is the suggested Council modification, in F9A, necessary for soundness?

Policy PC10 Mixed use development in designated centres

148. Is the policy justified, effective and consistent with national policy? In particular:

- a. What implications, if any, does the recent changes to the Use Classes Order have on the policy? Is criterion D justified in this context?
- b. Is it appropriate for hot food takeaways to be restricted in designated centres, as set out within criterion C d of the policy, particularly when Figure 7.8 clearly identifies hot food takeaway uses as being suitable at ground floor level in such areas? The supporting text in paragraph 7.75 clearly identifies that hot food takeaways are main town centre uses, though we note that the Council has suggested that this text is deleted. Can the Council explain the reasoning behind the policy wording in the Plan and the suggested amendment? Is the approach sound and suitably justified by the supporting text?
- c. Are the other changes to the policy and supporting text, as suggested by the Council, necessary for soundness?

Policy PC11 Primary shopping areas

149. Is the policy sound? In particular:

- a. Are the primary shopping areas designated within Brentwood town centre, Shenfield and Ingatestone justified?
- b. What implications, if any, does the recent changes to the Use Classes Order have on the policy?
- c. Is the suggested Council modification necessary for soundness? Are any further amendments necessary to the policy as suggested in F7B?

Policy PC12 Non-centre uses

150. Is the policy justified, effective and consistent with national policy? Is the suggested Council modification for this policy and Figure 7.8 necessary for soundness?

Policy PC13 Night time economy

151. Is the policy justified, effective and consistent with national policy? Is the suggested Council modification necessary for soundness?

Matter 12 Infrastructure (Transport, connectivity, community and communications)

Issue 13 – Does the Plan set out a positively prepared strategy for infrastructure provision to meet the Plan’s development strategy and is this justified, effective and consistent with national policy? Are the policies relating to infrastructure sound?

(Policies PC14-PC16, BE09-BE23 and SP04)

Matter 12a Transport and connectivity

(Policies BE11-BE17)

152. Have all essential transport and connectivity infrastructure elements been established and does the Plan adequately address these needs in its identification of the scale and location of proposed development? Has the preparation of the Plan been consistent with paragraph 102 of the NPPF which states that transport issues should be considered at the earliest stages of plan-making?
153. Has the effect of the planned growth on the strategic transport network been adequately assessed? Does the Plan provide sufficient measures to avoid any severe cumulative impacts, including through mitigation, and the maximisation of opportunities for sustainable transport? Are those measures deliverable? Is it clear to decision-makers, developers and local communities what will need to be provided, when and where?
154. Is there clear evidence that infrastructure needs will be funded and delivered in a co-ordinated manner across the plan area?

Policy BE11 Strategic transport infrastructure

155. The policy consists of a list of Council objectives or statements of intent, and does not set out clear development requirements. In response to this the Council has suggested that the wording of the policy is replaced as indicated in F9A. Is the suggested change effective in clearly defining what strategic transport infrastructure measures are required to support the planned growth and are they justified and deliverable? Is the purpose of the policy clear?
156. Are the Council’s suggested changes to the supporting text, justified, effective and necessary for soundness?

Policies BE12-BE17

157. Are Policies BE12-BE17 justified, effective and consistent with national policy? Is it clear whether the policy requirements are in addition to the site specific requirements set out in site allocation policies? If so, is this justified? Are the policies suitably justified within the supporting text?
158. Are the Council’s suggested amendments to the policies and supporting text necessary for soundness?

159. Is compliance with parking standards, as stated in Policy BE17, justified, when those standards do not form part of the Plan and could change at any time? How is this justified? Is the policy consistent with paragraph 106 of the NPPF?

Matter 12b Other infrastructure

Green and blue infrastructure – Policies BE18- BE23

160. Is Policy BE18 justified, effective and consistent with national policy? Is it appropriate for developers to improve the water environment as set out in criterion B f? Does this relate to existing issues? Are the Council's suggested changes to the policy, identified in F9A, necessary for soundness?

161. Is the purpose of Policy BE19 clear? Is the Council's suggested deletion of the policy and relevant supporting text, necessary for soundness?

