

**PLANNING COMMITTEE**

**29 NOVEMBER 2023**

<b>APPLICATION NO:</b>	21/01525/OUT
<b>ADDRESS:</b>	Entire Land East of A128 and South of A127, Tilbury Road, West Horndon, Essex
<b>APPLICATION DETAILS:</b>	<p>Dunton Hills Garden Village Outline Application</p> <p>In summary, this is for the creation of a mixed-use garden community comprising up-to 3,700 dwellings (including affordable housing); three care homes; five Gypsy &amp; Traveller pitches; secondary school with Community Sports Hub (including indoor and outdoor sports facilities); up-to three primary schools with early years provision; Employment Hub plus children’s nursery/creche; Village Centre with market square, community building, mobility hub, retail, office, healthcare, place of worship, gym, children’s nursery/creche, public house, betting shops and hot food take away units; two Neighbourhood Hubs with public space, retail, office and children’s nursery/creche and hot food take-away units; cricket ground with pavilion; football hub with changing/social facilities; two all modes accesses from Tilbury Road; modified junction with Station Road/Tilbury Road to create a sustainable corridor connection; pedestrian/cycle connection to the A127; residential and non-residential vehicle and cycle parking with electric charging facilities; Green and Blue Infrastructure including sustainable urban drainage, play areas (MUGAs, LEAPs and LAPs), mobility routes (e.g. footways, cycleways and trim trail), community growing space, orchard, viewing platform, Village Green, biodiversity enhancement and landscaping; noise barrier; primary and secondary electricity sub stations together with foul and surface water pumping stations; and demolition of existing clubhouse with associated parking area, driving range and wind turbine and diversion of overhead powerlines.</p>

<b>SITE PLAN:</b>	Attached
<b>APPLICANTS:</b>	CEG Land Promotions Ltd and landowners Mr P S Dunne & Mrs E A Dunne
<b>WARD:</b>	Herongate, Ingrave & West Horndon
<b>PARISH:</b>	West Horndon
<b>CASE OFFICER:</b>	Justin Booij

## REPORT SUMMARY

### Report Format

Members will note that although this planning officer report generally follows the conventional order for introductory information followed by an assessment that concludes in a recommendation, this report provides much additional information. This is because of the relative complexity of the planning application, which calls for sufficiently detailed explanations for decision-takers.

This report is structured as follows:

**Section 1:** Headline information and overview

**Section 2:** Description of the Proposed Development

**Section 3:** Description of the Application Site, including its planning history and a contextual explanation of the Dunton Hills Garden Village project . This planning application forms a critical part of the process to implement the Council's vision for a new Garden Village at Dunton Hills.

**Section 4:** Relevant policy context for this application

**Section 5:** Neighbour Responses

**Section 6:** Consultation Responses

**Section 7:** Includes a bespoke explanation regarding the process and format of this planning application.

**Section 8:** Officer assessment

**Section 9:** Recommendation

## **Scope of this Report and its Recommendation**

Planning Committee members are required to consider this outline planning application, which without question concerns the largest and most complex development in the borough's recent history. Since the application's initial pre-application stage and throughout the application's submission to date, officers have played their part in preparing this application for a recommended resolution decision. This has involved extensive discussions with both the applicants and key stakeholders/consultees to resolve any important issues that may have been raised in consultation responses. In doing so, officers have had the benefit of expert technical consultants to work through some of the most complex issues, such as Environmental Impact Assessment, legal matters and financial viability assessment, and other technical matters.

As a result, officers are now in a position to confirm that any potential fundamental issues that were raised throughout the process, have been investigated and where required, further supporting information or scheme amendments have been provided by the applicants. Such new information has been subject to further consultee involvement to confirm the withdrawal of any residual objections from statutory consultees such as highways authorities. Some of such matters have been progressed and resolved as matters of principle although further related detail remains to be confirmed before full planning consent could be confirmed. The Council's legal advisors have confirmed that such matters would be capable of being secured by planning conditions and/or planning obligations.

As such, whilst the principles of planning conditions and Heads of Terms for the associated section 106 legal agreement have been negotiated and agreed in principle, and are set out throughout this report, fully drafted conditions and Heads of Terms have not yet been finalised. Whilst officers are not able to present members with these details at this stage, officers will present the final planning conditions and the finalised section 106 agreement to members for consideration and review, prior to the grant of planning permission. At that time, officers will explain to members how the conditions and Heads of Terms noted throughout this report have been secured or where they are no longer necessary.

If, between any resolution to grant and member's review of the drafted conditions and section 106 agreement, there is a material change in circumstances or officers have been unable to agree suitable planning obligations and/or planning conditions with the applicant, officers would be required to update members and the planning application will likely need to be redetermined.

## RECOMMENDATION

The recommendation (set out in full in Chapter 9 of this report), is that the Planning and Licensing Committee resolve to grant planning permission, subject to criteria.

## REASONS FOR RECOMMENDATION

The proposed development has been assessed in relation to relevant material planning considerations. It is considered that the proposal would be acceptable and compliant with the Brentwood Local Plan and relevant national planning policy.

## SUPPORTING INFORMATION

### 1. PROPOSED DEVELOPMENT

<b>PLANS / DRAWINGS:</b>	<ul style="list-style-type: none"><li>• Site Location Plan 31057-101-F</li><li>• Block Plan (Site Plan) 31057-320-1-D</li><li>• Previously Developed Areas/ Demolition Plan 31057-321-1-B</li></ul> <p>Parameter Plans</p> <ul style="list-style-type: none"><li>• Parameter Plan 01 - Land Use 31057-320-1-H,</li><li>• Parameter Plan 02 - Access and Movement 31057-320-2-H</li><li>• Parameter Plan 03 - Building Heights 31057-320-4-H</li></ul> <p>Detailed Access drawings (x3)</p> <ul style="list-style-type: none"><li>• Northern Site Access Drawing No. 10352-HL-12F</li><li>• Station Road/A128 Junction Improvements and Central Site Access Drawing No. 10352-HL-13F</li><li>• Southern Site Access Drawing No. 10352-HL-14E</li></ul> <p>Framework Masterplan Document (FMD)</p> <p>Other drawings showing off-site highway works</p> <ul style="list-style-type: none"><li>• Proposed Footway/Cycleway and Station Road Improvements Drawing No. 10352-HL-15D</li></ul>
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	<ul style="list-style-type: none"> <li>• A127/A128 Junction Improvements Drawing No. 10352-HL-16D</li> <li>• Overview of Highway Works Drawing No. 10352-HL-11B</li> <li>• Drawing No 184227 A 03 A127/B148 Junction Improvement</li> </ul> <p>Other drawings</p> <ul style="list-style-type: none"> <li>• Topography Plan 31057-322-A</li> <li>• Phasing Plan 31057-40-A</li> <li>• Existing Site Features Plan 31057-320-5-D</li> <li>• Illustrative Masterplan 31057-400-H</li> </ul>
<p><b>SUPPORTING DOCUMENTS:</b></p>	<ul style="list-style-type: none"> <li>• Application Summary Document</li> <li>• Planning Statement</li> <li>• Design &amp; Access Statement (DAS)</li> <li>• Design &amp; Access Statement (DAS) Addendum (December 2021)</li> <li>• The Dunton Hills Framework Masterplan Document (FMD) (February 2022)</li> <li>• Statement of Community Involvement (SCI)</li> <li>• Environmental Statement Volume 1 – Main Report</li> <li>• Environmental Statement Volume 2 – Technical Appendices</li> <li>• Environmental Statement – Non -Technical Summary</li> <li>• Supplementary Environmental Statement (December 2021)</li> <li>• Supplementary Environmental Statement – Non - Technical Summary (2021)</li> <li>• Supplementary Environmental Statement (December 2022)</li> <li>• Supplementary Environmental Statement – Non - Technical Summary (2022)</li> </ul> <ul style="list-style-type: none"> <li>• Transport Assessment</li> <li>• Mobility Plan</li> <li>• Delivery Statement</li> <li>• Affordable Housing Statement</li> <li>• Viability Report</li> </ul>

	<ul style="list-style-type: none"> <li>• Community Management Statement</li> <li>• Employment Strategy</li> <li>• Retail and Commercial Leisure Impact Assessment</li> <li>• Health Impact Assessment</li> <li>• Tree Survey</li> <li>• Heritage Statement</li> <li>• School Land Compliance Statement (version December 2021).</li> <li>• Services Supply Statement / Utilities Report</li> <li>• Draft Planning Obligation Heads of Terms</li> <li>• BNG Report and Biodiversity Metric 3.0</li> <li>• Designated Site Impact Assessment Revision B</li> </ul> <p>All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed on the council's website at: <a href="https://www.brentwood.gov.uk/-/applicationsviewcommentandtrack">https://www.brentwood.gov.uk/-/applicationsviewcommentandtrack</a></p>
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1.1 The joint Applicants, CEG Land Promotions Ltd and landowners Mr P S Dunne and Mrs E A Dunne, are being represented by planning agents Lichfields in bringing forward this planning application, which is an Outline Planning Application with all matters reserved apart from Access.

1.2 The full description for the proposed development as follows:

“The erection of mixed-use garden community comprising:

- Up-to 3,700 dwellings (Class C3) including affordable housing;
- 3 no. up to 80-bedroom care homes (Class C2);
- 5 Gypsy and Traveller pitches;
- Secondary/all through school with Community Sports Hub comprising indoor and floodlit outdoor sports facilities (4 pitches including up-to 2 with all weather surfaces) and a MUGA (Class F) on a 7.9 hectare site;
- Up-to 3 primary schools with early years provision (Class F) each on a 2.4 hectare site;
- an Employment Hub with up-to 24,000sq m (GIA) Class E(g)(iii) and 8,600sq m (GIA) Class B8 plus a children’s nursery/creche of 400sq m (Class E);

- Village Centre with market square/public realm including community building (Class F), mobility hub, up-to 10,400sq m of Class E (including retail, office, healthcare, place of worship, gymnasium, and children's nursery/creche uses) uses together with public house, betting shops and hot food take away units;
- 2 no. Neighbourhood Hubs with public space each with retail, office and children's nursery/creche uses (Class E – 950 and 1,000sq m) together with hot food take away units;
- Cricket ground with pavilion;
- Football hub with changing/social facilities and 2 floodlit pitches;
- Two all modes accesses from Tilbury Road;
- Modified junction with Station Road/Tilbury Road to create a sustainable corridor connection;
- Pedestrian/cycle connection to the A127;
- Residential and non-residential vehicle and cycle parking with electric charging facilities;
- Green and Blue Infrastructure including sustainable urban drainage, play areas (MUGAs, LEAPs and LAPs), mobility routes (e.g. footways, cycleways and trim trail), community growing space, orchard, viewing platform, Village Green, biodiversity enhancement and landscaping;
- Noise barrier;
- Primary and secondary electricity sub stations together with foul and surface water pumping stations; and
- Demolition of existing clubhouse with associated parking area, driving range and wind turbine and diversion of overhead powerlines.”

## **2. SITE DESCRIPTION AND RELEVANT HISTORY**

2.1 This report relates to an Outline application with all matters reserved apart from Access for the entire land east of A128 south of A127, Tilbury Road, West Horndon, Essex.

### **Application Site**

2.2 The Application Site is described below, both in terms of its location and surroundings, and the Site itself.

### ***Location and surroundings***

- 2.3 The development Site, known as Dunton Hills, forms approximately 85% of the Dunton Hills Garden Village ('DHGV') site allocation within the adopted Brentwood Local Plan (2022).
- 2.4 The Site is strategically located approximately 32km east of the City of London and approximately 5.5km from the M25 motorway. The Site is approximately 6km south-east of Brentwood and 6.5km west of Basildon.
- 2.5 The Site is within close proximity to two major strategic routes comprising the A127 to the north (which connects the area to London and the M25 to the west and Basildon and Southend in the east) and the A128 to the west which links the area to Brentwood in the north and the A13 in the south.
- 2.6 To the north beyond the A127 is South Essex Golf Centre and to the west is West Horndon, which includes Horndon Industrial Park, and is connected to the Site via Station Road. West Horndon is a village which has a primary school, village hall, post office, a few retail shops, cafes, doctor's surgery and a place of worship.
- 2.7 Approximately 1.9km west of the Site, West Horndon Railway Station can be accessed by bicycle via Station Road to the west of the Site. The provision of a footway on the northern side of Station Road means that there is also a suitable pedestrian route to the station. The station is also served by the 565 bus route, which has stops on the A128, which forms the western boundary of the Site, and the station also benefits from car and cycle parking.
- 2.8 From West Horndon station, c2c train services are available to destinations including London Fenchurch Street, Stratford, Barking, Basildon and Southend-on-Sea. There is another station at Laindon, approximately 4km to the east, which is also on the c2c route.
- 2.9 Bus stops are located on the A128 adjacent to the Site, served by three bus routes providing services to Brentwood, Basildon, West Horndon, Hutton and Bulphan. Bus route 565 links West Horndon with Brentwood with stops located directly adjacent to the west of the Site along (A128) Tilbury Road. The 477 and 481 school services also serve the Site and run from West Horndon to high schools within Brentwood.
- 2.10 There are three public rights of ways within the site and in the area surrounding and two of these are severed by the major roads to the west and north. No such



- connections to Thurrock to the south exist. The A127 has a shared use (pedestrian/ cyclist) route along the south side, which facilitates walking, wheeling and cycling east and west. Finally, there is a cross-field public footpath, which links the site to Church Lane, Dunton.
- 2.11 The Horndon Industrial Estate and Southfields Business Park provide employment opportunities in close proximity to the Site.
  - 2.12 The development of 35,000 sq m of employment floorspace on Land South of East Horndon Hall, to the west of the Site, on the opposite side of the A128 is currently partly built with construction works ongoing.
  - 2.13 To the east is Laindon which forms the western edge of Basildon and includes the Southfields Business Park. It is urban in character and contains a range of facilities including doctors, dentists, primary schools and one secondary school, five local centres and a town centre.
  - 2.14 In 2018 construction commenced on the redevelopment of the Laindon Shopping Centre for a new high street and supermarket, alongside new homes and a health centre.
  - 2.15 Dunton Hills farmhouse is Grade II Listed and is located in the middle, but outside of, the application Site. Other listed buildings include East Horndon Hall (Grade II), Church of All Saints (Grade II\*), Freeman Monument in the Churchyard of Church of All Saints (Grade II) and stabling at the church (Grade II) to the north west; and Church of St Mary (Grade II) and Dunton Hall (Grade II) to the south east. These listed buildings have been identified as the application Site is either within their setting or they fall within the study area assessed within ES Chapter H 'Built Heritage'.
  - 2.16 Thorndon Park Conservation Area is located to the north west beyond the A127 and Herongate Conservation Area is located to the north. Thorndon Hall (Grade II\*) Registered Park and Garden is approximately 600m to the north west of the Site.
  - 2.17 There is a network of Country Parks within close proximity to the Site. Thorndon and Langdon Hills Country Parks lie approximately 2kms to the north-west and south-east respectively. Both country parks are part of the Essex Living Landscapes network which aims to restore, recreate and reconnect local wildlife habitats so that species living within them can move through the landscape more easily and continue to survive and thrive long into the future. Approximately 1km

to the south east of the Site is Langdon Ridge Site of Special Scientific Interest (SSSI) and Thorndon Park SSSI is approximately 1km to the north west. Thames Chase Community Forest is to the west of the Site.

- 2.18 With regards to topographic context, the Site lies within a transitional area between the low-lying flat fenland landscape to the east and south, and the rolling, landform of the Basildon Hills to the north and Langdon Hills to the east and southeast.

### ***Site Description***

- 2.19 The development Site is 225.75 ha and comprises the Dunton Hills Family Golf Centre in the south, including associated grassland and waterbodies, and agricultural land that is generally farmed for agricultural purposes in the north. Dunton Hills farmhouse (which is Grade II Listed) and associated buildings are enclosed by the Site but fall outside the planning application Site boundary. A wind turbine is also located within the Site, to the north east of the farmhouse, and would be removed as part of this proposal.
- 2.20 The north of the Site is bound by the A127 which connects Romford and Southend-on-Sea; and to the south by the c2c railway line. To the west, the Site extends to the A128 Tilbury Road and includes parts of the A128 highway within the Site boundary. The east comprises well defined fields which also marks the administrative border with adjoining Basildon borough.
- 2.21 Dunton Hills Family Golf Centre is in active use and consists of a clubhouse, a 175-space surface car park, two 18 hole golf courses, a driving range, mini golf course, and 16 waterbodies. The Site also contains a residential property with associated grounds in the north west of the Site. The remaining land is agricultural land that generally comprises large fields used for arable farming and is identified as moderate quality Grade 3b agricultural land. Around 13 ha (6% of the Site) land falls within Grade 3a 'good', which is of Best and Most Versatile quality, whilst 106 ha (47% of the Site) is Grade 3b 'moderate' quality agricultural land. The land is farmed by a contractor.
- 2.22 Three vehicle access points to the Site are provided from the A128 to the west; the northern access provides access to a single dwelling known as "Meadow House" in the north west corner of the site; the central access forms the driveway to Dunton Hills farmstead; and the southern access to the golf centre. A public right of byway (Nightingale Lane) crosses the Site from the north-east corner

adjacent to the A127 at Timmermans Nurseries, to the western boundary with the A128. A pedestrian footpath crosses the eastern boundary of the Site from the north to the south east. The A128 Tilbury Road provides access to West Horndon via Station Road, to Brentwood and the A127 (via the A127/A128 junction) to the north of the Site, and it also extends south to the A13 at Tilbury.

- 2.23 Two 132Kv overhead power lines run across the Site from the north to south west and north-east to south-east. A gas main is located on the eastern edge of the Site runs from north to south. There are other utilities and services which cross parts of the Site providing telecommunications and electricity to the farmhouse, the dwellings fronting the A128 and the golf clubhouse. A wind turbine is also positioned within the site, to the east of Dunton Hills Farmhouse and yard.
- 2.24 A stream, Eastlands Spring, is a tributary to the Mardyke River and flows across the western part of the Site from the north east corner to the southern boundary. The Site falls predominantly within Flood Zone 1, except for the land adjacent to the Eastlands Springs and some waterbodies to the south of the Site which falls within Flood Zone 2 and 3.
- 2.25 A belt of Ancient Woodland runs parallel to the stream in the north. Areas of existing woodland are present in the north western part of the Site along Nightingale Lane connecting the Ancient Woodland to the A128 and in the north eastern corner of the Site. Additional landscape features include hedgerows to the field boundaries, trees in the golf courses, hedgerows and amenity ponds.
- 2.26 There are no listed buildings within the Application Site and it does not fall within a Conservation Area. The Site is also not within nor adjacent to an Air Quality Management Area (AQMA).
- 2.27 With regards to topography, the Site has a high point of 40.5m AOD in the west of the Site. The lowest point within the Site that does not fall within the watercourse is approximately 11m AOD and is located in the south where Eastlands Spring exits the Site.
- 2.28 The Site can be split into 4 landscape character areas. To the west is 'Fenland Edge', with low-lying topography at the base of a ridgeline that slopes gently north/south along the line of Eastlands Spring. In the south, low-lying land in the golf course at the base of the ridgeline forms a bowl landform with wetlands. Dunton Ridge meanders through the centre of the Site, rising from approximately

20m AOD at the base to a plateau at circa 40m AOD. Finally, in the north east of the Site is plateau farmland that is characterised by hedgerows and an area of woodland.

## Planning History

2.29 The application site's relevant planning history comprises the following.

Local Planning Authority Ref.	Description of development	Decision	Date
88/01175/FUL	Change of use of agricultural land and old sewage works site to a golf course	Approved	25/05/1989
94/00603/FUL	Erection of golf clubhouse together with formation of access road and car park	Approved	31/10/1994
98/00067/FUL	Erection of golf clubhouse together with formation of access road and car park (Amendments to plans approved under (94/00603/FUL))	Approved	23/03/1998
1/00123/FUL	Two storey side extension to golf club house	Approved	02/05/2001
12/00741/FUL	Installation of a single 500kw wind turbine	Refused (Appeal Dismissed)	08/10/2012
13/01295/FUL	Installation of a single 500 kw wind turbine	Approved	11/02/2014
15/00835/FUL	Installation of switchgear room and meter room to serve wind turbine (reference 13/01295/FUL) (retrospective)	Approved	15/09/2015

2.30 Further recent planning history exists that relates to the DHGV development, as follows.

- a) 18/01173/EIASO, Environmental Impact Assessment (EIA) Scoping, Opinion published 28 February 2019
- b) 19/01200/EIASO, EIA Re-scoping, Opinion published 11 November 2019

### **The Dunton Hills Garden Village Project**

- 2.31 Dunton Hills Garden Village is the largest single development site in the Borough of Brentwood. The development is planned to accommodate substantial housing (4,000 new homes) and employment (5 hectares of employment land and local workspaces, shops and facilities) in a landscape-led sustainable community that includes the provision of supporting infrastructure.

#### ***Garden Village Designation***

- 2.32 In 2017, the Dunton Hills Garden Village project attained formal “garden community” status when Government selected it among a total of 15 similar projects across England. Due to this special status the Council as the project’s champion was able to access substantial support through Homes England, the Government agency that oversees the Garden Communities programme. Such support has included access to expertise and capacity funding. This money has been invested in the planning stage of the project, including: a dedicated workforce of officers and consultants and a programme of engagement with the local community, which has brought us to the project’s current stage.
- 2.33 In describing DHGV’s background, the Local Plan’s paragraphs 9.14 and 9.15 explains how a garden community is defined as:

*“Dunton Hills Garden Village (DHGV) will be holistically planned, self - sustaining and characterful. The development will align to the principles and qualities for Garden Communities as set out in two key publications: the TCPA Garden Villages Guidance by the TCPA (2017) which incorporates the ‘Garden City Principles’, and the government’s Prospectus on ‘Garden Communities’ (MHCLG, 2018). While the principles listed in these two publications differ slightly, their intention is the same. Garden Communities are ‘holistically planned new settlements that enhance the natural environment and offer high quality affordable housing and locally accessible work in beautiful, healthy and sociable communities’ (TCPA, 2017). MHCLG further states that there are clear expectations to ensure these new developments achieve and maintain the necessary quality so that they become ‘vibrant, mixed-use, communities where*

*people can live, work and play for generations to come – communities which view themselves as the conservation areas of the future’.*

*The Garden Community principles should be seen as an indivisible and interlocking framework for delivery. These principles can be organised into those which define the expected qualities of the development; those which relate to the delivery process; and those necessary to ensure sustainable management of the garden village into the future. This division broadly aligns to the three overarching strategic objectives for Dunton Hills Garden Village.”*

- 2.34 The associated policy requirements within The Council’s Local Plan Strategic Allocation Policy R01(I) and (II) take this forward. For this reason, the application proposals’ assessment against Policy R01 features prominently in the Planning Assessment section further below.

#### ***Governance and Partnership***

- 2.35 The project to progress the garden village scheme through both the plan-making (allocation) and decision-making (application) processes has been managed as a corporate priority. This is set out in the Council’s corporate strategy and supported by a project governance framework. This includes partnership working with several stakeholders, such as CEG (majority land controller), Essex County Council and Homes England. A Project Delivery Board, chaired by the Leader and attended by senior cross party Councillors, has been updated regularly about the emerging proposals at DHGV. It is envisaged that a similar arrangement will continue during the implementation of the scheme.

#### ***Site-Specific Planning Policy***

- 2.36 Progress has been made along three key strands, including the two now adopted planning policy components (a Strategic Allocation in Brentwood’s Local Plan and the DHGV Design Guidance Supplementary Planning Document). The emergence of these happened in parallel with the evolution of the current outline planning application proposals, as part of an intentional accelerated process to facilitate housing delivery.
- 2.37 Whilst the Local Plan’s strategic allocation has designated the wider allocation site for the purpose of a Garden Village development, the Design Guidance

SPD that covers the wider site, ensures that there are clear design guidelines for planning applications. There is a Memorandum of Understanding in place between the landowners and developers to bring forward the whole of the allocation but the timing of other applications is a matter for others. The allocation policies and design guidance align with the preceding comprehensive and collaborative masterplanning stage of the project. Further details about the masterplan and its specific role as part of the outline planning application process will be covered further on in this report.

### ***Delivery***

- 2.38 Beyond the adoption of planning policy, a delivery programme for the village mainly focused on construction and site activity has been outlined in the strategy described in the planning application's Delivery Statement. However, it should also be noted that in the context of the DHGV project overall, the Development Management stage provides critical steps of creating certainty as a result of which partners will be able to trigger important commitments to the implementation of the project, such as finalising contractual agreements and unlocking of funds.

## **3. POLICY CONTEXT**

- 3.1 The following policy documents are relevant to this application:

### **National Planning Policy and Guidance**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- National Design Guide (NDG)

### **The Brentwood Local Plan (2016-2033) (Development Plan)**

- Policy R01(I): Dunton Hills Garden Village Strategic Allocation
- Policy R01(II): Spatial Design of Dunton Hills Garden Village
- Policy MG01: Managing Growth
- Policy MG02: Green Belt
- Policy MG03: Settlement Hierarchy
- Policy MG04: Health Impact Assessments
- Policy MG05: Developer Contributions
- Policy BE01: Carbon Reduction, and Renewable Energy

- Policy BE02: Water Efficiency and Management
- Policy BE03: Establishing Low Carbon and Renewable Energy Infrastructure Network
- Policy BE04: Managing Heat Risk
- Policy BE05: Sustainable Drainage
- Policy BE07: Connecting New Development to Digital Infrastructure
- Policy BE08 Strategic Transport Infrastructure
- Policy BE09: Sustainable means of travel and walkable streets
- Policy BE10: Sustainable Passenger Transport
- Policy BE11: Electric and Low Emission Vehicle
- Policy BE12: Mitigating the Transport Impacts of Development
- Policy BE13: Parking Standards
- Policy BE14: Creating Successful Places
- Policy BE15: Planning for Inclusive Communities
- Policy BE16: Conservation and Enhancement of Historic Environment
- Policy HP01: Housing Mix
- Policy HP04: Specialist Accommodation
- Policy HP05: Affordable Housing
- Policy HP06: Standards for New Housing
- Policy HP07: Provision for Gypsies and Travellers
- Policy PC01: Safeguarding Employment Land
- Policy PC03: Retail and Commercial Leisure Growth
- Policy PC04: Retail Hierarchy of Designated Centres
- Policy PC06: Mixed Use Development in Designated Centres
- Policy PC07: Primary Shopping Areas
- Policy PC08: Non-centre Uses
- Policy PC09: Night Time Economy
- Policy PC10: Protecting and Enhancing Community Facilities
- Policy PC11: Education Facilities
- Policy NE01: Protecting and Enhancing the Natural Environment
- Policy NE02: Green and Blue Infrastructure
- Policy NE03: Trees, Woodlands, Hedgerows
- Policy NE04: Thames Chase Community Forest
- Policy NE05: Open Space and Recreation Provision
- Policy NE06: Allotments and Community Food Growing Space
- Policy NE08: Air Quality
- Policy NE09: Flood Risk
- Policy NE10: Contaminated Land and Hazardous Substances



## **Essex Minerals Local Plan (2014)**

## **Essex and Southend-on-Sea Waste Local Plan (2017)**

- 3.2 The following guidance documents are relevant material considerations for this application:

### **Other Garden Village Planning Guidance**

- Garden City Principles: Town and Country Planning Association: Garden Villages Guidance (2017), incorporating: the 'Garden City Principles', and the Prospectus on 'Garden Communities' (Ministry of Housing, Communities and Local Government, 2018).

### **Site-specific Planning Guidance**

- DHGV Framework Masterplan Document (2021 consultation version)
- DHGV Design Guidance SPD (2023)

### **Generic Planning Guidance**

- Essex County Council/Essex Planning Officers Association (EPOA) - Essex Design Guide (including: Guidance Note on Health Impact Assessments, School Design Guidance and Checklist, Essex Green Infrastructure Standards, The Sustainable Drainage Systems Design Guide for Essex, Developers' Guide to Infrastructure Contributions)

### **Other Material Considerations**

- 3.3 For completeness, the Council's current Local Development Scheme (2022-2025) includes a number of planning policy items that may involve implications for the consideration of this application and/or subsequent Reserved Matters applications (e.g. once items have progressed to publication). These include:

- Planning Obligations Supplementary Planning Document
- Local Plan Review
- Community Infrastructure Levy (CIL)

- 3.4 Finally, the Essex Planning Officers Association has commenced a consultation on new Parking Standards Guidance. This includes separate consideration for

garden communities. The closing date for consultation is 4 December 2023, which the council is responding to. Ultimately it will be for individual councils to decide whether these new standards are adopted.

#### **4. NEIGHBOUR RESPONSES**

- 4.1 Where applications are subject to public consultation, those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>.
- 4.2 At the time of writing this report, one neighbour representation has been received for this application.
- 4.3 A local resident objects due to: the size (too large) and location (should be further away from current residents) of the proposed Gypsy and Traveller pitches; impact on Old Mill Cottages as heritage assets (potential damage to building foundations, and impact on residents' views), and; question whether the resident should have been provided with a representative.
- 4.4 Any matters raised that are material to the planning assessment have been considered as part of this report.
- 4.5 The application is also accompanied by a Statement of Community Involvement (SCI). The SCI provides further detail on the public consultation carried out prior to the submission of the application, including with the local residents, as well as a response to key issues expressed by the local community.

#### **5. CONSULTATION RESPONSES**

- 5.1 The council consulted several times over the application's determination period, as follows:
  - a) 13 September 2021: Initial statutory planning application consultation
  - b) 11 February 2022: Second consultation (additional information in response to EIA Regulation 25 information request)
  - c) 4 October 2022: Third consultation (additional information in response to EIA Regulation 25 information request; updated highways information)

- 5.2 Due to the EIA status of the application, the range of consultees that were notified directly as part of the consultation process has been much wider than the council's standard consultation list so as to capture more comprehensively the relevant stakeholders for this complex application.
- 5.3 Detailed below is a summary of the consultation responses, if any received. The full version of each consultation response can be viewed on the Council's website via Public Access at the following link: <http://publicaccess.brentwood.gov.uk/online-applications/>. Please note that where an initial submitted objection was withdrawn, the resulting position is described. Where relevant to the assessment, the Planning Assessment below contains commentary verbatim from relevant consultation responses.
- 5.4 Brentwood Borough Council consultees:
- a) Archaeology: No Objection (subject to planning conditions)
  - b) Economic Development: No Objection
  - c) Environmental Health: No Objection (subject to planning conditions)
  - d) Housing: No Objection (subject to planning conditions and/or planning obligations)
  - e) Planning Policy: No Objection (subject to planning conditions and/or planning obligations)
  - f) Health and Wellbeing Board: No Objection
  - g) Landscape and Arboriculture: No Objection
- 5.5 External consultees:
- a) Anglian Water: No Objection (subject to planning conditions)
  - b) Essex Badger Protection Group: No objection
  - c) Basildon Borough Council: Objection, but with number of comments relating to the principle of the DHGV scheme
  - d) Chelmsford City Council: No Objection
  - e) Chigwell Parish Council: No Objection
  - f) Essex Fire and Rescue Service: No Objection
  - g) Essex Police, Fire and Crime Commissioner Fire and Rescue Authority: No objection
  - h) Trenitalia c2c Rail Ltd: No Objection (subject to planning conditions and/or planning obligations)

- i) Essex County Council (its statutory/regulatory remits include (but are not limited to) highways and transportation, education, early years and childcare, minerals, waste, surface water management, passenger transport, adult social care, and public health): No objection (subject to planning conditions and/or planning obligations)
- j) Environment Agency: No Objection (subject to planning conditions)
- k) Essex Police (Designing Out Crime Officer): No Objection
- l) Essex Wildlife Trust: Objection
- m) Forestry Commission: No Objection
- n) Historic England: No Objection
- o) Health and Safety Executive: No Objection
- p) Mid and South Essex Health and Care Partnership: No Objection (subject to planning conditions and/or planning obligations)
- q) National Highways: No Objection
- r) Natural England: No Objection (subject to planning conditions and/or planning obligations)
- s) Network Rail: No Objection
- t) Sport England: Objection, but this is on the basis there needs to be appropriate on-site sporting facilities and contributions for off-site improvements
- u) Transport for London: No Objection
- v) Thames Water: No Objection
- w) Thurrock Council: Objection, but with number of comments relating to the principle of the DHGV scheme
- x) Vodafone: No Objection
- y) West Horndon Parish Council: Objection, but not to the principle of the scheme with the focus mainly on the implications for the village
- z) West Horndon Surgery: No Objection and supportive of the proposal to relocate the surgery

5.6 In summary, whilst there are objections, it is important to note for procedural purposes, that these do not include any residual objections from statutory consultees with jurisdiction over either: the proposed development type, or at the location of application site.

## **6. OUTLINE PLANNING APPLICATION**

6.1 Below follows an explanation of the form of application that is specific to the proposal scheme.

- 6.2 The application is made in Outline, along with details of Access (which the DMPO defines as: *“the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network”*). This means that subsequent applications for Reserved Matters will be required to formally discharge details concerning: Layout, Scale, Appearance, and Landscaping. In this context layout includes the internal mobility routes with the accesses being approved being from the public highway.

### **Masterplan**

- 6.3 A masterplan is required to be submitted for approval as part of the initial planning application for DHGV, by Local Plan Policy R01(II)1. It should cover the entire proposed village, including the current Application Site that would develop the largest part of it, as well as the remaining landholdings. It would serve to demonstrate how a holistic village development would be established.
- 6.4 The March 2021 consultation version DHGV Framework Masterplan Document (FMD, 2021) provides a blueprint for development covering the entire DHGV site (i.e. apart from the current Application Site that covers the majority of the land, the FMD also covers some smaller landholdings). As such, it provides overarching and enduring principles including the spatial configuration of land uses across the village, as well as a comprehensive range of technical topics from Landscape to Sustainability.
- 6.5 The FMD has been developed over an extended period, involving key stakeholders and public consultation, and it was moderated through a process of independent Design Review. In particular, the promoters for DHGV’s landholdings outside of the current application site have been involved and they have signed up to a Memorandum of Understanding to generally agree to cooperate with the planning of the garden village.
- 6.6 The masterplanning process leading up to the FMD has provided the high-level testing required for the strategic planning for the site in the council’s Local Plan.
- 6.7 The next stage of the FMD was its inclusion with the consultation process that preceded the adoption of site-specific design guidance (DHGV Design Guidance SPD) to which it has handed down the aforementioned principles. This SPD provides guidance that is consistent with the FMD and its purpose is to assist with the assessment of detailed planning proposals (such as:

Reserved Matters applications pursuant to the proposed Outline application scheme, or full planning applications). As such it has limited relevance to the consideration of the current outline planning application.

- 6.8 The Local Plan's Strategic Allocation Policy R01(II)1, which relates to the DHGV allocation site, specifies that *"all development proposals in relation to the site shall be in accordance with an approved masterplan"* and that: *"The masterplan shall be submitted to the Council for its approval as part of the initial application for planning permission"*.
- 6.9 The FMD has some formal status as it is already the basis of planning guidance because it was reported to the Policy, Resources and Economic Development Committee meeting on 18 March 2020 and was subsequently published alongside the draft DHGV Design Guidance SPD before the adoption of the DHGV Design Guidance SPD. However, the adoption of the Local Plan in 2022 necessitated compliance of the planning application (which had been submitted in 2021) with Local Plan Policy R01(II)1. So to enable the FMD to be formally approved as part of the application process, the application duly includes the FMD. The FMD version is from 16 February 2022 (for clarity, it substitutes an initially submitted FMD). The application masterplan FMD 2022 is an iteration beyond the FMD 2021 that is based on the same enduring principles and spatial organisation concepts of FMD 2021, although there are deviations, as the submitted FMD 2022 and DAS (Addendum) have clarified.
- 6.10 Updates of the initially submitted application version of the FMD, and the Illustrative Masterplan with its suite of proposed parameter plans are as follows (as per applicant's submission). Please note that references to the "Draft SPD" reflect the status of the SPD at the time of submission and the "Original FMD refers to the 2021 consultation version":
- a) A new service road to the employment area has been introduced.
  - b) Potential bus routes have now been shown running up into the employment hub.
  - c) The inclusion of appropriate buffers to the Ancient Woodland along Nightingale Lane.

- d) The primary route between Dunton Woods and Dunton Waters has been realigned in accordance with the Draft SPD and now forms a direct route down the ridgeline slope.
- e) The Mobility Hub is now on the Mobility Corridor to the south west of Market Square.
- f) Development along the Mobility Corridor remains residential only so as not to dilute the offer in the Village Centre and the Neighbourhood Hubs.
- g) The primary school in Dunton Fanns has been reorientated and now fronts onto the school square, as opposed to the Mobility Corridor. The north / south vehicular route has been realigned along the western edge of the square and away from the primary school.
- h) Retention of erecting buildings up-to 4 storey fronting the A128 albeit this is a matter for reserved matters.
- i) The Village Centre allows for five stories, as per the original FMD, to allow for flexibility and the framing of the Market Square.
- j) The green space to the south of the employment area has been retained as a transition space between the residential and employment areas and that it can be used / overlooked throughout the day and weekends when employees are not present.
- k) The area of development around the farmstead has been retained, both to the north and south – although the area to the north has been reduced in size to allow views towards All Saints Church. The retention of development here is important as a) it frames the Village Green and b) provides better surveillance for pedestrians between Dunton Fanns and the other neighbourhoods
- l) The densities remain broadly as per the original FMD. There have been density adjustments to accommodate housing capacity due to lost development around Dunton Hills Farm and the increased employment provision.
- m) The secondary school remains in the same location as shown in the original FMD which works in terms of the levels. Furthermore, pushing it

to the west starts to break down some of the key Mandatory Principles e.g. School Square.

- n) A 60m view corridor from the wetlands area towards the Church of St Mary's has been safeguarded with development removed from the south of the green space and new development added to the north. The Draft SPD suggest a corridor ranging between 30-100m in width is appropriate.
- o) The bus corridor in Dunton Waters has been amended to serve the south eastern extremities of the neighbourhood.

6.11 Updates of substitute application FMD (2022 version) and its corresponding Illustrative masterplan are as follows (as per applicant's submission):

- a) Revised arrangement of the Dunton Waters Cricket Pitch and Primary School
- b) Revised block to the north of Dunton Fanns Primary School
- c) Secondary school site pitches revised
- d) Football hub update
- e) Traffic free spaces in front of schools
- f) Western Green Corridor
- g) Public Right of Way (PROW) route
- h) Additional bowling and tennis facilities

6.12 It is this final version of the FMD which is before this Committee as part of the documentation for approval.

6.13 Commentary regarding the proposed masterplan (FMD 2022) is included in the assessment section of this report, in relation to Policy R01.

6.14 Relevant design-related information within the submitted masterplan (FMD 2022) is transposed into the submitted Parameter Plans, Phasing Plan, Design



and Access Statement and Addendum, and the Illustrative Masterplan, which are specific to the application site. Officers note that there are some minor inconsistencies between the FMD 2022 and the illustrative masterplan and parameter plans, but after analysis of the above listed updates, it has been confirmed that the illustrative masterplan and the parameter plans have captured all of these. The parameter plans are for approval.

### **Parameter Plans**

- 6.15 Following through from the FMD spatial distribution principles into the details of the submitted illustrative masterplan and the associated parameter plans, the proposed development for assessment at the current Outline stage provides a maximum spatial extent of development, which may be considered to be a “worst case scenario” on which assessment can be undertaken. This is the approach adopted in the Environmental Impact Assessment (and the subsequent Supplementary Environmental Statements) which accompanied the application and has been reviewed by SLR on behalf of the Council. The final specification of details for the development such as building dimensions for Reserved Matters submissions would be required to remain within any approved size parameters. If not, a further assessment and potentially a fresh planning application requirement may be triggered. Adherence to parameter plans and any exceptions would normally be enforceable via a planning condition.
- 6.16 The illustrative masterplan is not for approval but the Parameter Plans that are based on it are. These plans comprise:
- a) Parameter Plan 01 - Land Use
  - b) Parameter Plan 02 - Access and Movement
  - c) Parameter Plan 03 - Building Heights

### **Design and Access Statement**

- 6.17 An initially submitted Design and Access Statement (DAS) was later supplemented by an Addendum to the DAS in order to cover updated/additional information. The purpose of this information is to explain the application proposals’ Design and Access aspects (including analysis of site context, design process, masterplanning, design components, mobility and access, sustainability and phasing). The DAS is consistent with the FMD which is before the Committee.

## **Phasing of the Development**

- 6.18 A Delivery Statement with a Phasing Plan (31057 401 Rev A) accompanied the application which sought to identify a potential way Dunton Hills might come forward for development and when key items of infrastructure required to support the Garden Village could come forward. The broad phasing of development into 3 phases each with 3 sub phases has assisted with an understanding of what community transport and other infrastructure will be required and when they are likely to be needed. In addition to the requirements set out in Policy R01 and in consultation with consultees, a list of infrastructure items has been identified together with their broad timing of delivery. There is now a need to translate the board phasing of development and timely delivery infrastructure into more detailed trigger points as conditions of obligations in the S016 based upon either occupation of dwellings or timescales. These trigger points will be the subject of further discussions as part of the S106 negotiation stage (assuming Members approve the principle of the application) and will involve further consultation with relevant stakeholders. The S106 obligations would need to ensure that the right infrastructure will be in place at the right time so there may also need to be interim stage temporary developments like temporary road connections. This type of information is not fully available yet, and therefore, for the 29 November 2023 recommendation, the phasing plan is not recommended to be approved but a condition to require an updated phasing plan has been recommended in the officer assessment.

## **Access**

- 6.19 The application is made in Outline, with all matters reserved apart from Access. The Access details provided in the application include Detailed Access drawings:
- Northern Site Access Drawing No. 10352-HL-12F
  - Station Road/A128 Junction Improvements and Central Site Access Drawing No. 10352-HL-13F
  - Southern Site Access Drawing No. 10352-HL-14E
- 6.20 In addition, further access proposals are include on Parameter Plan 02 Access and Movement (PP02A&M) (ref: 31057\_320\_2 Revision H (August 2022))

## **Site Management / Stewardship**

- 6.21 The proposals include a number of community assets that would require appropriate ownership and management arrangements in order to safeguard the continued provision of a well maintained public realm as well as a range of facilities and services to support the new community. The applicant has set out the proposed arrangements in the submitted “Community Management Statement” document. These arrangements are reviewed below, as part of the assessment section about community infrastructure.

### **Proposed Section 106 Heads of Terms**

- 6.22 Planning conditions are a mechanism to control a planning permission that will be familiar to members. Similarly, a S106 legal agreement also provides a control mechanism although it applies to more complex application schemes. A S106 agreement legally binds the landowner (and successors in title) to specific commitments, such as the payment of significant funds in mitigation of any otherwise unacceptable effects that could result as a consequence of implementing the development. Therefore, it is a legal agreement that commits a landowner, the applicant(s) (where a separate entity), the Local Planning Authority and ECC, and third parties that may have a relevant interest (such as service providers), to specific obligations that are necessary to make the development acceptable (see NPPF par 55). Any planning obligations secured are required to be in accordance with regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
- 6.23 For a relatively complex scheme such as the current outline planning application, there is a “validation requirement” for the applicant to submit proposed S106 Heads of Terms that would address mitigation requirements that the applicant at that point is aware of.
- 6.24 S106 Heads of Terms were submitted with the application but, as has happened on this application, throughout an application’s consultation and assessment process, further mitigation requirements may come to light that would need to be added to the S106 legal agreement. Such matters may be technically complex and sensitive. For such reasons, negotiations concerning the drafting of a S106 legal agreement for an outline application scheme for a Garden Village may require a significant amount of time. Work has already commenced on the negotiation and drafting of the agreement (without prejudice to the Planning Committee’s related decision outcome). However, by officers’ estimation, as informed by the applicant’s own view, the drafting of the legal agreement for this application could be completed within a period of one year.

- 6.25 Officers' findings as to any requirement of planning obligations (whether included in the applicant's submitted Heads of Terms or not) are highlighted in the assessment further on in this report.

### **Financial Viability**

- 6.26 Although there was a Viability Appraisal accompanying the Local Plan this was undertaken at a high level. Therefore, a Viability Report was submitted with the application on the basis that: *"the Scheme generates a deficit when all the anticipated planning obligations and infrastructure costs are to be taken into account"*. The report therefore goes on to explain that *"the Council will need to weigh up the relative benefits of delivering infrastructure to serve the wider area, receiving monetary payments for infrastructure and to fulfil wider planning goals, versus the need to provide affordable housing and other S106 objectives on site"*. The matter of financial viability is therefore included in the assessment section of this report.
- 6.27 Officers are being assisted by specialist surveyors Carter Jonas, who have conducted a review of the submitted Viability Report, with the aim of agreeing the financial viability position with the applicant team. This includes the specific viability modelling methodology for this development. Carter Jonas will continue their involvement throughout the application's determination period. Officers would caveat that any financial amounts quoted in the assessment remain indicative and these will be subject to further scrutiny until a final assessment is presented.
- 6.28 Members are advised that the process of assessing the scheme's viability is based on "open book" principles, but that this process does involve confidentiality of commercially sensitive information such as certain costs. Where such confidentially issues arise, the information has been provided by the applicant so that the assessment does take such information fully into account, even though it can not be placed in the public domain. However, the Council's own viability consultants, Carter Jonas, has had access to all the material which has been provided to undertake its assessment of the Viability Report and provide independent advice to the Council.

### **Statement of Community Involvement**

- 6.29 The submission of the planning application (including its development proposal for the application site and its masterplan for the allocation site) has followed an extensive period of consultation over a number of years with a variety of stakeholders and local residents. This includes engagement with the local community at West Horndon including the Parish Council, the occupiers of neighbouring properties, a design review of the Framework Masterplan Document by an independent panel, consideration by independent Inspectors at the Local Plan Examination and comprehensive pre application discussions with the Borough Council and Essex County Council and is summarised in the Statement of Community Involvement.
- 6.30 The applicants also undertook engagement with a range of stakeholders prior to the submission of the application including Natural England, the Environment Agency, Essex County Council, Historic England, Essex Wildlife Trust and Brentwood High School.

### **The Pre-application Process**

- 6.31 The Application Scheme is the result of an extended pre-application phase that started in 2018 and that lasted up until the submission of the planning application in 2021.
- 6.32 As noted above, the evolution and formulation of the planning application proposals happened simultaneously with the emergence of policy, but this was also informed by the Environmental Impact Assessment (EIA) process that is detailed further down below. These processes have informed the specification of the proposals through masterplanning that involved testing and iteration through consultation with a variety of audiences including stakeholders from the local community, local service providers and other organisations, including statutory consultees, and through a formal process of Design Review.
- 6.33 The Design Review process was arranged by the Council and led by Design South East consisting of a number of topic-based workshops attended by a range of stakeholders such as the Parish Council, Thurrock Council, Basildon District council, Homes England, the County Council, Fire Service, Police Service and Utility Providers . These workshops included subjects as diverse as design, mobility, infrastructure, heritage, ecology, landscape and sustainability. The outcome of these workshops fed into the FMD alongside topic specific mini-workshops led by the Council to consider matters such as gypsy and traveller and affordable housing. Other work led by the Council has

included co-design workshops with the local community and school engagement which have also fed into the SPD and refinement of the proposals.