162. Is the purpose of Policy BE20 clear? Does the Council's suggested amendment to Policy BE20, to delete the wording of the policy and replace it, ensure that the policy is effective? Are the allotments, as identified on the policies map, statutorily protected under the Allotments Act 1925? Why is it necessary to have two separate policies that apply to allotments (BE20 and BE21)?

163. Policy BE21 seeks to protect gardens and allotments, only permitting development that meets the listed criteria. Is this approach justified?

164. Policy BE22 seeks open space provision in new development.

- a) Does the Council's suggested amendment ensure that the policy is effective and consistent with national policy in relation to when financial contributions may be required and where they would be used? Is this in accordance with Paragraph 56 of the NPPF?
- b) The supporting text at paragraph 5.181 states that '*on larger residential and/or commercial schemes of 50 units and above, the Council will seek at least 15% of the site to be set aside with substantive and usable public open space*'. The Council's suggested modification seeks to add a minimum 15% requirement for useable on-site open space, but does not refer to sites being 50 units or above in size. Why is this? Is the requirement justified and effective? How will the provision effectively apply to commercial schemes of 50 units and above? Are any such schemes proposed in the Plan?
- c) Criterion C of the policy identifies when commuted sums may be requested. Is this justified and effective?
- d) Is the requirement for all open space provision to be fully equipped, as set out in criterion D, justified? Is the policy clear on what is meant by 'fully equipped'? Is this viable for all sites or should it only apply to larger forms of development?

165. Policy BE23 relates to open space, sport and recreation facilities.

- a) Is criterion A and D consist with paragraph 97 of the NPPF? Have the open spaces been suitably assessed by robust evidence and are their allocations, as defined on the policies map, justified?
- b) Do criteria B and C relate to the provision of open space within new development and if so are they consistent with Policy BE22? Are the open space standards, as defined in figure 5.1, justified?
- c) Criterion E reads as a statement of intent rather than a policy requirement. Is its inclusion within the policy justified and effective?
- d) The Council, in response to our initial questions, has confirmed that the term 'Local Green Space' within the policy does not meet the NPPF definition. Accordingly the Council has suggested amendments to the policy to clarify this. Are these changes effective and are the other suggested policy changes necessary for soundness? What implications do these changes have for Figure 5.3 in the Plan and the glossary in terms of definitions?

Community infrastructure – Policies PC14-PC16

166. Are the requirements set out in Policies PC14-PC16 soundly based? Are the Council's suggested changes to the policies and relevant supporting text, identified in F9A, necessary for soundness and do they ensure that the criteria for community assets, education facilities, and institutional buildings are justified and consistent with national policy?

167. As regards Policy PC16 is it clear what an institutional use is and where such uses would likely be located? Does reference need to be made to the Green Belt policies within the supporting text or is this unnecessary as the Plan should be read as a whole?

Communications infrastructure – Policies BE09 and BE10

168. Are the requirements set out in Policies BE09 and BE10 soundly based? Are the Council's suggested changes to the policies, identified in F9A, necessary for soundness?

Developer contributions - Policy SP04

169. Are the requirements set out in the policy sound?

Matter 13 Environment

Issue 14 – Does the Plan set out a positively prepared strategy for the natural, built and historic environment that is justified, effective and consistent with national policy? Does the Plan adequately address climate change and other environmental matters and are the policies sound?

Matter 13a Strategic policies and future proofing

(Policies SP03, SP05 and BE01)

Policy SP03 Health impact assessments (HIAs)

170. Is the policy sound and suitably justified by the supporting text? Are the requirements for the preparation of HIAs justified? Are the thresholds based on robust evidence? Are the requirements for specific use classes justified? Are the Council's suggested changes to the supporting text necessary for soundness?

Policy SP05 Construction management

171. Is the policy sound? In particular:

- a) It requires that all major development signs up to the Considerate Constructors Scheme or equivalent. Is this justified?
- b) Criterion A sets out criteria to be followed during construction. Is it appropriate for such matters to be set out in policy or should they be managed and enforced through the appropriate imposition of planning conditions? Is it clear how a developer or decision-maker should use the policy?
- c) Why is it necessary for this to be a strategic policy? Is this justified and effective and consistent with national policy?