- 6.34 The early stages of the EIA process investigated the potential for significant environmental effects through specialist surveys and reports, which in turn also contributed to the process.

### **Updates to the Application Scheme**

- 6.35 The application drawings and documents, on which the officer assessment and recommendation of this report are based are listed above. The following updates have been made to the submission so far.

- 6.36 20 January 2022:

- a) Supplementary Environmental Statement (SES) (December 2021)
- b) Associated SES appendices
- c) The updated ES Non-Technical Summary (December 2021)
- d) Parameter Plan 01 - Land Use (ref 31057\_320\_1\_G)
- e) Parameter Plan 02 - Access and Movement (ref 31057\_320\_2\_G)
- f) Parameter Plan 03 - Building Heights (ref 31057\_320\_4\_G)
- g) Illustrative Masterplan (ref 31057\_400\_F)
- h) Design and Access Statement (DAS) Addendum
- i) Updated Illustrative Masterplan
- j) Updated School Land Compliance Statement

- 6.37 February 2022: Updated Framework Masterplan Document (FMD) 16 February 2022. It was established that unfortunately, at some point during publication on the council's website, the electronic file had become faulty. This matter was addressed and the file was newly uploaded on 30 October 2023.

- 6.38 May 2022:

Access drawings:

- a) Northern Site Access Drawing No. 10352-HL-12D
- b) Station Road/A128 Junction Improvements and Central Site Access
- c) Drawing No. 10352-HL-13D
- d) Southern Site Access Drawing No. 10352-HL-14D

Off-site highways works drawings:

- a) Proposed Footway/Cycleway and Station Road Improvements Drawing No. 10352-HL-15D
- b) A127/A128 Junction Improvements Drawing No. 10352-HL-16D
- c) Overview of Highway Works Drawing No. 10352-HL-11B

6.39 August 2022:

- a) Parameter Plan 01 - Land Use Drawing No. 31057-320-1-H
- b) Parameter Plan 02 - Access and Movement Drawing No. 31057-320-2-H
- c) Parameter Plan 03 - Building Heights Drawing No. 31057-320-4-H
- d) Associated SES appendices
- e) Supplementary Environmental Statement Non-Technical Summary

6.40 November 2022:

- a) BNG Report and Biodiversity Metric 3.0
- b) Designated Site Impact Assessment Revision B

6.41 June 2023:

Access Drawings:

- a) Northern Site Access Drawing No. 10352-HL-12-F
- b) Station Road/A128 Junction Improvements and Central Site Access Drawing No. 10352-HL-13-F
- c) Southern Site Access Drawing No. 10352-HL-14-E

Off-site highways works drawings:

- a) Proposed Footway/Cycleway and Station Road Improvements Drawing No. 10352-HL-15-F
- b) A127/A128 Junction Improvements Drawing No. 10352-HL-16-F
- c) Overview of Highway Works Drawing No. 10352-HL-11-F

### **Environmental Impact Assessment**

6.42 Given the size of the Application Site and the scale of development proposed, together with the proposed mixed use commercial and social/economic infrastructure elements, the development is considered to be Environmental Impact Assessment (EIA) development as defined within Schedule 2 of the EIA Regulations<sup>1</sup>. Specifically, the application scheme passes the threshold for 'Urban Development Projects' set out in Part 10(b) of Schedule 2 as it includes more than 150 dwellings. This places specific requirements on the

development management process, such as the potential screening and scoping before the planning application, additional consultation requirements and assessment methodology. Planning Officers have been supported by specialist EIA consultants SLR, in managing the EIA aspects of the application process. SLR's team has included technical specialists in the fields of noise and vibration, hydrology, transport, ecology, cultural heritage, socio-economics, air quality, landscape and visual and land quality.

- 6.43 The submitted masterplan has informed the parameter plans that have been submitted "for approval". The proposed development that requires assessment, including for the purposes of the EIA regulations, therefore provides a maximum extent of development, which may be considered to be a "worst case scenario". Subsequent Reserved Matters submissions would be required to remain within the parameters. If not, a further assessment may be triggered. This would be enforceable via a planning condition(s).
- 6.44 The proposal scheme was "Scoped" at pre-application stage. This happened twice due to a material change iteration to the pre-application scheme. The case references are: 18/01173/EIASO and 19/01200/EIASO (decided under delegated authority). In order for the assessment to be informed appropriately, the application scheme has been described in more detail compared to a basic outline application. As mentioned above, in particular, the physical extent of the proposed development has been limited by a set of parameters. The reason for this additional definition of the scheme has been to enable an appropriately precise EIA assessment.
- 6.45 Following submission of a Scoping Request in July 2018 and the resultant issue of the Scoping Opinion in February 2019 (Ref. 18/01173/EIASO), an intensive period of site investigations, consultation and design work was undertaken.
- 6.46 In August 2019 (up dated 12th September 2019), a Re-Scoping Request (the 'Re-Scoping') was submitted which set out the progress that had been made and reviewed the outcomes against the original Scoping Opinion. The Re-Scoping was prepared to invite the Council to provide additional scoping advice if considered appropriate. The Re-Scoping was prepared with reference to Regulation 15 of the 2017 EIA Regulations to provide an update on those aspects outlined as being those the determining authority should consider in forming its scoping opinion. The Re-Scoping Opinion was published on the 11th November 2019 (19/01200/EIASO).
- 6.47 Specifically, the Re-Scoping Opinion (November 2019) differs from the original Scoping Opinion on the following matters:



- a) BCC stated that it is unclear whether the applicant has committed to deliver 'Biodiversity Net Gain and requested that the DEFRA Metric 2.0 is used (this method has been superseded in the meantime);
- b) BCC requested that an Ecological Mitigation, Management and Monitoring Report is provided to support the ecological assessment and Biodiversity Net Gain report;
- c) BCC recommends that Essex County Council's (ECC) request for a Minerals Supply Audit is given further consideration; and
- d) ECC also recommends that Waste and Minerals should be scoped in and have its own chapter in the ES.

6.48 With regards to the first two comments, the DEFRA Metric 3.0 has been used to calculate Biodiversity Net Gain (this remains the appropriate metric for this application by reason of the timing of submission); the applicant is committed to delivering a net gain in biodiversity. An Ecological Mitigation, Management and Monitoring Report (Part 1) is also provided within this ES; it is proposed that a detailed Part 2 report is secured by way of condition.

6.49 Regarding the latter two comments, subsequent liaison with BBC confirmed that Waste is not required to be provided in a standalone chapter and a Minerals Supply Audit does not need to be provided if there is a valid reason for not having this.

6.50 In summary, the Re-Scoping Opinion (November 2019) confirmed that the following would be included in the ES: Introduction Process and Methodology Alternatives and Design Evolution Proposed Development Description Demolition and Construction Environmental Management Socio-Economics Archaeology Transport and Accessibility Air Quality Noise and Vibration Water Resources and Flood Risk Cumulative Effects Residual Effects and Mitigation. The following chapters were proposed to be scoped out: waste, wind microclimate, health and well-being, climate and light pollution.

6.51 Accordingly, the agreed final scope of the ES, as set out in the Re-Scoping opinion of November 2019, is as follows (chapter suffixes provided for ease of cross-reference with the submitted ES):

- a) Chapter A - Introduction and Background

- b) Chapter B - Scope and Methodology
- c) Chapter C - Site and Scheme Description
- d) Chapter D - Landscape and Visual
- e) Chapter E - Transport and Accessibility
- f) Chapter F - Air Quality
- g) Chapter G - Noise and Vibration
- h) Chapter H - Built Heritage
- i) Chapter I - Ecology
- j) Chapter J - Ground Conditions
- k) Chapter K - Water Resources and Flood Risk
- l) Chapter L - Socio-Economics
- m) Chapter M - Archaeology
- n) Chapter N – Agricultural Land
- o) Chapter O – Residual and Cumulative Impact
- p) Chapter P - Summary of Mitigation, Monitoring and Overall Conclusions

6.52 The applicant concludes in the submitted Planning Statement that: *“The proposed form of development at the Application Site has emerged through a robust process of design iteration between the design and the EIA teams along with external engagement with statutory and non-statutory consultees and interested parties. Additional survey work and analysis has fed into this process to allow key embedded mitigation to be incorporated into the development to avoid or minimise significant adverse effects on the environment.”*

6.53 The EIA has been reported in an extensive Environmental Statement document alongside its Non-Technical Summary, which were both submitted with the application.

6.54 Following the validation of the Planning Application in September 2021, SLR undertook an initial review of the Environmental Statement (ES). The review included a regulatory compliance check and consisted of a high-level critique of the methodology and technical findings to identify omissions, potential errors in calculation and/or technical assessment. This comprised of:

- a) Technical review of information submitted, including mitigation measures to determine if these were proportionate and practical, and provide comments and recommendations for further information if required.

- b) Highlight comments that require an EIA Regulation 25 Request – i.e. necessary for reaching a reasoned conclusion on the likely significant effects of the development described in the application.
  - c) Highlight comments that reflect clarifications – i.e. relate to omissions / inconsistencies / inaccuracies that do not inhibit the chapter / ES reaching a reasoned conclusion on the significant effects of the proposed development on the environment.
- 6.55 A Stage 1 review report was provided to the Council in December 2021 identifying the need for additional information relating to ecology, hydrology, land quality, noise and air quality to allow consideration of the likely significant environmental effects. An EIA Regulation 25 Request was deemed necessary.
- 6.56 SLR subsequently reviewed the DHGV Supplementary Environmental Statement (January 2022) and provided a draft Stage 2 Review Report to the Council in May 2022 which identified the need for a further EIA Regulation 25 Request for further information from the applicant on a range of environmental topics. SLR attended a meeting with the Council and the Applicant in May 2022 to discuss the outstanding information requirements and the final Stage 2 report was issued in July 2022.
- 6.57 SLR was instructed to review a revised Supplementary Environmental Statement in October 2022. SLR's draft Stage 3 Review report was issued to the Council in early March 2023. The Stage 3 Report considered that sufficient information had been provided to reach a reasoned conclusion on the likely significant effects of the proposed development. The Stage 3 Report identifies the information still considered outstanding, and where relevant provides recommended conditions to ensure mitigation can be secured (at subsequent planning stages).
- 6.58 The Environmental Statement concluded that a number of enhancement and mitigation measures would be required, before reaching the final conclusion of the EIA, which is that:

*“On balance it is considered that the significant adverse cumulative effect relating to the loss of BMV agricultural land is outweighed by the benefits that will be delivered by the proposed Dunton Hills development. These include transport enhancements for pedestrians and cyclists, ecology benefits through the achievement of a net gain in biodiversity habitats, and*

*significant socio economic benefits from the provision of housing and the creation of employment opportunities within a Garden Village development that can meet the needs of its future residents whilst also providing new employment, education and recreation opportunities for the wider area.”*

- 6.59 The Environmental Statement that all of the following reported required embedded and secondary mitigation measures can be secured and enforced through planning conditions, legal agreement or other non-financial obligations.

*Embedded mitigation measures:*

- a) Design and landscaping principles;
- b) Access Principles;
- c) A Construction Environmental Management Plan;
- d) Implementation of the Ecological Mitigation, Management and Monitoring Strategy Part 1 (EMMMS1);
- e) Creation of a noise barrier in the north western corner of the Site;
- f) Implementation of the Surface Water Drainage Strategy and Drainage Principles;
- g) Provision of a permanent water supply; and
- h) Implementation of a Soil Management Strategy.

*Secondary, Construction Phase Mitigation:*

- i) The Ecology assessment identified that an EMMMS2 is required to provide further detail to the Part 1 strategy that is appended to the ES (see Appendix I5). This will include measures relating to greenspace habitat enhancement and establishment, management and monitoring; target species conservation measures; and nectar-rich and native species amenity planting.
- j) The Ground Conditions assessment identified that further intrusive investigations are required to ensure that the correct building material specifications are used and to identify where clean cover is required. Additional mitigation and verification may be required, depending on the results of the intrusive investigations.
- k) The Water Resources and Flood Risk assessment requires that a Method Statement regarding the management of surface water during construction is implemented.
- l) The Socio Economics assessment did not identify any significant impacts that required mitigation, though employment, training, education and

local procurement initiatives would further enhance the benefits of the Proposed Development.

- m) The Archaeology assessment requires further archaeological evaluation trenching, with a programme of mitigation excavation and recording if required.

*Secondary, Operational Phase Mitigation:*

- n) The Transport assessment requires that the sustainable travel measures outlined in the Dunton Hills Mobility Plan (a standalone planning application document) are implemented. This includes the establishment of a Transport Review Group to monitor and review sustainable travel options against targets set.*
- o) The Noise assessment has found that alternative means of ventilation may be required for properties with habitable rooms facing the A127/A128.*
- p) The Built Heritage assessment noted that whilst no additional mitigation is possible for the outline planning application, further mitigation through detailed design can be incorporated at the Reserved Matters application stage(s).*
- q) The Ecology assessment requires the EMMMS2 to be implemented.*
- r) The Water Resources and Flood Risk assessment requires further detailed design to be provided at the Reserved Matters planning application stage(s). It also requires that a SuDS Maintenance and Management Plan is implemented; this may be done through a private management company set up by the developer.*

6.60 The technical assessment information of the completed Environmental Statement has been considered as part of the assessment section of this report and where relevant, its findings are highlighted, including any mitigation requirements that should be secured via planning condition(s) and/or obligation(s).

### **Habitats Regulations Assessment**

6.61 The Council's Ecologist's consultation response includes the following consideration of a potential requirement to discharge the Local Planning Authority's duties under Directive 92/43/EEC of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'), and the European Parliament and Council Directive 2009/147/EC on the conservation of wild birds (the 'Birds Directive'), as transposed into UK law

through the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) (the 'Habitats Regulations').

*“The southeast corner of the site is approximately 8.1km from the Thames Estuary and Marshes Special Protection Area. This is the extent of the Zone of Influence identified for that SPA within the Essex Coast RAMS strategy report. This part of the site has been identified for ecological mitigation and no development would take place within the Zol. Natural England in its response to the application (14th October 2021) has not identified the site as requiring an HRA. I would agree with the conclusions of the HRA Screening Report that the scheme would result in no Likely Significant Effects alone or in combination with other plans or projects. As a result no Appropriate Assessment is required.”*

### **Health Impact Assessment**

- 6.62 The scale and complexity of this application scheme give rise to the need for a Health Impact Assessment, which has been reported in the submitted Health Impact Assessment document, and which is therefore reviewed as part of the officer assessment.

### **Equality Impact Assessment**

- 6.63 The Public Sector Equality Duty applies to the council when it makes decisions. The duty requires us to have regard to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Equality Act 2010. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful.
  - b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.64 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for b) or c), although it is relevant for a).

6.65 The proposed development involves specific aspects that are aimed at ensuring equality, such as:

- a) The general strategy behind the development is largely consistent with the growth that is supported by Brentwood's adopted Local Plan, which in itself has been tested for robustness through a Planning Inspector-led public inquiry process, subject to the PSED. Beyond this, specific elements of the proposed development to highlight in relation to EqIA include:
- b) Policy-tested housing provision to meet the needs of people who share a protected characteristic and those who do not, including: general purpose housing, care homes, and Gypsies and Traveller accommodation sites.
- c) Health Impact Assessment provides analysis to identify potential significant health effects, including those that may affect people with protected characteristics, such that it can be confirmed whether such instances require mitigation via design or other appropriate measures.
- d) The environmental design standards and the planned activities for the proposed development will consider the need for access enhancements for people with disabilities, with the aim of overcoming barriers due to individuals' health circumstances such as illness or disabilities.
- e) The project will have capacity for ongoing review and mitigation of the effect on any protected characteristics within the local population.

6.66 Upon consideration of the above, officers conclude that the application proposals covered by this report will not have a disproportionately adverse impact on people with a protected characteristic.

### **Minerals and Waste Planning**

6.67 Brentwood Borough Council is the relevant Waste Management Authority and Essex County Council is the relevant Minerals and Waste Planning Authority for the application site.

6.68 The planning application is not considered to affect any minerals planning matters in the sense that there is not any extraction or depositing proposed at

the site. Whilst there will be a potentially significant element of waste arisings from the application scheme, no strategic waste planning matters are considered to be invoked.

- 6.69 The Essex Minerals Local Plan (2014) informs that there are no mineral and/or waste safeguarding implications for the Dunton Hills Site.

## **7. PLANNING ASSESSMENT**

### **Matters for Assessment**

- 7.1 The starting point for determining a planning application is the current development plan, which is the Brentwood Local Plan 2022 ('the Local Plan'). Planning legislation states that applications must be determined in accordance with the relevant development plan policies unless material considerations indicate otherwise. Additional policies, as relevant material considerations for determining this application, are the National Planning Policy Framework 2021 (NPPF) and National Planning Practice Guidance (NPPG). Although individual policies in the Local Plan should not be read in isolation, the adopted plan contains policies of particular relevance to this proposal which are listed in section 3 above. The proposals have also been considered in accordance with: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires the protection of listed buildings and Historic assets, and; the Town and Country Planning (Environmental Impact Assessment) Regulations (2017).
- 7.2 The assessment process for this application is sequenced as follows.
- a) Principle of Proposed Development
    - i. Green Belt
    - ii. Proposed Land Uses (A Holistic Village Development, Housing and Local Economy, Community Infrastructure)
    - iii. Financial Viability
  - b) Highways and Transportation
  - c) Design Matters
  - d) Landscape and Visual Impact
  - e) Historic Environment
  - f) Sustainability, Carbon Reduction and Renewable Energy
  - g) Health Impact
  - h) Ecology and Biodiversity
  - i) Arboriculture



- j) Land Contamination
- k) Flood and Water Management
- l) Noise
- m) Air Quality
- n) Refuse and Recycling
- o) Neighbours' Amenity
- p) Digital Infrastructure
- q) Crime and Safety
- r) Planning Conditions and Obligations
- s) Cumulative Development
- t) Summary and Recommendation

### **Principle of the Proposed Development**

- 7.3 The Local Plan has endorsed the redevelopment of the application site as part of a strategic allocation, thereby removing the allocation site from the Green Belt and accepting the loss of existing uses in favour of a programme of development that is articulated in Policies R01(I) and R01(II) together comprising Policy R01.

### **Principle of the Proposed Development: Green Belt**

- 7.4 Whilst the Local Plan allocation site is not in the Green Belt, the application site does not quite follow the allocation site boundary. For instance, the application site mainly excludes a northeastern part of the allocation site and also the Farmstead in the middle of the site. The application site also marginally exceeds the allocation site to the west where the proposed development falls within land designated as Green Belt. This concerns relatively very minor Green Belt incursions that are strictly limited to the western parts of the proposed three main access points. A formal Green Belt assessment is required.
- 7.5 The government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Green Belt is a spatial designation not a qualitative one, therefore the requirement to protect openness applies as much to less attractive areas of Green Belt as it does to attractive parts of the Green Belt. As a matter of principle, NPPF paragraph 147 states that: *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

7.6 Policies MG01 (Spatial Strategy) and MG02 (Green Belt) aim to control development but support a limited range of development, subject to being appropriate to the Green Belt and protecting its openness.

7.7 The NPPF paragraph 150 includes that:

*“Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: (b) engineering operations.”*

7.8 It is considered that the part of the Proposed Development that would encroach into Green Belt falls within the definition of Section 336 of the Town and Country Planning Act 1990, which states that engineering operations *“includes the formation or laying out of means of access to highways”*. Therefore, the part of the Proposed Development that encroaches into Green Belt are not considered to be inappropriate development in the Green Belt.

7.9 With regard to any effect on the “openness” of the Green Belt, the junction designs are at grade. Further, the proposed junction works are confined to what is already highway land associated with the junctions of Tilbury Road with Station Road and Old Tilbury Road, which would involve land which forms the verges alongside the A128, which are covered in low to tall grass and shrubs. Therefore, it is considered that there would be no resulting effect on the “openness” of the Green Belt.

7.10 With regard to any conflict with the purposes of including land within the Green Belt (of paragraph 139 of the NPPF):

- a) There would not be an unrestricted sprawl of a large built-up area with the works being confined to minor junction improvements on what is already highway land;
- b) There would not be a threat of DHGV merging with West Horndon;
- c) There would be some minor loss of grass verge which is associated with the highway rather than the works encroaching into the open countryside;
- d) There is no historic town of which the setting and special character requires protection, and;
- e) The consequence of the recent release of the DHGV development site from the Green Belt would not affect the Green Belt’s ability to assist urban regeneration.

7.11 Officers therefore conclude that as a matter of principle, the highway works within the Green Belt parts of the proposed junctions from the A128 Tilbury Road are not inappropriate development in the Green Belt. The part of the proposed junction works that are on designated Green Belt are therefore not considered to harm the purposes and the openness of the Green Belt, and it is concluded that the proposed development complies with Green Belt policies of the NPPF and the Brentwood Local Plan.

**Principle of the Proposed Development: A Holistic Village Development**

7.12 Brentwood Local Plan Policy R01 is key in linking the strategic component pieces to achieve successful delivery of the Garden Village as a whole. There is supporting text before the policy that provides a contextual introduction that sets out the vision, strategic aims and sub-objectives for the Garden Village development. The first part of the policy, “R01(I)”, confirms the strategic allocation with its main land uses and features, whilst the second part, “R01(II)”, is concerned with qualitative matters, including design and delivery.

7.13 The applicant has provided a topic by topic policy compliance justification, as copied below. This policy compliance overview details each criterion of Policy R01 for Dunton Hills Garden Village and how the outline planning application complies with each requirement. It should be noted that some of the criteria are more appropriate to reserved matters submission in due course and, as such, the overview details how the outline application accords with the intent and principles of such relevant criteria.

***Compliance with POLICY R01 (I): DUNTON HILLS GARDEN VILLAGE STRATEGIC ALLOCATION***

Topic: **Housing Mix**

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(4a) To deliver self-build and custom build plots in accordance with Policy HP01. Policy HP01: a minimum of 5% self-build homes which can include custom	Outline planning application complies in part. Specific delivery to be confirmed at reserved matters stage.	Self-build plots will be distributed throughout the development in accordance with Policy HP01. Percentage provision to be discussed and agreed with BBC.