Policy BE01 Future proofing

172. Is the policy soundly based and is it clear how a developer or decision-maker will use the policy when determining planning applications? Does the policy read as a statement of intent rather than as policy requirements? Are the Council's suggested changes to the policy and supporting text necessary for soundness and would they ensure the policy is effective?

Matter 13b Natural environment

(Policies NE01-NE04)

Policy NE01 Protecting and enhancing the natural environment

173. Is the policy sound and suitably justified by the supporting text? Are criteria B and C of the policy effective? The former states that proposals will not be permitted where there is deterioration or loss, whilst the latter indicates that adverse impacts should be avoided but where this is unavoidable there should be appropriate mitigation. Can the Council clarify the policy approach please? Are the Council's suggested changes to the policy and supporting text necessary for soundness?

Policy NE02 Recreational disturbance avoidance and mitigation strategy (RAMS)

174. Is the policy sound and suitably justified by the supporting text? Are the Council's suggested changes to the supporting text necessary for soundness? Are any others necessary for soundness?

NE03 Trees, woodlands, hedgerows

175. Is the policy sound and suitably justified by the supporting text? Is criterion B of the policy effective? This states that proposals will only be supported where existing trees and hedgerows are conserved and enhanced, but the rest of the policy appears to accept that loss of some features may occur if justified. Can the Council clarify the policy approach please? Are the Council's suggested changes to the policy and supporting text necessary for soundness? Are any other changes necessary?

NE04 Thames Chase Community Forest

176. Is the policy sound and suitably justified by the supporting text?

Matter 13c Historic environment

(Policies HP19-HP23)

177. Policies relating to the historic environment are in the 'Housing Provision' chapter of the Plan. Is it the intention that the policies apply to other forms of development? Is this clear?

178. In accordance with paragraph 187 of the NPPF, the Council has access to the Essex Historic Environment Record. Does this contain up-to date and robust evidence? Has it been used to inform the preparation of the Plan and if so how?

179. Does the Plan set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk, in accordance with national policy?

180. Are the requirements to produce Heritage Statements justified and effective and do they accord with paragraph 189 of the NPPF?

181. Do the policies effectively promote development within conservation areas and within the setting of heritage assets which would enhance or better reveal their significance in accordance with paragraph 200 of the NPPF?

Policy HP19 Conservation and enhancement of historic environment

182. Is the policy justified and effective and is the detailed wording consistent with the NPPF and statutory requirements? We note that the Council has suggested significant modifications to policy as set out in F9A. Would these changes ensure effectiveness and consistency with national policy? Are any other changes necessary for soundness?

Policy HP20 Listed buildings

183. Is Policy HP20 justified, effective and consistent with national policy and statutory requirements?

Policy HP21 Conservation areas

184. Is the policy justified, effective and consistent with national policy and statutory requirements? Is it clear what is meant by 'in the vicinity of a Conservation Area'? Is criterion D of the policy justified and is it correctly supported by paragraph 6.144 of the Plan?

Policy LP22 Local heritage assets

185. Is it clear what a 'local heritage asset' is and are they clearly defined? What is meant by 'a general presumption in favour of the retention of local heritage assets'? Is the wording of the policy justified, effective and consistent with national policy?

186. Are there other requirements in the supporting text (e.g. protected lanes) that should be set out within the policy or are these matters covered by other Plan policies or national policy?

Policy HP23 Scheduled monuments and archaeological remains

187. Is the detailed wording of the policy and the supporting text soundly based?

Matter 13d Green Belt and rural development

(Policies NE9-NE15)

Policies NE9-NE15

188. Are the purposes of Policies NE9-NE15 clear, are they justified and supported by robust evidence? Are they consistent with national policy on Green Belt? We note that the Council has suggested significant modifications to Policies NE9-NE13 and NE15, and relevant supporting text, as set out in F9A. Would these changes ensure consistency with national policy and make the policies effective?

189. As all rural land is covered by Green Belt, is our understanding correct that Policies NE14 and NE15 will only relate to development within the Green Belt? Is this clear within these policies and are they consistent with national policy? Are the requirements set out within the policies justified and effective?