Policy sub-paragraph	Compliance	Further information
housebuilding provided there is a need as justified within the Council's most up to date evidence.		
<p>(4b) To deliver 3 care homes around 80 beds each, or an appropriate mix of specialist accommodation to meet identified needs, in accordance with Policy HP04.</p> <p>Policy HP04: specialist accommodation would meet demonstrable need; be readily accessible to public transport, shops, local services, community facilities and social networks and, where appropriate, employment and day centres; would not result in the over concentration of any one type of accommodation.</p>	Outline planning application complies	<p>One care home (Class C2) with up to 80 beds will be provided in the Village Centre (Hub A) and in each of the two Neighbourhood Hubs (Hub B, Dunton Waters and Hub C, Dunton Woods).</p> <p>The submitted Land Use Parameter Plan locates Village Centre A and Neighbourhood Hub B and C, where the care homes will be sited. This shows the care homes will not be over concentrated in one part of the Application Site and will be located near Class E uses and community facilities and served by the Primary Mobility route.</p>
<p>(4c) To deliver affordable housing in accordance with Policy HP05.</p> <p>Policy HP05: Requires 35% affordable housing units (when calculated by unit number) to be provided within all new residential developments of 10 or more. Tenure split to be made of 86% social rent and 14% all other forms of affordable</p>	The outline planning application complies with Policy H05 subject to viability considerations. Specific delivery, including tenure mix and split, to be confirmed through the Section 106 negotiations.	There remains the intention of delivering affordable housing as part of the development but there is a need for the viability to be settled to establish the quantum and, potentially, the mix of the affordable homes. The ability to negotiate the provision of affordable housing at application stage is provided for in

Policy sub-paragraph	Compliance	Further information
<p>housing. The Council will have regard to scheme viability. Planning obligations to be used to ensure units will remain at affordable prices for future eligible households.</p>		<p>Policy HP05 where <i>In seeking affordable housing provision, the Council will have regard to scheme viability; only where robust viability evidence demonstrates that the full amount of affordable housing cannot be delivered, the Council will negotiate a level of on-site affordable housing that can be delivered taking into account the mix of unit size, type and tenure and any grant subsidy received.</i></p>
<p>(4d) To deliver a minimum of 5 serviced Gypsy and Traveller pitches, the location of the pitches and the timing of their provision to be identified in the masterplan.</p>	<p>Outline planning application complies.</p>	<p>See the submitted Land Use Parameter Plan, Design and Access Statement and the Framework Masterplan Document</p> <p>5 serviced Gypsy and Traveller pitches will be provided in the south west corner of the Application Site with easy access to the A128. The timing of their provision is identified in the submitted Phasing Plan and Delivery Statement (at Table 6: Delivery Programme) and they will be delivered as part of the Dunton Fanns Neighbourhood.</p> <p>Pitches will adhere to the principles outlined in the</p>

Policy sub-paragraph	Compliance	Further information
		Essex Design Guide for Gypsy and Travellers as commented on by the Council's Environmental Health & Enforcement Manager. The detailed design is a reserved matter.

Topic: **Employment Development**

Policy sub-paragraph	Compliance	Further information
(5) To deliver around 5.5 hectares of employment that may include office, light industrial and research and development uses coming within use class E and other employment development that is complementary to, and compatible with, the residential development.	Outline planning application complies	See the submitted Land Use Parameter Plan Design and Access Statement and the Framework Masterplan Document. The employment offer will comprise a mixture of office and workshop spaces provided in the Village Centre as well as an Employment Hub. The Employment Hub will be no less than 5.5 hectares in size is proposed in the north-west corner of the Application Site. The area will include parking, internal circulation and community facilities including a nursery/creche (up to 400sqm), c.24,000sqm Class E(g)(iii) and c.8,600 sqm Class B8.

Topic: **Main Town Centre Uses**

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
<p>(6) To deliver main town centre uses in the form of a district shopping centre and such additional local centres (in accordance with Policy PC04). Centres shall also include community and health facilities and related infrastructure.</p>	<p>Outline planning application complies.</p>	<p>See the submitted Land Use Parameter Plan Design and Access Statement and the Framework Masterplan Document.</p> <p>Retail facilities and main town centre uses will be located within the Village Centre. The Village Centre will have a market square to include community buildings (Class F), mobility hub, up to 10,400sqm of Class E (including retail, office, healthcare, place of worship, gymnasium, and children's nursery/creche uses) uses together with public house, betting shops and hot food takeaway units.</p> <p>There are two Neighbourhood Hubs proposed as the heart of each neighbourhood which will have a more limited offering.</p>

Topic: **Schools and Nurseries**

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
<p>(7a) To deliver one secondary school (Class F1) (around 7.9 hectares) with capacity to co-locate one primary school and one early years and</p>	<p>Outline planning application complies when read with criterion 7(c). See the submitted Land Use Parameter Plan, School Compliance</p>	<p>The secondary school will also provide a Community Sports Hub enabling the indoor and outdoor sporting facilities to be shared by the community</p>

Policy sub-paragraph	Compliance	Further information
childcare nursery facility.	Statement, Design and Access Statement and the Framework Masterplan Document. Land for a 7.9ha secondary school (4FE) is proposed in the centre of the Application Site.	outside school hours. This approach is supported by Sport England.
(7b) To provide sites for an additional 2 primary schools with sufficient capacity to co-locate early years and childcare nursery facilities (around 2.1 hectares each).	Outline planning application complies.	See the submitted Land Use Parameter Plan Design and Access Statement, the Framework Masterplan Document and School Site Compliance Statement. The development will include up to 3 primary schools which will be 2FE and each have early years provision (Use Class F). Each primary school will be on a 2.4 hectare site located adjacent to the Village Centre and Neighbourhood Hubs
(7c) To provide a site for a further primary school with capacity to co-locate early years and childcare nursery facilities (around 2.1 hectares) in the eventuality primary education provision is not co-located with the secondary school.		
(7d) To provide an additional stand-alone early years and childcare nurseries (around 0.13 hectares).	Outline planning application complies.	See the submitted Design and Access Statement and the Framework Masterplan Document. Within the Application Site, up to 4 private nurseries/creches are proposed (Use Class F). A site for the additional standalone early years provision sought by the policy has not been specifically identified because it will be provided



<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
		within the Village Centre but its provision can be secured via the Planning Obligation.

Topic: **Green and Blue Infrastructure**

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(8) Not less than 50% of the total allocated area shall comprise green and blue infrastructure which should, so far as possible, be of a multi-functional nature	Outline planning application partly complies in terms of its site area.	See the submitted DAS Chapter 5: Landscape and Water Design and the Framework Masterplan Document. See the submitted Flood Risk Assessment and Drainage Strategy provided within the ES at Appendix K1a-e. Green and blue infrastructure areas are indicatively located on the submitted plans. Further details on the creation of a multi-functional and varied green and blue infrastructure network will be dealt with at the reserved matters stage. However, the principles of delivering multi-functional Green and Blue Infrastructure are established in the DAS and Framework Masterplan Document together with the supporting ecological reports. The Council's Landscape, Trees, Ecology Officer

Policy sub-paragraph	Compliance	Further information
		<p>considers the principles of the Framework Masterplan to be appropriate.</p> <p>The Council's Environmental Health &amp; Enforcement Manager welcomes the variety and quantity of proposed outdoor space.</p> <p>Natural England strongly supports the rationale behind the proposed biodiversity strategy.</p> <p>Essex Wildlife Trust welcome the suggestion that EWT could be involved in monitoring the project and advising on management protocols/interventions.</p>

Topic: **Mobility Hub**

Policy sub-paragraph	Compliance	Further information
<p>(9) To provide a mobility hub relating well to the district centre.</p>	<p>Outline planning application complies.</p>	<p>See the submitted Mobility Plan document, Access and Land Use Parameter Plan Design and Access Statement and the Framework Masterplan Document.</p> <p>The Village Centre will include a primary mobility hub, car parking/charging area and other active/sustainable travel infrastructure.</p>

**Compliance with POLICY R01 (II): SPATIAL DESIGN OF DUNTON HILLS GARDEN VILLAGE**

Topic: **Masterplan**

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(2a) The masterplan will be locally led with the community and relevant stakeholders, in accordance with the Statement of Community Involvement.	Outline planning application complies.	See submitted Statement of Community Involvement, Design and Access Statement and the Framework Masterplan Document. This document with appendices details the comprehensive consultation process that was undertaken to prepare a masterplan for the Garden Village, including the Design Review process, and the range of stakeholders involved.
(2b) The masterplan will show the overall design, layout, distribution, and location of uses. This will be based upon and promote garden community principles.	Outline planning application complies.	See submitted Land Use Parameter Plan, Building Heights Parameter Plan, Design and Access Statement and the Framework Masterplan Document. The vision for the Application Site includes three interconnected neighbourhoods around which parameter plans have been developed. See Chapter 6 of the DAS “Neighbourhoods, Sub Character Areas and Key Spaces” for further details.
(2c) The masterplan will demonstrate how heritage	Outline planning application complies.	See submitted Heritage Statement, Heritage Asset

Policy sub-paragraph	Compliance	Further information
assets and their settings will be sympathetically and appropriately integrated into the development.		Plan, Design and Access Statement and the Framework Masterplan Document. Figure C3.1 in Chapter C of the ES and at page 49 and 50 of the DAS explains how sensitivity to heritage assets has been achieved through a managed approach to dwelling density.
(2d) The masterplan shall identify the proposed transport links, including access to the site and main internal highway links, and principal walking, cycling and bridle links.	Outline planning application complies.	See the Parameter Plan – Access and Movement for details. See also Design and Access Statement and the Framework Masterplan Document. The plan shows that there are a number of pedestrian, bus, cycle and highway links within the application site and connecting to the existing access points. TfL support aspiration to achieve 60% of journeys by sustainable modes.
(2e) The masterplan will show all structural landscaping and the treatments to be provided (including boundary treatments and measures to ensure visual separation from Basildon).	Outline planning application complies.	See submitted Land Use Parameter Plan. The illustrative masterplan further shows landscaping and treatments to be provided. See the submitted DAS Chapter 5: Landscape and Water Design. The landscape strategy for the Application Site has been

Policy sub-paragraph	Compliance	Further information
		<p>developed in accordance with the design principles set out in the DHGV Framework Masterplan Document (FMD). Pages 102 -105 of the FMD set out the spatial principles for landscape areas, including boundary treatments. It shows the eastern boundary/ green belt interface, in addition to the woodlands interface, which will ensure visual separation from Basildon.</p>
<p>(2f) The masterplan will have a green and blue infrastructure plan informed by a wildlife and habitat survey and a heritage and landscape character assessment.</p>	<p>Outline planning application complies.</p>	<p>The required surveys and assessments have been undertaken and support the application and can be found primarily within the Environmental Assessment. The Land Use Parameter Plan provides details on the green and blue infrastructure. Further details are provided within DAS Chapter 5: Landscape and Water Design. The landscape strategy for the Application Site has been developed in accordance with the design principles set out in the DHGV FMD.</p>
<p>(2g) The masterplan will show all intended links to the surrounding footpath and cycleway network and</p>	<p>Outline planning application complies.</p>	<p>See the submitted Mobility Plan document and Access, Movement Parameter Plan Design</p>

Policy sub-paragraph	Compliance	Further information
<p>indicate potential footpath and cycleway links towards Basildon from the east of the allocated site.</p>		<p>and Access Statement and the Framework Masterplan Document.</p> <p>Chapter 6 of the DAS “Mobility Strategy” sets out the approach to sustainable movement to, from and around DHGV. The mobility Strategy also includes commentary of the internal links.</p> <p>The parameters plans, Design and Access Statement and the Framework Masterplan Document include potential connections towards Basildon from the site whether for pedestrians, cyclists or shared transport.</p> <p>Detailed plans have been submitted to show northern and southern site access, the proposed junction modifications with Station Road/Tilbury Road and pedestrian/cycle connection to A127.</p>
<p>(2h) The masterplan will show how development will safeguard, maintain and, where possible, enhance key views in and across the allocated site.</p>	<p>Outline planning application complies.</p>	<p>See the submitted Heritage Statement.</p> <p>See the submitted DAS Part 2 pages 23 – 26 and the Framework Masterplan Document</p> <p>See the Landscape Chapter in the Environmental Statement</p>

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(2i) The masterplan will provide for convenient pedestrian and cycle links through the allocated site towards West Horndon Station.	Outline planning application complies.	See the submitted Mobility Plan document, Access and Movement Parameter Plan, Drawing Nos. 10352-HL-13 Rev D 10352_HL-15 Rev D, Chapter 6 of the DAS “Mobility Strategy” and the Framework Masterplan Document setting out the approach to sustainable movement to/from the Village Centre and West Horndon Railway Station.
(2j) The masterplan will incorporate the full range of sustainable transport measures, including dedicated bus services and the location and nature of a mobility hub.	Outline planning application complies.	See submitted TA and Mobility Plan. See submitted Access and Movement Parameter Plan. See Design and Access Statement and the Framework Masterplan Document. The Council’s Environmental Health Officer considers that the impact of existing road sources and from traffic generated by the proposed development on air quality is not likely to result in poor local air quality for the future occupants and surrounding areas.
(2k) The masterplan will identify the locations and forms of the district and local centres, including the community and healthcare	Outline planning application complies.	See the submitted Land Use Parameter Plan, Design and Access Statement and Framework Masterplan Document plus

Policy sub-paragraph	Compliance	Further information
facilities to be provided within them.		the Scio Economic Chapter in the Environmental Statement See Chapter 6 of the DAS “Neighbourhoods, Sub Character Areas and Key Spaces”.
(2l) The masterplan will include a phasing and implementation plan that demonstrates: (i) impacts are satisfactorily and appropriately mitigated; (ii) adequate supporting facilities (including access to adequate green and blue infrastructure, leisure and sporting facilities, shops, health, community and educational facilities) to establish a community; and (iii) occupiers have an appropriate range of sustainable travel options, including access to bus services and the cycle and pedestrian link to West Horndon Station.	Outline planning application complies.	See the submitted Delivery Statement and Phasing Plan (also located at Appendix C6 of the ES). ES Chapter P (in addition to Supplementary ES Chapter 15, dated August 2022) Sets out the mitigation required associated with the application. The Design and Access Statement and the Framework Masterplan Document identify the supporting services and facilities. The Planning Obligation Statement identifies what needs to be secured through legal agreement and other matters can be the subject of conditions (e.g. link along the north side of Station Road). The Heads of Terms for the Planning Obligation, including triggers, are being established. To ensure facilities, services and non-car mobility options are available.



<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
		<p>A 17-year potential phasing strategy for the Application Site is outlined within the Delivery Statement.</p> <p>Chapter 9 of the DAS “Phasing and Delivery” illustrates how DHGV could be phased showing what community facilities and infrastructure will be provided at different stages. This addresses the concern that the Council’s Environmental Health &amp; Enforcement Manager raised in relation to ensuring there are sufficient health care and social care facilities from the start.</p>

**Topic: Development proposals**

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(3a) Development proposals should ensure that detailed design and layout take into account the guidance contained in an adopted Garden Village Design Supplementary Planning Document.	Outline planning application complies by incorporating these principles and the scheme can comply through the reserved matters	Detailed design to be delivered at reserved matters stage but the principles of the SPD are incorporated into the application.
(3b) Development proposals should ensure that the distinct spatial, landscape and heritage qualities of the site and its surroundings are	Outline planning application complies by incorporating these principles and the scheme can comply through the reserved matters	Principles established primarily through the Design and Access Statement, Framework Masterplan Document, Landscape Chapter of the

Policy sub-paragraph	Compliance	Further information
maintained or enhanced.		Environmental Statement and Heritage Statement. Detailed design to be delivered at reserved matters stage.
(3c) Development proposals should ensure neighbourhood designs harmoniously integrate to form an overall distinctive Dunton Hills Garden Village identity.	Outline planning application complies by incorporating these principles and the scheme can comply through the reserved matters	Principles established primarily through the Design and Access Statement and the Framework Masterplan Document. Detailed design to be delivered at reserved matters stage.
(3d) Development proposals should combine to provide an appropriate range of densities across the site to ensure a compact and highly networked, walkable and fine-grained environment with a highly connected street-based layout that encourages walking and cycling.	Outline planning application complies by incorporating these principles and the scheme can comply through the reserved matters	Principles, including a range of densities for the proposed housing, established primarily through the Design and Access Statement, Framework Masterplan Document, Mobility Plan, Transport Assessment and land use parameters plans. Detailed design to be delivered at reserved matters stage.
(3e) Development proposals should provide, or relate appropriately to, well-located multi-functional green infrastructure to promote safe, and attractive environments for leisure, informal and adventure play areas, recreational and sporting activity with appropriate levels of surveillance.	Outline planning application complies by incorporating these principles and the scheme can comply through the reserved matters	Principles established primarily through the Design and Access Statement, Framework Masterplan Document, Landscape and Ecology Chapters in the Environmental Statement. Detailed design to be delivered at reserved matters stage.

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(3f) Development proposals should promote coherent signposted internal footpath and cycleway routes that provide, where appropriate, links to the surrounding network with sympathetic transitions between the rural and urban environment.	Outline planning application complies by incorporating extensive internal mobility routes. Delivery is to be secured via conditions and Planning Obligation plus the reserved matters	Principles, including a range of densities for the proposed housing, established primarily through the Design and Access Statement, Framework Masterplan Document, Mobility Plan, Transport Assessment and land use parameters plans. Detailed design to be delivered at reserved matters stage.
(3g) Development proposals should provide or contribute to a highly connected and biodiverse ecological network that incorporates existing habitats of value and natural features and, wherever possible and appropriate, the enhancement of existing, or the creation of new, habitats.	Outline planning application complies by incorporating existing and proposed biodiversity and ecological features. Delivery is to be secured via conditions and Planning Obligation plus the reserved matters	Principles established primarily through the Design and Access Statement, Framework Masterplan Document, Landscape and Ecology Chapters in the Environmental Statement. Detailed design to be delivered at reserved matters stage
(3h) Development proposals should provide an appropriate level of formal sports pitches and facilities to meet the evolving needs of the community.	Outline planning application complies by incorporating these sporting facilities and the scheme can comply through the reserved matters. Delivery is to be secured via conditions and Planning Obligation plus the reserved matters	The parameters plans, Design and Access Statement and the Framework Masterplan Document include the provision of a Football Hub, Cricket Pitch, sports pitches within the secondary school and the ability to use the secondary school indoor sports building.
(3i) Development	Outline planning	The parameters plans,

Policy sub-paragraph	Compliance	Further information
<p>proposals should ensure the public right of way (PRoW) network is retained, maintained and enhanced.</p>	<p>application complies</p>	<p>Design and Access Statement and the Framework Masterplan Document show Nightingale Lane is retained in situ within the existing woodland corridor. The origin and designation of the little used public right of way in north east corner of the site is proposed to be maintained but diverted through the Green infrastructure to enhance the users experience rather than walking through the built forms of development.</p>
<p>(3j) Development proposals should take into account the findings of the Council's Heritage Impact Assessment for Dunton Hills Garden Village and the applicant's own heritage impact assessment and demonstrate what measures have been taken to sustain the significance of any affected designated and non-designated heritage asset and its setting, whether on or off-site and, wherever possible and appropriate, include other measures to provide enhancements to their settings.</p>	<p>Outline planning application complies</p>	<p>See submitted Heritage Statement, Heritage Asset Plan, Design and Access Statement and the Framework Masterplan Document. Figure C3.1 in Chapter C of the ES and at page 49 and 50 of the DAS explains how sensitivity to heritage assets has been achieved through a managed approach to dwelling density. The findings of the Council's Heritage Impact Assessment (HIA) have been taken into account and responded to in the Heritage Statement accompanying the</p>

Policy sub-paragraph	Compliance	Further information
		application. The majority of the HIA considerations have been complied with but there are some variations which have been justified by reason of a different professional assessment and to create a more cohesive form masterplan.
(3k) Development proposals should take into account the results of a programme of archaeological evaluation based upon a geophysical survey of the development area.	Outline planning application can comply with a phased programme of investigations secured by condition	The archaeological evaluation, including a geophysical survey, is reported in the Environmental Statement. Any phased programme of intrusive investigations can be undertaken after the grant of planning permission, as agreed with Essex County Council.
(4) The development shall be delivered in accordance with the phasing and implementation plan.	Outline planning application complies. An up-to-date phasing programme and implementation plan would be the subject of a condition	See the submitted Delivery Statement and Phasing Plan (also located at Appendix C6 of the ES). A 17-year potential phasing strategy for the Application Site is outlined within the Delivery Statement. Chapter 9 of the DAS "Phasing and Delivery" illustrates how DHGV could be phased showing what community facilities and infrastructure will be provided at different stages.

<b>Policy sub-paragraph</b>	<b>Compliance</b>	<b>Further information</b>
(5) A mobility hub shall be delivered prior to the first occupation of the development with provision for its enhancement and expansion during later phases to be secured through a planning obligation.	Outline planning application complies.	See the Planning Obligations Heads of Terms document submitted. To be secured via condition/S106. It is proposed that a temporary Mobility Hub would be in situ from the first occupation.
(6) Where directly related to Dunton Hills Garden Village applicants will be required to make necessary, appropriate, and reasonable financial contributions via planning obligations towards: (a) off site highway infrastructure improvements; (b) necessary bus services to nearby school facilities; (c) phased improvements to West Horndon Station in accordance with Policy BE08; (d) off-setting improvements to Hartswood Golf Course.	Outline planning application complies.	See the Planning Obligations Heads of Terms document submitted.
(7) Appropriate restrictions on the occupation of the development will be imposed subject to the carrying out and completion of necessary highway works.	Outline planning application complies.	To be secured via condition.
(8) Proposals shall include a supporting statement which addresses the long-term governance and	Outline planning application complies.	To be secured via condition/S106.  See the submitted Community Management

Policy sub-paragraph	Compliance	Further information
stewardship arrangements.		<p>Statement which sets out the long-term sustainable governance and stewardship arrangements (management, maintenance and renewal) for the community assets including green-blue infrastructure, the public realm and community and other relevant facilities to be funded by the developer.</p> <p>Chapter 8 of the DAS “Community Stewardship and Legacy” covers elements such as the community management of DHGV.</p>
(9) Proposals shall include a supporting statement that includes initiatives to ensure that new jobs created are offered to local people, as far as may be reasonably possible.	Outline planning application complies.	<p>See submitted Employment Strategy. To be delivered as part of the reserved matters stage via condition/S106.</p> <p>The Employment Strategy is a high level document that outlines the key elements of the strategy. Further details will be dealt with in a developed and more detailed document prior to the commencement of any infrastructure construction activities at the reserved matters stage.</p> <p>The creation of more construction jobs, along with new facilities that will</p>

Policy sub-paragraph	Compliance	Further information
		need staffing, is considered to be positive by the Council's Environmental Health & Enforcement Manager.

7.14 Although every effort has been, and is being, made to expediently report the application to members, the 1,650 dwellings envisaged in the Local Plan's original housing trajectory will be a challenging but with several housebuilders developing at the same time it is achievable.

7.15 On balance, the Officers consider that there is a reasonable prospect that the R01 policy requirement would be met by the proposed development as noted above, subject to planning obligation and/or condition(s), and/or subject to further details as part of Reserved Matters submission(s) that are outside the scope of the particulars to be approved as part of an outline planning application.

7.16 Whilst Policy R01 provides the overarching policy objectives for the delivery of DHGV as a whole, the proposed delivery of a first part of the allocation site informs that the development proposals require specific assessment in respect of a number of topic requirements identified in the NPPF, in generic policies within the Local Plan, as well as other relevant requirements in published guidance "i.e. Development Management Policies and Other Matters".

7.17 In terms of the assessment of the principle of the Proposed Development, its principal land uses (Housing and Economic Development, and Community Infrastructure) require consideration.

**Principle of the Proposed Development: Housing**

7.18 The Council's adopted Local Plan has allocated the application site as part of a large scale residential-led mixed use development as part of a Borough-wide spatial strategy that considered established housing need, the very limited availability of appropriate development sites due to the Borough's large areas of Green Belt, and other factors such as access to strategic infrastructure. Policy MG01 explains that over the local plan period a total of 7,752 new dwellings need to be added to the Borough's existing stock. In terms of the significance in magnitude, the submit The planning application provides for the delivery of up-



to 3,700 dwellings which falls within the indicative 4,000 dwellings for the whole of DHGV. The other 300 dwellings or so would be delivered on the remaining parts of the allocation which is as per the submitted FMD. The expectation is that the circa 1,650 homes identified in the Local Plan would be delivered by this application.