190. Are any other amendments to Policies NE9-NE15 and the supporting text necessary for soundness?

Matter 13e Promoting a safe, clean and healthy environment

(Policies NE05-NE08)

Policy SP03 Health impact assessments (HIAs)

191. Is the policy sound and suitably justified by the supporting text? Are the Council's suggested changes to the supporting text necessary for soundness? Are any others necessary for soundness?

Policy NE05 Air quality

192. Does the evidence clearly show that appropriate assessments of the effect of the planned growth on traffic levels and therefore air quality (including the Air Quality Management Areas (AQMAs)), has been carried out? Does the Plan provide appropriate measures to mitigate any impacts?

193. The Council has confirmed that there are no AQMAs within the Southern Growth Corridor, but due to the amount of planned growth, work is ongoing to assess any impacts on the A127 and the Lower Thames Crossing etc. How will the Council ensure that any cumulative impacts will be mitigated to an acceptable level? When will this assessment be completed?

194. Is Policy NE05 justified, effective and consistent with national policy, including paragraph 181 of the NPPF? Are the Council's suggested changes to the policy necessary for soundness?

Policy NE06 Flood risk

195. Is the policy sound and suitably justified by the supporting text? Is criterion A d which seeks opportunities for development to reduce existing flooding issues, justified and consistent with national policy? Are the Council's suggested changes to the supporting text necessary for soundness? Are any others necessary for soundness?

Policy NE07 Contaminated land and hazardous substances

196. Is the policy sound and suitably justified by the supporting text? Are the Council's suggested changes to the policy and supporting text necessary for soundness? Are any others necessary for soundness?

Policy NE08 Floodlighting and illumination

197. Is the policy sound and suitably justified by the supporting text? Are the Council's suggested changes to the supporting text necessary for soundness? Are any others necessary for soundness?

Matter 13f Sustainable construction and resource efficiency

(Policies BE02-BE08)

Policies BE02-BE08

198. Are the policies sound and suitably justified by the supporting text? Is it the role of the Plan to set out requirements covered by other regulations,

including the Building Regulations? Are the Council's suggested changes to the policies and supporting text necessary for soundness? In particular:

- a) Are the sustainable construction standards, and the carbon reduction and water efficiency requirements proposed in Criterion B of Policy BE03 supported by robust evidence? Are the Council's suggested modification justified by the evidence?
- b) Is the purpose of Policy BE04 clear and are the requirements justified? Does the modification suggested by the Council rectify any soundness issues?

Matter 13g Design and place-making

(Policies HP12-HP18)

199. Does the Plan overall make sufficient provision for inclusive design and accessible environments in accordance with national policy?

Policies HP12-HP18

200. Policies relating to design and place-making are in the 'Housing Provision' chapter of the Plan. Is it the intention of the Plan that the policies apply to other forms of development? Is this clear?

201. In response to our concern that some of the policies are statements of intent rather than policies setting out clear development requirements, the Council has suggested significant modifications to the wording of Policies HP12, HP13, and HP16 and relevant supporting text, and the deletion of Policies HP15 and HP18. Are these suggested modifications necessary for soundness and do they ensure that the policies are justified, effective and consistent with national policy? Do they ensure that the policies are consistent with each other and with other policies in the Plan?

202. Are Policies HP14 and HP17 sound and suitably justified by supporting text?

203. Are any other modifications necessary for soundness?

Matter 14 – Monitoring and viability

Issue 15 – Is the Plan viable, deliverable and capable of being effectively monitored?

(Policy SP06 and Appendix 3)

204. Will Policy SP06 and the proposed monitoring framework set out in Appendix 3 of the Plan be effective in ensuring delivery of the policy requirements during the Plan period? Are the Council's suggested changes for Policy SP06 necessary for soundness?

205. Will the viability of development be adversely affected by the requirements in the Plan including in respect of any required standards, affordable housing provision and transport and infrastructure needs? Has this been suitably tested, particularly for the large strategic sites?
206. Are the proposed indicators and targets appropriate and measurable? Are any others necessary for monitoring to ensure soundness of the Plan?
207. Does the monitoring framework clearly set out what actions will be taken if targets/policies are not being achieved?