- 7.19 In addition to the requirements of the aforementioned Local Plan Policy R01, Policy HP01 (Housing Mix), and Policy HP05 (Affordable Housing) aim for high quality and sustainable new housing development to meet local needs. In particular, R01(I) requires a housing mix that includes provision of self-build and custom-build plots, specialist accommodation, affordable housing and gypsy and traveller pitches.
- 7.20 More specifically, Policy HP05 sets an affordable housing requirement of 35% affordable housing delivery on site, subject to a scheme's financial viability. Policy HP05 seeks a tenure split made up of 86% Affordable/Social Rent and 14% as other forms of affordable housing. Policy R01 (I): Dunton Hills Garden Village Strategic Allocation, Criteria 4.b. sets out the requirement of provision for "specialist accommodation including three care homes of around 80 beds each, or an appropriate mix of specialist accommodation to meet identified needs, in accordance with Policy HP05. According to Policy HP01(4a), the application scheme passes the threshold for a requirement to deliver a minimum of 5% self-build homes.
- 7.21 The main impact to existing local housing provision would result from a loss of one family size detached dwelling in the north-western part of the site (this dwelling is known as "Meadow House"), in favour of the construction of "*up-to 3,700 Residential Dwellings (C3)*", which is supplemented by "*3 no. up to 80-bedroom care homes (Class C2)*" and "*5 gypsy and travellers pitches*". This matches the quantum requirements for the site as profiled in the Brentwood Local Plan.

### ***General Housing***

- 7.22 In terms of general housing provision of the Proposed Development in accordance with the quantum of Policy R01, both the quantum, development plot footprints and density of residential development matches closely to that of the FMD. This informs officers' confidence that the proposed quantum of housing would be capable of being delivered within the parameters set within the parameter plans. The FMD 2021 on which the Design Guidance SPD has

involved detailed testing of housing density within the constraints of the site alongside the concept of three neighbourhoods/phases set within the landscape. There have been relatively minor changes to the spatial characteristics of the residential components of the FMD 2022 compared to the FMD 2021 and the changes are overall not suggestive of a significant relative reduction in potential housing quantum. The proposed overall quantum for housing is therefore considered to be compliant with planning policy.

- 7.23 Similarly, officers are also confident that the proposed overall quantum of housing capacity is also capable of accommodating a mix of dwelling types, sizes and tenures (to meet the identified housing need in the borough). The application submission has provided illustrative proportions of types, sizes and tenures (e.g. 2405 market housing houses, and 55 Social, Affordable or Intermediate Rent houses, and: 555 Affordable Home Ownership houses, and 185 Self-build and Custom Build; all without number of bedrooms specified. However, the mix of dwelling types, sizes and tenures would be a matter of detail that will be confirmed following further negotiation with the applicant, as an obligation within the S106 legal agreement.
- 7.24 Policy R01(II)3d refers to appropriate range of densities. Again, the proposed parameters are closely aligned with the densities of the FMD 2021, so for the purposes of assessment of an outline application scheme that will be refined at reserved matters stage, officers are confident that an appropriate range of densities would be provided.
- 7.25 Accordance with the Building Regulations Part M4(2/3) requirements concerning accessibility, this would be a matter of detailed design that would be assessed at Reserved Matters stage. A planning condition to require reserved matters proposals' compliance to accord with disabled access design guidelines are recommended.

### ***Affordable Housing***

- 7.26 There are a number of qualitative aspects to the assessment of the proposed development's housing proposals and the Council's Planning Policy officer, in conjunction with the Council's Housing officers, has commented that:

*“Given the proposal is for a new settlement, of significant importance is the need to secure a diverse range of homes and tenures, offering a range of*

*homes for rent and affordable home ownership, as well as older persons housing (securing a % at 55+)."*

- 7.27 The distinction between matters of principle and detail (such as qualitative matters) in relation to housing can be explained as follows. The Description of the Proposed Development includes *"up-to 3,700 dwellings (Class C3) including affordable housing"*. This confirms the principle of the inclusion of affordable housing as part of the proposed development. The application submission has provided illustrative proportions of: 555 Social, Affordable or Intermediate Rent houses with unknown number of bedrooms, and: 555 Affordable Home Ownership houses, again with unknown number of bedrooms. .
- 7.28 The submitted Viability Report concludes there is a financial deficit for the application scheme (see par 7.102 and onwards) of this report, Policy HP05(3) states that:
- "In seeking affordable housing provision, the Council will have regard to scheme viability; only where robust viability evidence demonstrates that the full amount of affordable housing cannot be delivered, the Council will negotiate a level of on-site affordable housing that can be delivered taking into account the mix of unit size, type and tenure and any grant subsidy received."*
- 7.29 This means that a planning application scheme that is unable to deliver the full 35% affordable housing requirement, may still be policy compliant under certain circumstances. Such circumstances are focused on achieving an optimum outcome in terms of housing delivery alongside other planning policy requirements. The factors that need to be weighed up alongside HP05(3) are brought together in the assessment of Financial Viability at paragraph 7.102 and onwards. This assessment of Affordable Housing requires consideration along with the Financial Viability section.
- 7.30 The Council will require an appropriate level of affordable housing to be delivered as part of the application scheme seeking to achieve the optimum outcomes, taking into account the mix of unit size, type and tenures and grant of any subsidy in accordance with policy HP05 (including HP05(3) regarding viability). The outcome of the financial viability considerations in balance with other relevant matters (see paragraph 8.8) is that the affordable housing part of the proposed development will be set as agreed with the applicant: between the

30% and 35% bookends, while the final confirmation would be included in the S106 legal agreement.

7.31 The application submission includes a succinct Affordable Housing Statement, which has provided a useful starting point for further consideration of the site's delivery of affordable housing in general. This statement presents relevant policy considerations, and it explains the mechanisms for securing relevant aspects of affordable housing (i.e. design is secured through Reserved Matters and the provision of affordable housing, including the number and mix of units is secured through a Planning Obligation), but it lacks the required information and detail on the delivery matters to accord with the relevant policy requirements. It would therefore be appropriate to require an Affordable Housing Strategy to comprehensively cover a range of relevant site-wide issues. In order to assist with the site's affordable housing delivery, the Council's Planning Policy Officer has recommended that a dedicated Steering Group is set up for DHGV, which sets out parameters for the programming and monitoring of the delivery of affordable housing (with flexibility to respond to changing housing need over the course of the construction roll-out), the use of any profit share evidenced by the viability reviews (see paragraph 7.102 and onwards), among the management of other relevant matters. Such an Affordable Housing steering group, which can be facilitated with commitments secured through a planning obligation or condition requirement, could include membership of:

- a) Representatives from the Borough Council – e.g. Housing / Strategic Planning / Development Management / Design and Sustainability;
- b) A representative from Homes England;
- c) A representative from ECC Housing;
- d) A viability advisor, and;
- e) An applicant / housing development partner(s) representative.

7.32 Officers are confident that delivery of affordable housing in compliance with policy requirements can be secured via planning conditions (including approval of details under the subsequent reserved matters applications) and/or appropriate planning obligations.

### ***Tenure and Mix of Affordable Housing***

7.33 The tenure split, design including of the affordable housing (to integrate seamlessly with the market housing), type, size and mix to meet the identified

housing need reported in the Council's most up to date housing evidence in accordance with policy HP05 and in consideration of the schemes financial viability are matters that should be capable of being addressed via suitable planning condition and S106 obligation controls..

### **Care Home Units**

- 7.34 In terms of care home provision, the proposed housing quantum are considered to be compliant with planning policy. However, as with affordable housing delivery, there are relevant qualitative matters that need consideration. The Council's Planning Policy Officer has highlighted that:

*“Delivery of C2 spaces has been strong over recent years and there are a substantial number of spaces to be delivered with extant permission or on allocated sites that will help ensure we meet our updated 289 bedspaces by 2040. ... Moving forward it's important to consider the need for other types of specialist housing for older people, beyond the need for Care Homes ..., in creating balanced communities.”* And that: *“data within the SHMA points to a real need (both market and affordable) for specialist housing for older people that facilitates continued/prolonged independent living.*

- 7.35 It should be noted that the application does not specify that the Class C2 element is specifically for elderly care. It will be need to be investigated further with the ECC Commissioning team and providers, whether there is therefore the potential for a mixed tenure scheme that incorporates rented or low cost home ownership alongside open market sale, or alternatively, whether inter-generational supported or extra care housing would be appropriate. Dialogue will continue with the applicants in respect of this aspect of their application and the requirements under policies RO1(1) 4b and HPO4.

### **Gypsies and Travellers, Self-Build**

- 7.36 In terms of Gypsies and Travellers provision and the self-build requirement, the proposed housing quantum are considered to be compliant with planning policy.
- 7.37 Delivery of the policy required Gypsies and Travellers and Self Build will be secured via planning conditions (including approval of details under the subsequent reserved matters applications) and appropriate s106 planning obligations.

## **Conclusion**

- 7.38 In conclusion, officers consider that on account of the proposed development's Housing merits, there would be enormous benefit to secure fulfilment of the local population's housing need in accordance with the objectives of the Brentwood Local Plan, that would otherwise remain unmet. Officers are satisfied that subject to the planning conditions and/or planning obligations below, the Proposed Development would be compliant with Local Plan Policy HP01 (Housing Mix), Policy HP03 (Residential Density), Policy HP05 (Affordable Housing), and Policy R01 (Dunton Hills Garden Village Strategic Allocation and Spatial Design).

### Planning Conditions

- Affordable Housing Strategy

### Planning obligations

- Mix of unit size, type and tenures (type include Gypsy and Travellers Pitches and Self-Build)
- Affordable Housing (Type, amount, mix of unit size, delivery)
- Self-Build (Type, amount, mix of unit size, delivery)

## **Principle of the Proposed Development: Local Economy**

- 7.39 The NPPF places great importance on building a strong, competitive economy, saying in paragraph 81 that: *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*
- 7.40 Aside from a significant element of housing delivery, the Local Plan through Policy R01(I)5 also allocates DHGV for: *“delivery of around 5.5 hectares of employment development distributed across the village, that may include office, light industrial and research and development uses coming within use class E and other employment development that is complementary to, and compatible with, the residential development.”*
- 7.41 The Local Plan is focused on securing a balanced distribution of economic growth. In addition to the requirements of the aforementioned Local Plan Policy

R01, Local Plan Policy PC01 (Safeguarding Employment Land) is concerned with retaining purposely designated employment land, whilst Policy PC03 (Retail and Commercial Leisure Growth) identifies that to meet identified retail floorspace needs as set out in Policy MG01, retail floorspace will be provided at Dunton Hills Garden Village, as part of mixed-use development. Policy PC04 (Retail Hierarchy of Designated Centres) aims to retain a balanced retail hierarchy within Brentwood. This restricts retail development at DHGV such that it won't conflict with other local retail business. Finally, Policy R01(II)9 requires a supporting statement that includes initiatives to ensure that new jobs created are offered to local people, as far as may be reasonably possible.

7.42 Apart from other elements proposed to be spread across the application site, that would generate employment in their own right, the main land uses that would result in economic development include:

- a) an Employment Hub with up-to 24,000 m<sup>2</sup> (GIA) Class E(g)(iii) and 8,600 m<sup>2</sup> (GIA) Class B8 plus a children's nursery/creche of 400 m<sup>2</sup> (Class E);
- b) Village Centre with market square/public realm including community building (Class F), mobility hub, up-to 10,400 m<sup>2</sup> of Class E (including retail, office, healthcare, place of worship, gymnasium, and children's nursery/creche uses) uses together with public house, betting shops and hot food take away units, and;
- c) 2 no. Neighbourhood Hubs with public space each with retail, office and children's nursery/creche uses (Class E – 950 and 1,000 m<sup>2</sup>) together with hot food take away units.

7.43 With specific reference to meeting the Policy R01(I)5 requirement for around 5.5 hectares of employment development distributed across the village, the applicant's planning statement explains that in addition to the employment uses of the village centre and neighbourhood hubs, the Employment Hub in the north-western part of the site that is identified on the parameter plans will be no less than 5.72 hectares in size, which meets the quantitative requirement of Policy R01(I)5 As well as the retail growth sought by Policy PC03.

7.44 The confirmation of maximum floorspace quantum per use class and/or sub-use classes would be subject to a planning condition.

7.45 The application proposes a net gain of 46,400 m<sup>2</sup> gross new internal non-residential floorspace, as relevant to economic development, which is broken down as follows.

- a) 1,500 m<sup>2</sup> “Other Class F” gross internal floorspace lost (at the existing Golf Course and Clubhouse);
- b) 36,500 m<sup>2</sup> “Other Class E” additional gross new internal floorspace;
- c) 8,600 m<sup>2</sup> “B8 – Storage or distribution” additional gross new internal floorspace, and;
- d) 1,300 m<sup>2</sup> “Other Sui Generis – Public Houses, Hot Food Takeaways” additional gross new internal floorspace.

7.46 The quantum for each use class will be secured by a planning condition in order to ensure that a District Shopping Centre would be created within the local retail hierarchy in accordance with Policy PC04(1).

7.47 The application submission contains a relevant “Socio-Economics” chapter within the Environmental Statement, which considers the impacts the scheme will have on employment and the local economy. This outlines the main outcomes of the proposed development, which would affect the existing development, including the following.

7.48 Dunton Hills Family Golf Centre (and a residential dwelling in the far north west of the Site) comprises part of the site with the remainder being farmland used for arable crops. The Golf Centre provides four full-time and seven part-time jobs. The existing wind turbine supports five individuals as part of routine maintenance however these jobs are not based on-site and are not specific to the turbine itself. Additionally, the farm and agricultural land support one job (a contractor).

7.49 The loss of any current economic outputs at the site such as the above need to be considered in light of a substantial range of economic opportunities that would arise from the proposed development. This includes the construction phase and any employment generating uses at the proposed new community, including any measures to optimise economic outcomes.

### ***Construction Phase***

7.50 The length of the 17 year construction phase leads to the Proposed Development supporting 412 net direct FTE construction jobs per year of the build period. As construction is made up of many discrete elements of work undertaken by specialists (e.g. bricklaying, carpentry, plumbing, electrics etc.), the number of workers onsite will fluctuate during different periods of the



construction phase. Added to this, there are additional 507 predicted indirect FTE jobs that could be supported during each year of the construction phase. Therefore, the total estimated job generation during the construction phase amount to 919 FTE jobs per annum.

- 7.51 The Environmental Statement also advises that the economic activity induced by the construction of the Proposed Development will generate additional economic output of £91.4m Total Net GVA per annum.

***The New DHGV Community***

- 7.52 The Proposed Development will include up to 48,950 (GIA) or c.51,400 (GEA) sqm of office; commercial and community use floorspace.
- 7.53 The gross number of direct jobs generated by the Proposed Development during operation have been estimated to generate 1,861 workforce (1,535 FTE) jobs, as broken down per proposed land use in the table below.

<b>Use Class / Use</b>	<b>Specification</b>	<b>Workforce Job Metric</b>	<b>Workforce Jobs</b>	<b>FTE Job Metric</b>	<b>FTE Jobs</b>
E / High Street Shops and Offices	9,925	-	660	-	529
- Offices (assumed floorspace)	3,675	12.5 sq.m (GEA) per job	294	14 sq.m (GEA) per job	263
-Gymnasium (assumed floorspace)	525	62.5 sq.m (GEA) per job	8	86.5 sq.m (GEA) per job	6
- High Street Shops (assumed floorspace)	5,725	16 sq.m (GEA)per job	358	22 sq.m (GEA) per job	260
-Sui Generis / Public House/Takeaway	1,365	11 sq.m (GEA) per job	124	14.5 sq.m (GEA) per job	94

E / Health Centre / Community	2,625	70 jobs per facility	70	62 jobs per facility	62
E(g)(iii) / Light Industrial	25,200	45 sq.m (GEA) per job	560	49 sq.m (GEA) per job	514
B8 / Warehousing	9,030	64.5sq.m (GEA) per job	140	70 sq.m (GEA) per job	129
C2 / Care Home*	3 facilities, (240-bed)	3.3 jobs per typical facility of 45 beds	18	3.3 jobs per typical facility of 45 beds	18
E / Nursery / Creche	4 facilities	18 jobs per facility	76	11 jobs per facility	40
F / Primary School	6 forms of entry	26 jobs per form of entry	156	11 jobs per form of entry	102
F / Secondary School	4 forms of entry	11 jobs per form of entry	44	9 jobs per form of entry	36
<b>Total</b>			<b>1,861</b>		<b>1,535</b>

- 7.54 In a final analysis, the Environmental Statemen advises that:  
*“Applying displacement rates to the gross direct employment estimates results in the Proposed Development generating 1,396 workforce (1,152 FTE) net direct jobs in the local impact area and 930 workforce (768 FTE) net direct jobs in the wider impact area.”*
- 7.55 The Proposed Development is also estimated to support 349 workforce (288 FTE) net indirect and induced jobs in the local impact area and 419 workforce (345 FTE) indirect and induced jobs in the regional impact area.
- 7.56 Therefore, the total estimated job generation during the operational phase amount to 1,113 FTE jobs per annum.

7.57 The Environmental Statement also advises that the economic activity induced by the operational phase of the Proposed Development will generate additional economic output of £180.6m Total Net GVA per annum.

7.58 Further, the Environmental Statement also advises resident expenditure estimates:

*“it is estimated that residents of the Proposed Development could generate a total resident expenditure of £71.13 million in 2041.*

*It recognised that not all residents of the Proposed Development will be ‘new’ to the local area, as some will move from elsewhere within the local and wider impact areas. In addition, only a proportion of the total resident expenditure by new residents of the proposed housing will be retained within the local impact area and wider impact areas. Based on retail expenditure retention rates set out in the Retail and Commercial Leisure Assessment, it is estimated that 60% of convenience goods expenditure will be retained and 15% of comparison goods expenditure will be retained within the Proposed Development, equating to £12.69 million and £7.50 million of retained expenditure respectively. This takes account of existing shopping patterns in the local area, which show a proportion of retail expenditure leaks from Brentwood to other retail destinations outside of the Borough (but captured at the wider impact area level).”*

### **Enhanced Economic Outcomes**

7.59 The Environmental Statement highlights a number of enhancements to the beneficial socio-economic effects of the Proposed Development during construction:

- a) Providing employment, training and education opportunities for local residents;
- b) Encouraging procurement opportunities for local businesses to source products and services locally where possible and practical; and
- c) Establishing links with local businesses to offer training and development and employment opportunities via work experience and apprenticeship schemes.

- 7.60 An Employment Strategy has been submitted with the application to address such matters.
- 7.61 The Environmental Statement information has been reviewed by the Council's environmental consultants SLR and as part of its interrogation of the information, SLR raised no issues regarding the methodology and the forecast of outputs behind the above descriptions of economic output. Officers therefore are satisfied that the outputs are accurate for the purpose of planning application assessment.
- 7.62 Consultation responses have been received from both Brentwood Council's Corporate Manager for Economic Development and of Essex County Council's Principal Planning Officer for Economy, Investment and Public Health.
- 7.63 Both are supportive of the economic opportunities of the Proposed Development and they are keen to cooperate with the Applicant to embed additional benefits in case the application were to be approved, such as:
- a) The Scheme should include workspace. In particular, four B2/B8 units could attract small- and medium-sized businesses in the transport & storage, manufacturing and logistics sectors, helping to diversify Brentwood's economy. The units might also provide much-needed grow-on space for local firms.
  - b) Proposals should consider provisions for home-based employment in terms of suitable space(s) and infrastructure.
  - c) The Scheme should offer apprenticeships.
  - d) The Scheme should work with the JobCentre to provide work opportunities for those who are the furthest from the labour market.
  - e) The Scheme should link to local secondary schools to provide work experience and skills training for younger residents.
  - f) The Proposed Development's occupying businesses and construction contractors should recruit locally wherever possible.
  - g) The Scheme should, during the construction phase, work closely with SECTA, a government-funded training academy that is working to boost

construction skills across multiple academies in South Essex, and the emerging South Essex Technical University.

- h) The Scheme should provide an Employment and Skills Plan (for both the construction phase and the operational phase) and associated financial contribution secured via a S106 contribution, helping to fund employment training to give local residents the best chance of securing jobs at the Proposed Development, addressing Policy R01(II)9.

7.64 Officers are clear from the above information, that the loss of economic output would be far outweighed by the economic activity of the proposed development. In order to secure the full benefits above, planning conditions and/or planning obligations would be required to secure the relevant outputs including: An Employment Strategy, an Employment and Skills Plan and any relevant associated financial contributions; and a planning condition to control floorspace quantum per non-residential use class.

7.65 On account of Economic Impact alone, subject to such conditions and/or planning obligations, the Proposed Development, it is considered that the Proposed Development would comply with Local Plan Policy R01(I) (Dunton Hills Garden Village strategic allocation), Policy R01(II) (Spatial Design of Dunton Hills Garden Village), Policy PC01 (Safeguarding Employment Land), Policy PC03 (Retail and Commercial Leisure Growth), and Policy PC04 (Retail Hierarchy of Designated Centres).

### **Principle of the Proposed Development: Community Infrastructure**

7.66 Local Plan Policy R01(I)2 requires that alongside the proposed residential development, there should be: *“necessary community, retail and employment development and comprehensive infrastructure to support a self-sustaining, thriving and healthy garden village”*. Policy R01(I)6 adds that DHGV’s district and local centres: *“shall also include the community and health facilities and related infrastructure necessary to support the village’s residential and working group”*. Policy R01(I)6, 7 and 8 also add provision requirements for School and Nurseries, Green and Blue Infrastructure, and a Mobility Hub.

7.67 Policy R01(II)4 is specific that a phasing and implementation plan (required by Policy R01(II)2I) should be adhered to, while Policy R01(II)8 focuses on *“long term governance and stewardship arrangements (including the management, maintenance and renewal) of the green and blue infrastructure, the public*

*realm, community and other relevant public facilities.” And that: “Planning obligations will be sought to secure the long term funding, maintenance and stewardship of the assets where necessary”.*

7.68 In addition to the requirements of Policy R01, a number of other Local Plan policies are relevant to the topic of Community Infrastructure .

7.69 Policy PC10 (Protecting and Enhancing Community Facilities) requires that appropriate levels of provision of community facilities are sustained, with necessary expansion to deal with proposed planning growth. Policy PC10 also provides relevant qualitative requirements, and Policy MG05 (Developer Contributions) requires that: *“All new development should be supported by, and have good access to, all necessary infrastructure. Permission will only be granted if it can be demonstrated that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered in a timely and, where appropriate, phased manner by the proposal.”* And that: *“Where a development proposal requires additional infrastructure capacity, to be deemed acceptable, mitigation measures must be agreed with the local planning authority and the appropriate infrastructure provider.”* In addition, the Essex Developers’ Guide to Infrastructure Contributions provides associated detailed requirements.

7.70 Further, there are specific policies for education, and sports and recreational facilities that provide requirements in terms of quantum and quality. With reference to the proposed loss of the existing golf course as a significant sport and leisure facility, the Council’s relevant Policy NE05 (Open Space and Recreational Facilities) includes that:

(1) *“The loss of open spaces and any ancillary facilities, such as sports, play and recreation provision, will not be permitted unless it can be demonstrated that:*

*b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable, accessible location within the local catchment area; or*

*c. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss.”*

7.71 Policy NE05 also specifically addresses that:

*(6) Maintenance plans should be submitted at planning application stage for all new facilities to ensure their long-term quality and management.*

- 7.72 The main relevant community infrastructure for the proposed development is considered to comprise the following main components, which will be assessed in turn.
- a) Education
  - b) Health
  - c) Open Spaces, Sports and Recreation Facilities
  - d) Community Assets and Stewardship

### ***Education***

- 7.73 The Proposed Development includes education provision in the form of four early years facilities, three primary schools and one secondary school. Co-location is envisaged of one early years centre with each primary school. The secondary school site would include sports facilities with shared community use.
- 7.74 The application includes supporting education information in the form of development description/specification, parameter plans, and a School Land Compliance Statement.
- 7.75 Aside from the aforementioned policies covering general community infrastructure provision, Policy PC11 (Education Facilities) explains that *“permission will be granted for appropriate and well-designed proposals which broadly meet the criteria for new education facilities set out in the ECC’s Developers Guide to Infrastructure Contributions”*.
- 7.76 Essex County Council is the Local Education Authority with responsibility for providing education for children and young people in Essex, to:
- a) Ensure there are sufficient school places for children that need them;
  - b) Assess and provide home to school transport;
  - c) Provide support services for schools;
  - d) Help the government put in place initiatives and legislation relating to schools, children and families, and;
  - e) Allocate finance to schools.

7.77 Within these remits, ECC is the appropriate authority to advise on education matters and has:

- a) a statutory responsibility to monitor, plan for and deliver mainstream primary and secondary school places;
- b) a statutory responsibility for delivering the required provision and support for Special Education Needs and Disability (SEND) pupils;
- c) a statutory duty to ensure there is high quality, accessible and sufficient early years and childcare (EYCC) provision for parents and carers; and
- d) a responsibility to advise on post-16 education provision.

7.78 Therefore, ECC have been the principal consultee to review the education requirements raised by the Proposed Development. Basildon Borough Council has raised concern about the application scheme's potential impact on Basildon schools. Officers are also satisfied that any such concerns, if relevant, have been appropriately considered by Essex County Council as the LEA, on the basis that the application scheme delivers on-site education provision on-site to meet the needs of new residents at DHGV. After issuing a holding objection initially, which was followed by extensive detailed discussions, ECC have reached a position that is generally in support of the principles of education provision for this Proposed Development, acknowledging that further work would be required to specify the obligations within a S106 legal agreement (and/or planning conditions). ECC have summarised their considerations and conclusions as copied below (please note that the section below contains quotes from ECC's consultation response, which contain references to appendices that relate to the consultation response and not to this Committee report):

*“ECC raised a holding objection to the submitted application on education grounds as there were several matters including (but not limited to) justification for not proposing an all-through school, the design, shape and siting of proposed school sites, lack of clarity on the standalone EYCC facility, and unsuitable proposed school environments. Detailed discussions with the applicant have resulted in agreement on the specific land parcels needed for the primary and secondary schools. These detailed plans are supplemental to the adopted Dunton Hills Garden Village Design Supplementary Planning Document (SPD) but are vitally important as these validate the reason for ECC lifting our in-principle education objection and will therefore be equally important to the next stage in the S106 negotiations.*



*Following discussions with BBC and the applicant, ECC is now in a position to **withdraw our in principle objection** on education grounds subject to, and providing that, the following principles are applied and secured, and the correct levels of S106 funding is secured to provide the on- and off-site infrastructure requirements needed to mitigate the development impact.*

*These discussions also identified a need to understand the population projections for this type of development through the preparation of a demographic study, which the applicant subsequently commissioned. In the context of education, this is important to understand the overall demand for places in the area, which will help establish through S106 negotiations when the relevant land options may be required and help to crystalise the necessary financial contributions.*

#### *All-through School*

*ECC's starting point for the DHGV education strategy was the delivery of a 10ha all-through school, which is an option broadly supported by Brentwood Local Plan policy R01. ECC acknowledges that the applicant has considered this option, but it has not been taken forward as set out in the applicant's 'Briefing Note of Secondary Education Site Provision' provided to ECC in November 2022 (Appendix G).*

*Brentwood Local Plan policy R01 provides the applicant with flexibility to deliver either an all-through school with two primary schools, or a secondary school with three primary schools. Provided that this development delivers the required land to deliver primary schools with co-located Early Years and Childcare (EYCC) and Special Education Needs and Disabilities (SEND) provision, and a secondary school with SEND provision and a sixth form on-site, ECC is in a position to agree to the applicant's proposed approach in principle. This is subject to suitable conditions and S106 obligations being agreed.*

#### *Primary School Sites*

*Three 2.1ha primary school sites are expected to deliver co-located EYCC and SEND provision.*

*ECC expressed concern about the design, siting and shape of the proposed primary school sites identified in the application material, as they did not meet the requirements set out in the Developers' Guide and thus the Land Compliance Study was found to be deficient.*

*Whilst being mindful this is an outline application, ECC identified issues including (but not limited to) the irregular shape of the proposed sites, their location on primary streets and the lack of a traffic free environment around the schools.*

*ECC has worked with BBC and the applicant to be in a position to agree in principle to the indicative locations and siting of the proposed sites, provided that satisfactory conditions and S106 obligations are agreed. This includes an in-principle agreement to the illustrative drawings discussed with BBC and the applicant showing where school site locations, boundaries, traffic-free settings and 'dwell spaces' for parents and carers may be located. These drawings have the following references and are included in Appendix H:*

- *31057\_Dunton Fanns\_SK 01\_220727*
- *31057\_Dunton Woods\_SK 220728*
- *31057\_Dunton Waters\_SK 02\_220728*

*The proposed Dunton Waters primary school site was found to be potentially constrained by the identified heritage viewing corridor which extends east to west across the southern extent of the proposed school site. This could constrain the detailed design of this site, however due to concern raised by ECC in discussions with BBC and the applicant, indicative guidance has been provided within the 'Dunton Hills Garden Village Design SPD' (paragraph 2.8.14): Views across the open space of Dunton Waters throughout the corridor towards St Mary's Church should generally be maintained, and ancillary development that does not significantly detract from views to St Mary's Church (such as small scale buildings with a maximum height of around 2.2m above finished ground level and see-through wire mesh security fencing with a maximum height of 2.4m) may be acceptable within this corridor.*

*As such, ECC will be seeking bespoke S106 obligations with respect to the viewing corridor, as well as in relation to acoustics matters as identified through the submitted School Land Compliance Study. This is necessary as specific noise mitigation measures will be needed to ensure compliance. Costs pertaining to any site issue or constraint that cannot be mitigated through pre-transfer works (identified by the relevant Land Compliance Study) will be met by the developer. ECC's recommended S106 heads of terms are set out in Appendix E.*

### Secondary School Site

*The applicant has proposed a 7.9ha secondary school site broadly in the centre of the development to the south of the ridgeline. Due to its location, this has led to a linear, constrained site being proposed which has necessitated further negotiations/discussions with BBC and the applicant. There is a recognised need to ensure sufficient flexibility at the detailed design stage to ensure that the school is well-designed and fit for purpose.*

*Following discussions with BBC and the applicant on site elevations and levels, as well as with Sport England on wider sports considerations, the applicant has agreed that there will only be one level change across the site within the playing field (see Appendix I). As a result, further assessment will be required in relation to pitch drainage as a result of the level change; and any associated works or costs will need to be borne by the developer.*

*ECC has worked with BBC and the applicant to be in a position to agree in principle to the indicative location and siting of the proposed secondary school site, provided that satisfactory conditions and S106 obligations are satisfactorily concluded. This includes an in-principle agreement to the illustrative drawings discussed with BBC and the applicant showing where the school site location, boundaries, levels and 'dwell spaces' for parents and carers may be located; these drawings have the following references and are included in Appendix I:*

- *31057-SK-04-01 Dunton Hills Secondary School Site - Site Access Strategy\_230216 (potential school site location, boundaries, accesses only)*
- *31057\_Dunton Secondary School\_SK 04\_220729 (potential 'dwell spaces', change in ground level only)*
- *20230222 School Sections\_Section (potential ground level only)*

*Due to the constrained and elongated nature of the site and proposed elevations, bespoke S106 obligations will be required including (but not limited to):*

- *provision and costs for any pitch drainage as a result of the level change across the playing field (maximum one level change agreed in principle);*

- *ramps and steps for maintenance and access due to the linear nature of site to be paid for by developer;*
- *primary (western) and secondary (eastern) vehicular access from the primary street to serve the whole site due to its linear nature;*
- *costs associated with non-standard facilities and/or sports pitches as required by Sport England (and to be agreed by ECC) to be paid for by developer.*

*Costs pertaining to any site issue or constraint that cannot be mitigated through pre-transfer works (identified by the relevant Land Compliance Study Report) will be met by the developer. ECC's recommended S106 heads of terms are set out in Appendix E.*

#### *Early Years and Childcare*

*Brentwood Local Plan policy R01 sets out the need for a standalone 56 place EYCC facility, on a 0.13ha site, to be delivered within the development. ECC has advised in previous responses that the application material is not policy compliant in this regard, and it does not provide certainty that this required infrastructure would be delivered.*

*The development description, for example, suggests that a 400sqm nursery/ creche is proposed to be located on the employment hub (location undefined), and there are references to nursery/ creche uses to be included within the village centre and neighbourhood hubs (size undefined).*

*ECC has discussed these concerns with the BBC and the applicant and is a position to agree in principle that a 0.13ha facility (including SEND provision, as required) would be delivered on the development, provided that satisfactory conditions and S106 obligations are secured. The conditions will need to include a requirement to undertake a Land Compliance Study, as per the Developers' Guide, to ensure that the land identified is suitable for EYCC use. We would also expect basic principles to be agreed in order to meet the needs of all children, including (but not limited to):*

- *ground floor premises providing easy access to outdoor space and enabling free-flow play,*
- *outdoor space*
- *safeguarding/ overlooking/ boundary treatment*
- *drop off/servicing*
- *parking*

- *aspect*
- *adjoining uses*

*During these discussions, the applicant queried ECC's request for financial contributions and the transfer of land. ECC advised that this request is as per the Developers' Guide and would ensure that the EYCC facility is delivered to appropriate standards to meet the needs of all children and parents/ carers and is available in perpetuity for that use. ECC recognises that equally the market could deliver EYCC provision on site, and this would be reflected in the S106 obligations.*

*ECC has advised that we would accept developer delivery, which would also need to be addressed in the S106. However, the applicant should be mindful that this is not a cost-neutral approach, as the developer would be expected to deliver a fully serviced site with a suitable building and outdoor space etc. as set out above.*

*We would also request that the land and building to be transferred on building completion to ECC to ensure it is EYCC use in perpetuity. ECC would also accept transfer to the stewardship body in principle.*

*The associated conditions and S106 obligations would therefore need to address matters including (but not limited to) the requirement for a Land Compliance Study, and ensuring land is transferred to ECC (or the stewardship body) to ensure that it is available for EYCC use in perpetuity. See Appendices E and F.*

#### *Community Use*

*The application documents make reference to community use of school facilities. ECC is supportive of this in principle for the proposed secondary school, but the detailed requirements need to be articulated and agreed, including the types of use and timings. This matter will need to be discussed further through S106 negotiations and can only be agreed if compatible with the primary function of the building, which will be for school and educational use.*

*At the appropriate stage, consideration will need to be given to the implications for design and layout of additional requirements in respect of community use with school use, such as safeguarding, security, and out of hours usage. Consideration will also need to be given to whether certain*

*facilities would require additional land to that specially required for the secondary school. Additional facilities beyond the specific school requirements will need a separate developer contribution including the extra land if necessary.*

*Discussions with BBC and the applicant have recognised the need for separate financial contributions to support community use of the secondary school's sports facilities. This could include (but is not limited to) additional costs associated with as floodlighting, artificial pitches, separate changing facilities. See Appendix E.*

### Libraries

*ECC has advised in our initial response (Appendix A), as part of the libraries strategy for the Garden Village, that we would be seeking a complementary and more localised, 'satellite' facility to contribute to the provision of accessible and inclusive community assets on-site and to meet the needs of residents. These include potential use of a shared space within the proposed community building and offer 'self-serve' library facilities using digital technology which would allow customers to access resources, check in and out items etc. We understand that this has been accepted in principle by the applicant, and we would look to secure suitable S106 obligations to ensure this facility is delivered (see Appendix E).*

### Adult Community Learning

*Alongside libraries, inclusive access to adult community learning facilities is part of an important social and economic infrastructure for the new community. ECC delivers a wide range of courses to adults, tailored to a local area, whether to upskill and gain additional qualifications or to pursue hobbies and interests. We have advised that we would prefer co-location with other community facilities, such as libraries, healthcare etc. However, we would not require a dedicated space to deliver courses, as such, but we would need access to multi-functional, flexible and inclusive meeting rooms with ancillary facilities (such as a reception area, office space, kitchen, toilet etc.). We would therefore be seeking to ensure that suitable, multi-functional and flexible spaces within the community building are secured.*

### Works In Kind

*Discussions with BBC and the applicant on delivery of the schools and EYCC provision has included developer delivery as set out above.*

*As per ECC's 'Garden Communities and School Place Planning Guide', the developer may request to build a primary school, secondary school and/or EYCC facility in lieu of making the relevant financial contribution. Any request will be considered and decided by ECC following the process set out in section 6.3 on pages 11 and 12 of the Guide.*

*The relevant provisions will need to be discussed further and set out in the S106 agreement (see Appendix E)."*

- 7.79 Taking into account the Education Authority's response, officers consider that, subject to the imposition of the planning obligations listed below, the Proposed Development's education provision would comply with the requirements of Policy R01 (Dunton Hills Garden Village Strategic Allocation and Spatial Design), Policy PC10 (Protecting and Enhancing Community Facilities), Policy PC11 (Education Facilities), Policy MG05 (Developer Contributions), and the ECC Developers Guide to Infrastructure Contributions.

Planning Obligations (Education):

- 3x Primary School sites with co-located EYCC and SEND provision
- 1 stand-alone EYCC
- One Secondary School site
- School Transport
- Community use of school facilities
- Co-located Sixth form
- Library Facility and/or Post-16 and Adult Community Learning

**Health Services**

- 7.80 Policy requirements regarding Health services for the community are as previously listed in paragraph 7.66 and onwards. In addition, Policy MG04 (Health Impact Assessments) requires that mitigation measures would be required to mitigate significant impacts.
- 7.81 The proposed development includes a Village Centre with a community building (Class F) and up-to 10,400sq m of Class E (including healthcare) uses.
- 7.82 The application includes a HIA that is assessed under paragraph 7.256 and onwards of this report. The Environmental Statement's Socio-Economics Chapter also deals with the effects on the demand and supply of community infrastructure (e.g. primary healthcare, etc). Both the HIA and EIA assume

“embedded mitigation” of a 2,500 m2 GIA healthcentre. Consultation responses have commented more specifically, as noted below.

- 7.83 Mid and South Essex Health and Care Partnership have highlighted the local health sector’s constrained capacity to absorb additional clients without improvements to its infrastructure. This includes existing GP surgery capacity. Basildon Council’s consultation response also referred to the existing lack of GP coverage. West Horndon Surgery has responded that it: *“would look to provide healthcare provision for the new population this project brings to Brentwood”*, and that: *“At present, our surgery is in close proximity to the proposed site, and we are currently already serving the population of West Horndon and part of Dunton. We hope to continue this role and expand it by moving our practice to the new proposed healthcare facility.”* Mid and South Essex Health and Care Partnership have advised a financial contribution to improve local GP capacity is secured by way of a planning obligation.
- 7.84 Mid and South Essex Health and Care Partnership have also highlighted specific existing under-capacity of hospital facilities, and have advised a financial contribution to also improve this aspect of the local health service infrastructure This will be secured by way of a planning obligation.
- 7.85 Therefore, officers consider that subject to planning obligations and/or planning conditions, the Proposed Development would comply with the requirements of Policy R01 (Dunton Hills Garden Village Strategic Allocation and Spatial Design), Policy PC10 (Protecting and Enhancing Community Facilities), Policy MG04 (Health Impact Assessments), Policy MG05 (Developer Contributions), and the ECC Developers Guide to Infrastructure Contributions.

Planning Obligations (Health Services):

- On-site Healthcare including GP capacity
- Off-site hospital improvements

### ***Open Spaces, Sports and Recreation Facilities***

- 7.86 Policy NE05 (Open Space and Recreational Facilities) secures the protection of existing provision of open space and recreational facilities, and it is also concerned with qualitative aspects of new provision as part of new developments; e.g. to maximise opportunities to incorporate new publicly accessible high quality and multi-functional open space and/or, where appropriate, enhance existing provision. The amount and type of provision



should be planned in accordance with identified needs and in accordance with the Council's adopted open space standards and the Fields in Trust children's play standards. Policy R01(II)3h requires an appropriate level of formal sports pitches and facilities to meet the evolving needs of the community. Policy R01(I)8 requires that no less than 50% of the total area allocated in the Local Plan shall comprise green and blue infrastructure, which should, so far as possible, be of a multi-functional nature. Policy R01(II)6d requires off-setting improvements to the Hartswood Golf Course in lieu of the loss of existing golf course facilities and these can be secured as a financial contribution through a S106 obligation.

7.87 The Proposed Development involves the "Demolition of existing clubhouse with associated parking area, driving range", and the provision of:

- a) Secondary/all through school with Community Sports Hub comprising indoor and floodlit outdoor sports facilities (4 pitches including up-to 2 with all weather surfaces) and a MUGA (Class F) on a 7.9 hectare site;
- b) Village Centre with market square/public realm including community building (Class F), up-to 10,400sq m of Class E (including gymnasium) uses;
- c) 2 no. Neighbourhood Hubs with public space;
- d) cricket ground with pavilion;
- e) football hub with changing/social facilities and 2 floodlit pitches, and;
- f) Green and Blue Infrastructure including play areas (MUGAs, LEAPs and LAPs), mobility routes (e.g. footways, cycleways and trim trail).

7.88 The main consultee for sports provision is Sport England. Although Sport England's initial consultation response raised a number of concerns as well as commendations, the reason for Sport England to object was: "*due to need for more detail to be provided as set out in this response about the proposed financial contribution for mitigating the impact of the loss of the golf centre through investment at Hartswood Golf Course*".

7.89 The loss of the existing Golf Club was considered by them at Local Plan stage, with the required mitigation enshrined in Policy R01(II)6d. As part of the current planning application and a planning obligation will be secured to off-set the specific adverse impact on local golf provision in accordance with Policy R01(II)6d.

7.90 Sport England's initial objection to the planning application was subsequently updated after extensive negotiation discussions that resulted in updates to the proposals. These updates included, both in the FMD and the planning application scheme:

- a) Revised arrangement of the Dunton Waters Cricket Pitch and Primary School;
- b) Secondary school / all-through school site pitches revised;
- c) Football hub update, and;
- d) Additional bowling and tennis.

7.91 Whilst Sport England's updated response is still presented as an objection, officers would note that the objection regarding the off-site golf mitigation no longer applies and that it is focused on the delivery of sports facilities across the allocation/masterplan site overall and it comments on the fact that the bowls and tennis sports facilities required for the allocation site as a whole (including the application site) would not be delivered as part of the application scheme.. This is because within the FMD 2022, the bowling and tennis court are located in the non-application site that remains on the north-eastern part of the DHGV allocation site. It would not be within the gift of the current planning application process to secure, and also, it is considered that if it were to be secured, the sports provision would over-provide bowls and tennis facilities compared to the mitigation requirement that would result from a 3,700 dwelling development; this would result in a procedural situation that would be challengeable. On a point of balance, the sports facilities within the application site (for football, cricket, walking/running/cycling, indoor gymnasium/sports hub, etc) would benefit the future residents of the remaining part of the site. On the whole, officers consider this to be a pragmatic compromise under the circumstances, which cancels out the reason for the objection by Sport England.

7.92 An assessment is required against the standards for open space and play facilities, referenced in Policy NE05(3), which generate a requirement for the application scheme for 28.4 hectares of outdoor sports provision and 1.6 ha for allotments and community gardens provision. Using the upper limit of 0.17 ha for children's playing space generates a requirement for 1.5 ha whilst using the lower limit of 0.13 ha would require 1.1 ha. This upper limit level provision will be met by the existing supply of facilities and provision in the Proposed Development, which includes a Community Sports Hub; Football Hub; formal parks and gardens; allotments and edible landscapes; multifunctional open

space; and equipped play areas, which would be secured by planning obligations.

- 7.93 In terms of qualitative conditions surrounding the provision of open space, sports and recreation provision, such matters would be assessed and secured as appropriate at reserved matters stage.
- 7.94 Officers consider that, subject to the imposition of the planning obligations below, the Proposed Development's open spaces, sports and recreational provision would comply with the requirements of Policy R01 (Dunton Hills Garden Village Strategic Allocation and Spatial Design), Policy PC10 (Protecting and Enhancing Community Facilities), Policy NE05 (Open Space and Recreational Facilities), Policy MG05 (Developer Contributions), and the ECC Developers Guide to Infrastructure Contributions.

Planning Obligations (Open Spaces, Sports and Recreation Facilities):

- Community Sports Hub (dual use with education)
- Football Hub; formal parks and gardens
- allotments and edible landscapes
- multifunctional open space
- equipped play areas

### **Community Assets and Stewardship**

- 7.95 Policy RO(II) is specific on the need for proper management and maintenance arrangements at DHGV. RO(II)8 requires that: *“Proposals shall include a supporting statement which addresses the long-term governance and stewardship (including the management, maintenance and renewal) of the green and blue infrastructure, the public realm, community and other relevant public facilities. Planning obligations will be sought to secure the long term funding, maintenance and stewardship of assets where necessary”.*
- 7.96 The applicant has submitted a Community Management Statement that aims to identify how the long term future governance and stewardship of Dunton Hills Garden Village would be achieved.
- 7.97 The Community Management Statement proposes, among other details, that: *“To ensure that the community is at the heart of the management of Dunton Hills, a charitable Community Trust will be established that will take ownership of the Community Assets and be responsible for their ongoing management and maintenance.” “The Community Trust will be the body which will have oversight*

*of the ongoing co-design and planning of [the Garden Village]. ...The Community Trust will have, provided for it at no cost, dedicated accommodation associated with the Community Building within the Village Square. Initially, temporary offices may be used until the Community Building has been erected.” ... A simplified Community Trust Structure is described in the Community Management Statement to illustrate the organisational composition including how thematic groups and forums, and trustees and staff relate.*

*“The Trust will have a Board which will comprise representatives of the local community. ... The Board’s role is primarily to ensure that the Dunton Hills community has stewardship and oversight of how Dunton Hills is planned and managed going forward. The Board will have responsibilities to ensure:*

- The community is at the forefront of decision making;*
- Determine when the initial Community Interest Company applies for registration as a charity with an automatic default being imposed via the terms of any Planning Obligation based upon a level of occupancy;*
- Agree the transfer of Community Assets subject to meeting the appropriate standards;*
- Review proposals for the repurposing of land subject to the ‘asset lock’;*
- Agree the annual budget;*
- Determine the Management Covenant Charge (and local service charge where this specific payment might be relevant) which is payable;*
- Reporting annually to the community on how any money has been spent with an external audit undertaken;*
- Approve any significant expenditure;*
- Be a key consultee in any major planning applications;*
- Ensure that the community is engaged in the ongoing co-design process;*
- Formally appoint any contractors, management organisations or third parties and then be accountable to the community for their performance;*
- Appoint the Executive Director and key full time staff; and*
- Implementation and, as necessary, review the Dunton Hills Mobility Plan informed by the recommendations of the Transport Review Group and, where necessary, approvals from external organisations. This would include how the Sustainable Transport and Innovation Fund is spent.”*

*“The Community Trust will own and be responsible for the functioning and management of the Community Assets at Dunton Hills ... In addition to the stewardship of the Community Assets, the Community Trust has an*

*important role in the ongoing provision of services for the community and the fostering of social cohesion”*

7.98 The Community Management Statement provides a list of funding sources, including revenue generating community assets that are proposed to become the responsibility of the Stewardship Body. These comprise:

- a) Hire of community buildings or office space within the buildings.*
- b) Rent from the community growing space.*
- c) Rent from leasehold interests (other than the Lands Trust).*
- d) Parking charges.*
- e) Data Trust Company (subject to GDPR requirements).*
- f) Covenant approval charges.*
- g) Income from car share, cycle hire and other similar mobility related initiatives.*
- h) Sale of land deemed surplus to requirements (e.g. repurposed parking areas).*
- i) Commission from securing wholesale provision of services or utilities.*
- j) Potential dedicated Dunton Hills energy or utilities/services company.*
- k) If erected, income from renewable energy initiative sold to residents or the grid.*
- l) As a charity, grants from other organisations for specific projects.*

7.99 This information has provided a helpful starting point for discussions in light of the emerging details of community infrastructure provision and many relevant associated details (e.g. as informed by consultees/stakeholders) that may not necessarily have been available when the application was submitted. Officers presented emerging stewardship principles for DHGV to the Council's then Policy, Resources and Economic Development Committee in September 2022, which were endorsed at that time. The principles of the Community Management Statement are generally consistent with the Council's endorsed principles, but officers require a number of issues (including the specification of details about the delivery of DHGV's community infrastructure and expert advice regarding the appropriate legal entity) to be settled. The stewardship arrangement requirements will be included in the S106 legal agreement although the detail of what that stewardship will look like is emerging. For the avoidance of doubt, this would also confirm financial contributions such as endowments and/or commuted sums to contribute to ongoing management and maintenance costs.

- 7.100 For the purposes of the specific recommendation of this report, officers consider that, subject to the imposition of relevant associated planning obligations and/or planning conditions to secure appropriate stewardship arrangements, the Proposed Development would comply with the requirements of Policy R01(II)8 (Spatial Design of Dunton Hills Garden Village).

### ***Conclusion on Community Infrastructure***

- 7.101 Based, on the above assessment, officers consider that the Proposed Development would be able to deliver the necessary community infrastructure (both on site and off site). Therefore, subject to the imposition of relevant planning conditions and associated planning obligations that have been identified above, the Proposed Development's community infrastructure proposals would comply with the requirements of Policy R01 (Dunton Hills Garden Village Strategic Allocation and Spatial Design), Policy PC10 (Protecting and Enhancing Community Facilities), Policy PC11 (Education Facilities), Policy NE05 (Open Space and Recreational Facilities), Policy MG04 (Health Impact Assessments), Policy MG05 (Developer Contributions), and the ECC Developers Guide to Infrastructure Contributions.

### **Principle of the Proposed Development: Financial Viability**

- 7.102 Financial Viability is a material consideration in respect of the application and the dialogue regarding assessment and scrutiny of the application submitted assessment by the Council's appointed consultants (Carter Jonas) is on-going. A funding gap was established early on in the application process, in terms of securing mitigation for the proposed development.
- 7.103 For upfront completeness, apart from mitigation requirements referred to in conjunction with the principle of the proposed development, you will be able to read in the remainder of this report that there would be a requirement for more mitigation requirements, Some of these are likely to have financial viability implications in their own right, and they therefore also need to be considered as part of the development's financial viability assessment.
- 7.104 Concluding recommendations on mitigation to be secured via planning obligations and planning conditions are provided in the "Planning Conditions and Obligations" section towards the end of the officer assessment. The financial amounts quoted in this section do capture the full cumulative cost. Further, please note that any apparent discrepancies between the amounts

quoted may be due to nuances in calculations and/or rounding. Although the financial amounts quoted have been scrutinised sufficiently for the current stage, they remain indicative at this point, as they will be subject to further scrutiny by officers pending final adjustments following further negotiations. In any case, the council's consultants must validate any modelling updates before a final draft S106 legal agreement would be presented for a final decision. Finally, this part of the assessment makes reference to ongoing discussions with the applicants, which involve sensitive negotiations; for this reason, the running update below may not cover all aspects in equal detail, although the update is considered to be comprehensive.

- 7.105 As a starting point, the DHGV scheme was the subject of a viability assessment when the Local Plan was being prepared. However, there was a recognition that the assessment undertaken was at a high level using general assumptions rather than the more detailed information which is associated with a planning application, including being able to provide more detailed costs for construction and infrastructure of all types.
- 7.106 The applicants submitted a Viability Report which was independently reviewed by Carter Jonas on behalf of the Council. There was a high degree of agreement between Carter Jonas and the applicant in respect of the methodology, revenues, costs and other assumptions which underpinned the Viability Report with the primary difference being what is the current use value of the site as a golf course/agricultural land plus an incentive to sell the land. Carter Jonas noted that, when compared to the Local Plan Viability Assessment, the applicants had already reduced the expectations of what the landowner would receive. Both parties are committed to the delivery of a successful scheme so there has been significant movement to reach an agreed position which is set out as "bookends" in this report.
- 7.107 It is not unusual for large scale schemes to have viability concerns especially at the start of delivery because of the high costs of opening up the site for development, including access, services, off-site works and other infrastructure, with very limited income from the sale of homes. There are inevitably cashflow and finance cost considerations which affect viability in the initial phase(s).

### ***Initial Funding Gap and Viability Variables***

- 7.108 Turning to the merits of the proposed application scheme again; the financial gap that was established at the outset of the officer review amounts to

approximately £60m. This was based on a financial modelling methodology that was agreed between the Council's viability consultants at Carter Jonas and the applicant team, as well as on the initial input cost estimates of the relevant mitigation items. The cost of delivering 35% affordable housing was modelled in addition to approximately £167m worth of other mitigation costs. Reaching agreement on the financial modelling methodology is an important step in the application process. For instance, in case adjustments to the variables of the financial viability assessment are made during negotiations or during a formal review stage, the modelling can be easily re-run to update the calculations and to provide like for like scenario comparisons.

- 7.109 There are various types of possible enhancements to the proposed development's delivery that may be optimised further for an improved financial position. These have been, and continue to be explored by officers, the applicants and stakeholders.
- 7.110 Firstly, during the application process so far, relevant stakeholders have confirmed specific planning mitigation requirements from their detailed assessments, via consultation responses and subsequent discussions. This has informed the updating of the initially assumed input costs.
- 7.111 Three main other variables to reduce the financial gap may be to adjust:
- a) the developer's return (Land Value), and:
  - b) the affordable housing specification (including: the number of affordable housing dwellings as a proportion of the total number of dwellings, the tenure split, dwelling sizes, and other details).
  - c) Infrastructure priorities and phasing of delivery to assist cashflow.
- 7.112 Officers have been involved in discussions with both applicant parties (i.e. the site promoters CEG and the landowners), regarding viability and land value, and communications are continuing. Similarly, discussions are ongoing with stakeholder to identify priorities for infrastructure and what trigger points would be appropriate.
- 7.113 Officers have taken as a starting point, the affordable housing delivery of 35% but this would ultimately have to balance and weigh up against other mitigation requirements for the application including infrastructure for the Local Plan Policy R01(I) (Strategic Allocation Site). Other matters which may affect the viability of affordable housing provision include tenure split and the mix of dwellings and



these are to be matters for further discussion with Housing officers. In some cases, it may be that not all policy required mitigation is achievable due to an identified funding gap.

7.114 Officers have been investigating external funding options for the project, which may help to improve the proposed development's financial position overall such that S106 funding can be focused on prioritised mitigation to achieve optimum policy compliance. Such external funding options may include strategic infrastructure funding (including grant subsidy) associated with:

- a) Highway capacity improvements along the A127, for which Essex County Council is pursuing a Major Road Network Bid to the Department for Transport;
- b) Working with partners to apply for HIF funding for upgrades to West Horndon Station Interchange;
- c) Homes England funding (various regimes may be relevant to DHGV), and;
- d) Combining funds available from contemporaneous major development schemes, etc.

7.115 There may also be other cost saving measures that could lead to improvements. For instance, ECC have suggested that, if relevant, a parent company guarantee could replace the use of bonds in the financing of the project.

### ***Agreed Position***

7.116 As mentioned before, the mitigation costs have undergone a process of review and adjustment discussion with stakeholders. This extensive process has resulted in a significant cost reduction in the order of approximately £20m for all mitigation requirements other than affordable housing, resulting in a total cost of approximately £146m. At this point, officers confirm that this reduction has not affected policy compliance, but officers would comment that any further cost reduction to be considered could lead to an adjusted assessment. In other words, to reduce the cost base beyond this point may raise certain complexities that could affect policy compliance.

7.117 Due to the reduction in mitigation costs, the financial viability modelling has improved the development's capacity to fund affordable housing. However, this is not to the extent that the full 35% policy benchmark is shown to be achievable. In order to "*negotiate a level of on-site affordable housing that can*

*be delivered taking into account the mix of unit size, type and tenure and any grant subsidy received*” (as per Policy HP05), therefore, a range of between 30% and 35% (with an “available budget” to cover mitigation costs of £143m and £125m respectively) is where negotiations with the applicants have settled after a period of extensive discussions, when officers were being supported by Carter Jonas. Therefore, for the purposes of the affordable housing assessment, 30% affordable housing is being considered because that would be a relative “worst case” outcome, although the eventual outcome may either be the same or better.

- 7.118 Although there has been significant movement already, the precise figures are to be the subject of further modelling but what is presented to members are the “bookends” for the negotiations with the applicants and the parameters for officers to continue discussions about the relevant details of a Section 106 Agreement.
- 7.119 As a next step, officers intend to scenario-test affordable housing provision from a minimum of 30% and upwards, aiming to balance the variables all-round, including land value; and with regard to the proposed development’s policy compliance.
- 7.120 Officers would highlight that in the event that a lower than 35% affordable housing scenario may be a feasible way forward, this will only be agreed under strictly limited conditions. First, with the 30% to 35% range, the affordable housing percentage of 30% would be the absolute minimum. The negotiation process would aim to improve on the 30% if possible, so that the base level of a S106 obligation would, if possible, be secured at a higher level. Then, beyond the viability assessment based on current assumptions, there may be scope for improved viability throughout a lengthy construction period, over which financial circumstances will inevitably change. The Council’s Housing and Planning Policy officers have recommended that in order to capture the benefits of any improved circumstances, one specific condition to having a floor percentage for affordable housing below 35% would be to secure periodical financial reviews with clear rules as to how any surplus funds would be allocated to mitigation items (e.g. there could be tiered priorities, with additional affordable housing being among the top priority items).
- 7.121 The above principles have formed the basis of officers’ discussions with the applicants so far, and although there has already been substantial progress and movement towards a potential negotiated position, it is also clear that further

work will be needed to agree details for the necessary S106 legal agreement. To this end, officers intend to continue to explore the relevant financial viability dynamics of the application with a view to negotiating with the applicants, grant funding providers and other stakeholders, for optimum policy outcomes. The conclusions of this will be incorporated in a fully drafted Section 106 legal agreement, that will be presented to Planning Committee at a later date. Until then, officers would relay further updates on this critical matter as negotiations progress, to the Committee Chair (and to Committee members as required).

### **Principle of the Proposed Development: Conclusion**

- 7.122 Officers have assessed the principle of the Proposed Development, and have reached the above conclusions regarding each relevant aspect. Therefore, for the purposes of the specific recommendation of this report, the principle of the proposed development is considered to be acceptable, although this will be fully confirmed in light of further information necessary to complete a S106 legal agreement with appropriate planning obligations and planning conditions, for the intended follow-on Planning Committee decision.

### **Highways and Transportation**

- 7.123 The NPPF promotes sustainable transport and in paragraph 108 it explains the importance of this, in that:

*“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

*a) the potential impacts of development on transport networks can be addressed;*

*b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*

*c) opportunities to promote walking, cycling and public transport use are identified and pursued;*

*d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*

*e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”*

- 7.124 In addition to the requirements of the aforementioned Local Plan Policy R01, the Brentwood Local Plan policies that relate to this topic are Policies BE08 (Strategic Transport Infrastructure), BE09 (Sustainable Means of Travel and Walkable Streets), BE10 (Sustainable Passenger Transport), BE11 (Electric and Low Emission Vehicles), BE12 (Mitigating the Transport Impacts of Development), BE13 (Parking Standards), and BE14 (Creating Successful Places). BE09 2d requires the safeguarding of walking, cycling and public transport routes. Local Plan Policy MG05 (Developer Contributions) sets out that new development will be expected to make direct provision or contribute towards the delivery of relevant infrastructure as required by the development either alone or cumulatively with other developments, as set out in the Infrastructure Delivery Plan and other policies in the Plan. Policy BE08 specifically references improvements at West Horndon Station and other strategic transport infrastructure improvements in this respect.
- 7.125 The site-specific policy requirements within Policy R01 can be summarised as follows.
- 7.126 R01(I)9 requires provision of a mobility hub that should relate well to the district centre, and R01(II)4 requires it to be delivered prior to the first occupation of the development with provision for later enhancement and expansion.
- 7.127 R01(II) is concerned with the spatial design of the village itself, in particular: requiring the distribution and of location land uses to be based upon and promote garden village principles, and strategic matters concerning access to the site and the main internal connectivity linking with the surrounding network, including footpath and cycleways towards Basildon from the east of the allocation site. Detailed requirements comprise:
- a) R01(II)3 requires that development proposals:
    - a. ensure that (detailed design and) layout take into account the guidance contained in an adopted Design SPD (this is now the DHGV Design Guidance SPD that was adopted in 2022).
    - b. satisfy the need for a coherent and effective movement network that promotes walkability and cycle access and that links with surrounding networks

- c. requires the PROW network to be retained, maintained and enhanced
  - b) R01(II)6 requires appropriate developer financial contributions for off-site highway infrastructure improvements, school-focused bus services and improvements to passenger capacity at West Horndon Station.
  - c) R01(II)4 requires a phasing and implementation plan and related to this, R01(II)7 requires appropriate restrictions on occupation subject to necessary highway works.
- 7.128 The proposed Land Use Parameter Plan shows how the application site would connect with the existing highways network, and the internal site layout including details of a primary mobility route, bus/pedestrian/cycle only access route, a service road/ access point to the employment hub, the existing farm driveway, and improvements to the existing road network. The proposed Access and Movement Parameter Plan adds further definition to the movement network by showing access points and indicative connection points for specific travel modes, the bus/pedestrian/cycle only access route (that extends Station Road into the site to provide critical connectivity to West Horndon's Transport Interchange), and internal secondary mobility routes (pedestrians and cycling), and PROW routes.
- 7.129 Primary mobility routes lead up to three points on the eastern application site boundary. This creates the potential for connections towards the east of the application site. Two of these points are adjacent to remaining parts within the DHGV allocation area / FMD area, and one point is on the eastern border of the application site as well as the allocation site. These three points create the future potential to establish connectivity once development proposals come forward for the adjacent land. The delivery of these connecting points will be secured by a planning obligation and/or condition.
- 7.130 The three main access points to along the western site boundary line up with the internal network to provide convenient pedestrian cycle links through the allocated site towards West Horndon and its aforementioned Station Interchange. The three main access points are submitted as part of the detail of the planning application and the relative details are contained in three submitted drawings.
- 7.131 A range of sustainable transport measures are envisaged alongside Highways and Transportation works (supplementary drawings for these have been submitted). Their delivery is described in the submitted Phasing and

Implementation Plan and further details are referenced further on in this assessment.

***Relevant Application Information including Proposed Means of Access***

- 7.132 The only element within the application scheme that is presented in full detail is the proposed all modes access, in the form of three consecutive principal access points for the Site on the A128 along the western site boundary. Three access points (two roundabouts and one traffic signal controlled junction) lead off the A128 and onto an internal circulation layout that is yet to be determined, although the FMD Masterplan scheme has generally been followed by the scheme parameters that have been presented for assessment.
- 7.133 The submitted Environmental Statement clarified the need for Access Principles that can be secured by planning condition / planning obligation.
- 7.134 A Transport Assessment (TA) and Mobility Plan (including a Travel Plan) has been submitted in support of this application. According to the TA, its purpose is: *“to provide a description of the mobility and transport strategy for the proposal, focusing on modern design, behavioural trends and the way in which integrating such thoughts within the design of Dunton Hills can become the catalyst for more sustainable and healthier local living.”* The document also provides *“supporting evidence in respect of movement numbers including vehicular traffic forecasts for use within wider traffic modelling”*. The TA also explains that: *“The focus of the document, however, is to go beyond the simple numerical aspects of an assessment which considers the impact of vehicle movements on the road network. It considers Mobility, not just vehicle movements, and has regard to current and future trends in the way people live and move around.”*
- 7.135 The submitted Environmental Statement and Transport Assessment require that the sustainable travel measures outlined in the Dunton Hills Mobility Plan (a standalone planning application document) are implemented. This includes the establishment of a Transport Review Group to monitor and review sustainable travel options against targets set.
- 7.136 Whilst the Proposed Development includes allowance for conventional mitigation measures (such as supporting school bus services and the construction of off-site highway improvements), the submitted Mobility Strategy is put forward as a key feature of all mitigation measures. The TA explains that: *“The starting point of the Mobility Strategy is to reduce the need to travel,*

*followed by promoting choice whilst promoting personal trips by non-car modes. Through various initiatives, delivered through design and the Mobility Plan associated with the site, the development at Dunton Hills will manage travel behaviour.”*

7.137 A proposed target for reduction in car trips is set as follows. *“The overarching objective of the mobility and transport strategy is to achieve, at completion, the target of 60% of all journeys that originate within the new Garden Village to be undertaken by sustainable modes”*. This would be achieved in a number of ways, as explained in the Mobility Plan:

*“For travel within and beyond the vicinity of the local area, the design, availability and convenience of choice and behavioural influences are aligned in an order of priority that places those that achieve the objectives as highest first. Namely:*

- *Virtual Mobility*
- *Active Travel*
- *Shared Travel*
- *Single Occupancy Car Travel*

7.138 The ways in which mobility is gained and allowed whether to, from or within DHGV starts with the Masterplanning which has already encompassed the following principles:

- *Design; designing the site and the facilities within the site to best achieve our mobility priorities*
- *Choice; creating and providing mobility choice to maximise compliance with our mobility priorities*
- *Behaviour; as significant as the infrastructure itself is influence over behaviour. We will design and implement systems to achieve this*
- *Management; we will create systems and implement management teams to manage and control all aspects of mobility”*

7.139 In terms of actually achieving the targeted modal shift through a reduction in car travel in favour of increased sustainable travel, this is proposed to be managed pro-actively. The conventional method of control takes a “Vision & Validate” approach that involves no pre-defined consequences in case of potential failure. In the case of the application scheme, an alternative “Monitor & Manage” approach has the potential to consider underperformance scenarios in advance,

and therefore, this approach is advocated for DHGV. Whilst principles for “Monitoring and Management” including a financial contribution for additional measures in case of underperformance, have been discussed between the Applicant and ECC, details of this mitigation measure would be left to be confirmed in the S106 legal agreement.

- 7.140 Details of Construction Traffic Management Arrangements such as construction access routes and times of operation are not part of the planning permission currently sought. However, in the Planning Statement, the applicant has indicated that: *“Positive action will be taken to reduce the number of heavy construction vehicles entering and exiting the site”* to help minimise the impact of the construction traffic on the local highway network in terms of highway safety and amenity. The submission of a Construction Traffic Management Plan (CMTP), for approval prior to the commencement of development would be required via a planning condition to ensure that no materially significant negative impacts would affect the local highway network.
- 7.141 Details of car parking are also not part of the planning permission currently sought. The applicant has explained in the Planning Statement that detailed parking strategies should be provided in future applications, but the application includes an Indicative Car Parking Strategy in the DAS. One specific feature of this indicative strategy that relates to car travel is residential car parking and it is noted that the residential car parking ratios are below or at the minimum of Essex’ 2009 Parking Standards. Requirements to submit for approval before commencement, a comprehensive overarching Car Parking Strategy for the entire planning application site and commensurate detailed parking strategies for reserved matters applications would be enforceable by a planning condition(s). Such submissions should be compliant with LP Policy BE13 (Parking Standards), which in itself requires regard to Essex Parking Standards. An assessment of proposed facilities for EV charging are covered under the Sustainability section further on in this report.
- 7.142 Finally, supplementary information was provided to Essex County Council and National Highways as part of detailed follow-up discussions to inform these consultees’ respective assessments of the Proposed Development. There is no requirement for this information to be formally submitted for approval to the Local Planning Authority, although the information may be incorporated in the S106 legal agreement for the application. Essex County Council has opted to highlight such information in its latest consultation response (6 November 2023) because it underpins the current negotiated position on the S106 agreement



and ECC's confirmed position to withdraw their earlier holding objection. In particular, advanced discussions have already taken place with ECC Highways officers regarding off-site works (including infrastructure design and safety auditing) and the principles of the Monitoring and Management approach. This advanced work has assisted in demonstrating deliverability. However, the detailed specification of such mitigation measures would be the subject of decision making at the S106 stage of the current planning application (and beyond), and it is noted that ECC officers have referred to specific emerging plans in their consultation response.

### ***Passenger Transport Network Consultation***

- 7.143 No responses were received from bus service operators, although ECC have reflected on the Proposed Development's potential impact (see further).
- 7.144 Network Rail and c2c have commented in relation to train services. Network Rail's response has been focused purely on asset safeguarding matters that are capable of being managed through planning conditions (and informatives). Trenitalia c2c Rail Ltd as the operators of the rail service between Shoeburyness and London Fenchurch Street, have raised concerns that are consistent with their engagement with the Local Plan that has led to the required to make necessary financial contributions to improve West Horndon Station. c2c has raised the likely need for capacity improvements at West Horndon Station as a result of the increase in users generated by the Proposed Development, such as gateline provision and access improvements for people that with restricted mobility. Such improvements are detailed in an emerging scheme for the upgrade of "West Horndon Interchange", a proposed scheme which comprises the refurbishment and upgrade of the railway station along with: improvements to its forecourt, a the bus terminus, and associated junction solution forming part of Station Road. c2c has confirmed that in principle they are supportive of this scheme. Funding would be required for such improvements in accordance with Policy R01(II)6(c) and this would be secured through a planning obligation, although supplementary external funding options are currently also being explored.

### ***National Highways Consultation***

- 7.145 National Highways provided a final consultation response on 20 October 2023, after initially submitting a holding objection. The final consultation response explains the detailed considerations in relation to National Highway's Strategic Road Network remit. This has involved much further technical information

beyond the initially submitted application information, much of which was required due to:

- a) Initial concerns about the trip generation and distribution methodology for external vehicle trips plus trip internalisation assumptions
- b) A need for additional evidence based on a much more detailed and comprehensive forecasting methodology involving bespoke transport modelling over a wide geographical area, to provide more robust evidence of future year traffic flows
- c) A need to reconcile differing forecasting methodologies: The forecasts for the planning application have been based upon growth applied to existing traffic count data whereas National Highways' LTC DCO forecasts (which NH considers to be more robust) allow for rerouting of traffic.
- d) Need for further detailed technical information and assessment of Capacity and Design implications for M25 Junction 29.

7.146 National Highways' final consultation response concluded with the following:

*“The recommendation of National Highways is that we offer no objection to the Dunton Hills Garden Community planning application We are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 01/2022, and MHCLG NPPF 2021 paragraphs 110-113) in this location and its vicinity and based on information that has been submitted.”*

### **Essex County Council Highway Authority Consultation**

7.147 Initially, ECC Highways issued a holding objection to the application on account of its remit as the local highways authority, as the following verbatim from ECC's consultation response explains alongside the step by step process undertaken to finalise ECC's Highways and Transportation assessment. Please note that the section below contains quotes from ECC's consultation response, which contains references to appendices that relate to the consultation response and not to this Committee report.

*“It is concluded by ECC that the residual cumulative impacts on the road network can be limited so that they are not severe and, therefore, the application should not be refused for this reason; however, it will be*

*challenging to achieve this and, more so, to achieve the TCPA's Garden City Transport standard, due to the site's relative isolation from higher order settlements. As such we **withdraw our in-principle objection** to the application on highway and transport grounds subject to a comprehensive set of conditions and S106 planning obligations being agreed."*

- 7.148 In addition to this main conclusion, the ECC response also goes into greater detail regarding a number of key issues for the topic of Movement and Access, concluding with recommendations, mainly with regard to implications for the imposition of appropriate planning obligations and conditions.

### ***Policy Vision and Strategy***

- 7.149 ECC reiterates specifically the relevant principles of TCPA Guidance on Sustainable Transport for Garden Communities, and the importance of a relevant Hierarchy of Modes whereby cars should always be given lowest priority.

### ***The Transport Assessment (TA)***

- 7.150 ECC explains the importance of the TA:

*"The TA is the main evidence in demonstrating potential transport issues and impacts of the proposed development, the robustness of individual mitigation measures proposed, and whether as a package, the mitigation measures can help to mitigate identified highway impacts to an acceptable level. The TA should provide confidence that the proposed mitigation measures will be able to deliver the expected proportion of sustainable and active travel relative to car travel and necessary behavioural change, and reassurance that the potential highway impact from the development would be acceptable in planning terms. The TA also needs to be read in conjunction with other documents submitted as part of this planning application, including the Mobility Plan (Framework Travel Plan) and phasing strategy, which is important in establishing connectivity and early travel patterns and behaviours."*

- 7.151 ECC's review of the TA has concluded that: *"the TA as submitted is not agreed by ECC, as it is not considered to be entirely comprehensive; however, following a review by ECC's transport consultants (Jacobs) and additional work regarding safety and accessibility (off-site active travel and passenger transport services amongst other matters), it is concluded that the transport impacts can*

*be appropriately mitigated to make them acceptable in principle, and an acceptable Framework Travel Plan (including monitoring and review / management mechanisms) can be agreed.”*

7.152 The off-site active travel and passenger transport services and other requirements are covered in further detail below. ECC provides further specific commentary on the TA as follows:

*“The most pertinent point to note on the methodology for assessing the highway impacts of the proposed development set out in the TA to achieve the Garden City Transport Standard is that it relies on very high levels of trip site internalisation, meaning it assumes residents will not have to leave the site (broadly 36% of work trips, of which 20% would be home workers, 95% of education trips and 70% of leisure/other trips) for the purposes of the trips undertaken. This internalisation is what facilitates the particularly high levels of sustainable travel patterns and results in the following modal split for all movements (i.e., both internal and external) in the TA:*

- *Train = 6.6%*
- *Bus, minibus, coach = 3.7%*
- *Taxi = 0.3%*
- *Motorcycle, Scooter or Moped = 0.3%*
- *Driving a car or Van = 30.65%*
- *Passenger in a car or van = 2.2%*
- *Cycling = 27.8%*
- *Walking = 28.3%*
- *Other = 0.1%*

*By comparison, the 2022 National Travel Survey, which is designed to represent the average UK household’s travel patterns, indicates that in the order of **58% of trips are either undertaken as the car driver or passenger**, and has significantly lower proportions of trips by rail and cycling than the assessment. The mode share assumptions are pertinent because the impacts on the highway network, and therefore mitigation strategy, are based upon achieving these levels of trip internalisation and modal split. They also highlight the strong commitments to sustainable design principles that are needed throughout the site’s build out, the requirement for the delivery of infrastructure and a mix of services and other facilities early in the build out, as well as significant funding requirements needed towards sustainable transport initiatives.*

*The assessment method relies on numerous assumptions with varying degrees of evidence. These assumptions form the basis of the applicant's position that the proposal will not create an unacceptable level of highway impact. If these assumptions are not realised, however, the impact on the local highway network from such a large-scale development could be severe and difficult to address retrospectively. This remains a fundamental concern of ECC.*

*In order to test the wider traffic impacts of the development, the applicant produced a strategic level ('Paramics') traffic model (covering routes of interest including parts of the M25, A13, A127, A128); this has been reviewed and deemed generally acceptable. The Paramics model was supplemented by junction specific models for the A127 / A128 junction and the proposed site access junctions. The junction models are considered to be acceptable. The assessment indicates that based on the assessed trip patterns that the impacts on the operation of the highway network should be acceptable, subject to assumptions being achieved and mitigation measures. To provide reassurance on this, Jacobs undertook a separate assessment of a hybrid design of the proposed traffic signal-controlled mitigation combined with some of the lane capacity improvements proposed in the Local Plan TA. These amendments should provide the junction with necessary capacity to avoid a residual cumulative severe impact and will be expected to be delivered by the developer in due course.*

*Notwithstanding the concerns identified, ECC acknowledges there is always going to be a level of uncertainty around likely impact prediction given the sheer scale of the development proposal, the projected timescale of delivery, the phasing of delivery and the complex inter-relationship with other large-scale developments.*

*Please note that further to work led by and in line with National Highways, ECC similarly considers that no mitigation is necessary to its network near the M25 Junction 29. Similarly, the TA did not identify a need for the development to mitigate impact to the A128 Ingrave Road / The Avenue / A128 Brentwood Road / Running Waters double mini roundabout, which it is noted is relevant to several other allocated sites in the Local Plan IDP (item 26)."*

## **Access Arrangements**

7.153 ECC provides specific commentary on the proposed access arrangements as follows:

*“The application seeks permission for access in detail with the published details including Parameter Plan 02 Access and Movement (PP02A&M) (ref: 31057\_320\_2 Revision H (August 2022)) and drawings 10352-HL- 12, 13 and 14. The access points are shown on Parameter Plan 02.*

*‘Indicative connection points’ to Basildon and to the other part of DHGV are seen as essential for sustainable transport planning of the wider area in the longer-term and routes within the site to the boundary must be secured and delivered. See Key Transport Infrastructure – Public Transport Services, Infrastructure and Eastern links below for further detail on this.*

*The latest detailed access arrangements received directly by ECC are shown on drawings numbers 10352-HL-13F (Appendix P), 14F (Appendix Q) and 15F (Appendix R) covering the northern, central and southern accesses respectively from the A128. It should be noted that the ‘secondary pedestrian and cycling accesses’ shown on the PP02A&M are not shown on these drawings but are shown on drawing 16F (Appendix S). Without these accesses the site would have no active mode connections to the north or east, which would **not be acceptable**. Similarly, there is a secondary pedestrian and cycling access shown on drawing 14F but not shown on Parameter Plan 02 that should be provided. Off-site highway improvements are also needed to affect these active travel routes.*

*The principle of the central signalised site access junction at Station Road for public transport, walking and cycling is accepted; however, detailed design is required.*

*The TA indicates that the proposed signalised access junction will operate at capacity in the 2033 AM peak hour scenario and overcapacity in the 2041 scenario during both peak hours. This assessment relies on the aforementioned, internalisation and modal share assumptions.*

*Vehicular access is to be provided from two roundabout junctions on the A128. The northern access is a four-arm roundabout junction (with Tilbury Road) incorporating flared two-lane approaches on each arm and a two-lane circulatory, with merge lanes on the northern and southern exits. The layout*

*incorporates a shared footway cycleway running along the eastern side of the northern arm, northern side of the eastern arm, and the western side of the southern arm, with uncontrolled crossing facilities in the form of refuge islands. The shared use facility for pedestrians and cyclists would connect to the Station Road signalised junction to the south (for buses, walking and cycling only), and then to the southern access roundabout. The southern access is a three-arm roundabout junction incorporating two-lane flared approaches on each arm, with merge lanes on the northern and southern exits. The layout incorporates the shared footway cycleway on the northern arm's eastern side and the eastern arm's northern side with an uncontrolled crossing of the eastern arm in the form of a refuge island.*

*Modelling of both roundabout junctions using industry standard software indicates both roundabouts functioning with spare capacity, albeit with the A128 northern arm of the northern roundabout beginning to approach capacity in the 2041 scenario. This assessment relies on the aforementioned internalisation and modal share.*

*It is considered that the internal layout of the DHGV neighbourhoods and links between them is key to ensuring that door-to-door journey time advantage is given to sustainable transport, including to public transport services. ECC considers that physical and/or temporal controls within the site will be needed, as well as for any proposed access arrangements, in order that significant advantage is ensured for sustainable transport.*

*Drawing 10352-HL-12 Rev. F (Appendix O) shows a refuge island at the crossing point of West Horndon Byway 67 and the A128. The layout shown is not acceptable, but it can be amended to an acceptable form. It is noted, however, that it is not on the alignment of the byway, presumably as the east side is also a vehicular access. ECC would support the downgrading of the PRow to exclude motor-vehicular use. In addition, an alternative access arrangement to Meadow House (if retained) should be made via the northern site access. This would enable the vehicular access to be stopped up, which is required to optimise the design for pedestrians and cyclists and safety.*

*It is apparent that there is width of highway (and the developer controls the fronting land on one side) to make necessary improvements at detailed design stage including longer tapers, provision of shared route (as the alignment of the PRow to the carriageway means a direct crossing arrangement cannot be delivered) and a wider island to cater for the design cycle.*

*Stage 1 road safety audits have been completed on the originally submitted highway drawings, West Mayne / A127 and Station Road (West Horndon Station access) improvement schemes. All problems raised are considered resolvable but have not been resolved on the submitted drawings. As for all highway schemes, the detailed design for each scheme will need to be accompanied by a stage 2 road safety audit and a designer's response to any problems raised by the audit in due course. For avoidance of doubt, the scope of the stage 2 audit(s) and audit team shall be agreed by ECC in advance.*

*Improvements are necessary to the primary access designs to further to the CLoS assessment, as only uncontrolled crossings for pedestrians and cyclists are proposed which has not been justified against LTN 1/20.*

*Further to paragraphs 11.37-38 of ECC's October 2021 Corporate Response (Appendix A), a phased scheme of delivery of the site's roundabout egress arms is recommended with the capacity of those approach arms only being increased at a time related to also achieving modal split targets and monitoring. Provision of advantageous egress arrangements for buses should be considered ahead of general traffic capacity on these arms. Contrary to the indicative bus routes diagram in the TA (p69), the northern access and "primary mobility route" will need to be a bus route, as buses cannot turn left or right into or out of the bus only access.*

*Interim arrangements are required for the replacement provision of the existing bus stops pending completion of services being able to stop within the site on a looped internal route."*

- 7.154 Although it does not affect the principle of the development, ECC's response on the proposed access arrangements raises the need for certain relatively minor details to be updated. This will be required via a planning condition.

### ***Sustainable Transport Package***

- 7.155 ECC explains the need for "Sustainable Transport" mitigation measures, providing an overview as follows:

*"The application sets out key principles and commitments on a number of matters including proposed package of mitigation measures intended to do this, including highway and sustainable transport infrastructure*



*improvements, commitments toward bus services, and a range of other mitigation measures which the applicant considers would encourage and facilitate sustainable travel. In reviewing the application, however, ECC has identified several areas where significant improvements to the proposed measures or additional measures are required to maximise the potential of the location.*

*The Cycling Level of Service assessment was important in confirming several areas that need to be addressed along all the routes assessed. These changes to the existing network and to the proposed additions to the network are necessary.”*

7.156 The response then proceeds with detailed comments on the below specific “Sustainable Transport” mitigation measures that will be secured via planning obligations and/or conditions.

- a) A127 Bridge and Link to Thorndon Country Park
- b) Station Road Improvements
- c) West Horndon Station
- d) Public Transport Services, Infrastructure and ensuring there are links to enable the connection to the internal highway network to allow eastern links

#### ***Other Highway Infrastructure and Enhancements***

7.157 The response then proceeds with detailed comments on the below specific capacity and sustainable transport improvements that will be secured via planning obligations and/or conditions.

- a) A127 / B148 Junction
- b) A127 / A128 junction
- c) “mobility route” along the western edge of the site
- d) Cycle track along the A128 frontage from the site boundary with the railway in the south to the A127 to the north
- e) Other improvements required to the off-site active travel routes covered by the CLoS assessment

#### ***Framework Masterplan Document***

7.158 ECC provided a number of highways and transport related comments regarding the FMD (February 2022 version). These comments are generally considered

to be in relation to detailed issues that may be resolved within prospective reserved matters applications.

### ***Mobility Hubs***

- 7.159 ECC have endorsed the principle of creating sustainable and active travel mobility hubs.

### ***Parking Standards and Design***

- 7.160 ECC have advised that a Site Wide Parking Strategy that meets the TCPA's Garden City principles and transport guidance and relevant policy is required. This will be secured via a planning condition.

- 7.161 ECC have also advised that the Travel Plan (which is currently the Mobility Plan) needs to incorporate monitoring of parking space provision, demand for it and enforcement action to enable a feed-back loop to be completed. The TP also refers to powered two-wheeler (motorcycle) parking spaces and these need to be located appropriately and be supplemented with security measures such as ground anchors or other such devices. Again, the updating of the Travel Plan can be secured via a planning condition (if not via an updated submission within the determination timescales of the current application).

### ***Car Clubs and Car Sharing***

- 7.162 ECC are supportive of the principle of the proposed Car Club provision, subject to details being resolved. This is seen as one of the key measures in managing and reducing the likelihood of car use. This will be secured with a planning obligation and/or planning condition.

### ***Travel Plan***

- 7.163 The submitted Framework Travel Plan ("Mobility Plan") identifies requirements and processes for supporting sustainable travel patterns on and off the site and attributable to it. ECC have commented that: *"Extensive comments were provided in response to the initial application. A revision dated February 2022 also requires further revisions and is not acceptable."* As mentioned above, the updating of the Travel Plan will be secured via a planning condition.

### ***Governance and Transport Review Group (TRG)***

- 7.164 A Transport Review Group (TRG) is proposed in the Mobility Plan as “*a body to oversee and co-ordinate the implementation of the DHMP (Travel Plan) and any actions required to secure effectiveness of (or review) the initiatives which have been identified*”. ECC have confirmed their support in principle for a TRG. This would be captured as part of the Travel Plan process.

***Travel Plan Co-ordinator (concierge service)***

- 7.165 The Travel Plan will be managed by the Community Concierge assuming the role of the Travel Plan Coordinator (TPC) for the residential development. ECC have confirmed their support in principle for a Travel Plan co-ordinator, subject to a planning obligation and/or planning condition.

***Transport Performance Monitoring and Review***

- 7.166 As a critical component of the application’s highways and transportation proposals, the Travel Plan sets out the proposed high-level strategy for Monitoring and Reviewing the success of the sustainable transport initiatives at the site that should work to trigger further mitigation if the Travel Plan strategy fails to deliver. ECC have raised some concern about the related details. As mentioned above, the updating of the Travel Plan will be secured via a planning condition, and the Monitor and Review requirement included in the Planning Obligations

***Public Rights of Way***

- 7.167 ECC have advised that: “*The granting of planning permission is separate to any consents that may be required in relation to PROW. . . . A risk assessment exercise has been carried out associated with increased potential that people would be tempted to walk across the A127 between West Horndon Byway 67 and Public Footpath 60 directly north of the site. It is concluded that the risk can be suitably mitigated through physical highway improvements ... This infrastructure would make using West Horndon Footpath 60 (NPPF para. 100) a practicable option for recreational walking for some people, as the risk of collision with motor traffic would otherwise deter use.*”
- 7.168 The physical improvements associated with this PROW will be secured via a planning condition. Other alteration to PROW, including the downgrading of Nightingale Lane to a bridleway and the division of the little used public footpath between the A127 and Church Road would be undertaken pursuant to other legislation but funded via a planning obligation.

### ***Commuted Sums***

- 7.169 Finally, ECC have noted a requirement for commuted sum contributions to cover the cost of future maintenance of any signal equipment, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway. This will be secured with through a planning obligation and/or condition if not the relevant highway works and adoption agreements.

### ***Neighbouring Authorities, Consultation***

- 7.170 Both Thurrock Council and Transport for London as neighbouring highways authorities submitted responses regarding concerns about the deliverability of the proposed trip reduction measures and the consequential potential for additional trip loading onto their respective road networks (including: A127, A128, A12, A13). Thurrock Council have also emphasised their interest in promoting active travel opportunities for small communities along the A128 e.g. Bulphan, and in north-south passenger transport improvements i.e. between Tilbury and Brentwood Town Centre.
- 7.171 Basildon Borough Council have also expressed concern around the deliverability of the car trip reduction target, but they have also referred to the need for public transport network expansion. In particular, Basildon Borough Council commented that there are insufficient proposals for connection with Basildon from the east of the application site. However, in this respect, it should be noted that the application scheme allows for connections across the application site into the eastern part of the allocation site that is still to come forward in a future planning application for that land parcel, that should then connect with Lower Dunton Road and Basildon Town beyond.
- 7.172 It is apparent that, where relevant, these considerations have been factored into the detailed assessments by National Highways and Essex County Council. Brentwood officers attended a coordination meeting between ECC and Thurrock Council Highways officers on 13 March 2023 to factor Thurrock Council's concerns into ECC's assessment considerations.
- 7.173 It has been noted that West Horndon Parish Council has raised strong concern regarding the need for infrastructure improvements due to the proposed development, and in particular WHPC has raised the current unavailability of further details regarding improvements to the local highway and public transport

network in around West Horndon Village. Whilst it is correct that such improvements form part of the outline planning proposals (to be secured via planning obligations as noted above), the approval of the details of those improvements would be a matter for the S106 obligation discharge stage that comes after a planning permission has been granted. Either way, West Horndon Parish Council will be consulted on relevant detailed proposals, before decisions will be taken by the Local Planning Authority.

### ***Emergency Services, Consultation***

- 7.174 The Essex Fire and Rescue Service and Essex Police have referred to highways matters in their consultation responses. No concern has been raised in relation to the Proposed Development's outline planning application, but the Essex Fire and Rescue Service have commented that matters of detail that would be relevant to Reserved Matters proposals would require further consideration at that stage.
- 7.175 Apart from the issues covered in the assessment above, officers would note that the provision of EV charging facilities in accordance with Policy BE11 (Electric and Low Emission Vehicles) will be required by a planning condition and/or planning obligation.

### ***Conclusion (Highways and Transportation)***

- 7.176 Inclusion of a mobility hub forms part of the proposals and this will be secured through a planning obligation, thereby meeting the requirement of Policy R01(I)9 to complement delivery to including the other aforementioned improvements to comprise the Highways and Transportation component of the comprehensive infrastructure required by Policy R01(I)2.
- 7.177 Where this has already been described above, subject to planning obligations and/or conditions, the submitted FMD:
- a) identifies the proposed transport links, including access to the site and main internal highway links, and principal walking, cycling, and bridle links as required by Policy R01(II)d.
  - b) shows all intended links to the surrounding footpath and cycleway network and indicative potential footpath and cycleway links towards Basildon as required by Policy R01(II)9.

- c) provides for the convenient pedestrian and cycle links required by Policy R01(II)i.
- d) shows how the development will incorporate a full range of sustainable transport measures, as required by Policy R01(II)j.
- e) includes a phasing and implementation plan as required by Policy R01(II)i.

7.178 Where this has already been described above, subject to planning obligations and/or conditions, the development proposals:

- a) Facilitate the internal footpath and cycle routes as required by Policy R01(II)f and Policy BE09.1
- b) Ensure the PROW network is retained, maintained and enhanced as required by Policy R01(II)i.
- c) Include delivery of mobility hub in accordance with Policy R01(II)5
- d) financial contributions to off-site highway infrastructure improvements in accordance with Policy R01(II)6a and Policy BE08c
- e) bus services in accordance with Policy R01(II)6b and Policy BE08d
- f) improvements to West Horndon Station Policy R01(II)6c and Policy BE08b
- g) An occupation restriction in relation to the completion of highway works will be secured by planning obligation and/or condition in accordance with Policy R01(II)7

7.179 Officers have taken account of the submitted information and the consultation responses from the local highway authorities and in conclusion, officers are satisfied that, subject to the planning conditions and/or planning obligations listed below, the proposal is considered to be compliant with Local Plan Policy R01, Policies BE08 (Strategic Transport Infrastructure), BE09 (Sustainable Means of Travel and Walkable Streets), BE10 (Sustainable Passenger Transport), BE11 (Electric and Low Emission Vehicles), BE12 (Mitigating the Transport Impacts of Development), BE13 (Parking Standards), BE14 (Creating Successful Places), and Policy MG05 (Developer Contributions) and the NPPF.

#### 7.180 Conditions (Highways and Transportation)

- Updated site access plans
- Site Wide Parking Strategy
- Updated Framework Travel Plan/Mobility Strategy (including: Community concierge/Travel Plan Co-ordinator, Monitor and Management details, Additional Measures funding, Transport Review Group)
- CTMP
- Physical works associated with West Horndon Byway 67 and West Horndon Footpath 60
- EV charging
- A127 Bridge and Link to Thorndon Country Park
- Station Road Improvements
- A127 / B148 Junction
- A127 / A128 junction
- The reserved matters submissions shall include details of (a) mobility route” along the western edge of the site including a cycleway from the railway bridge in the south to the A127 in the north and (b) the internal mobility routes (cycle and pedestrian routes)
- Occupation restriction in relation to the completion of highway works

#### 7.181 Planning Obligations (Highways and Transportation)

- Mobility hub together with the required equipment and supporting facilities
- Reservations and safeguarding for the Eastern connecting points
- Upgrades at West Horndon Station
- Public Transport Services and Infrastructure
- Other improvements required to the off-site active travel routes covered by the CLoS assessment
- Car Club/Car Sharing arrangements
- Commuted Sums
- Financial contributions to any relevant orders including for changes to the status and alignment of PROW
- Implementation of monitor and review
- Additional Measures funding

### **Design Matters**

7.182 The scope of an Outline Planning Application (with all matters reserved apart from Access) would normally have limited consideration to Design, because this matter would become a Reserved Matter. However, in this case, the application

is accompanied by relevant information to be approved, in the form of parameter plans that have been informed by an illustrative masterplan that has been derived from the FMD.

- 7.183 As explained above, in this case, the masterplan (FMD 2022) is proposed to be approved as part of this application. The FMD and the illustrative masterplan and parameter plans that are consistent with it, inform layout and scale considerations that are implicitly Design-related, because they create intentional constraints for the formulation of detailed proposals. The FMD provides a framework for the entire allocation site, whereas the other documents are pertinent to the application site only.
- 7.184 Apart from the FMD, the Illustrative Masterplan (drawing) has been submitted to accompany the Design and Access Statement (and Addendum), to demonstrate the application scheme's accordancy with the FMD.
- 7.185 NPPF paragraph 8 explains the central role of fostering well-designed, beautiful and safe spaces in achieving the social objective for sustainable development. The strategic design requirements of the Local Plan are provided by Policy BE15 (Planning for Inclusive Communities) and Local Plan Policy BE14 (Creating Successful Places). The appropriate site-specific policy benchmark for the FMD is R01(II) "Spatial Design of DHGV".
- 7.186 The submitted Environmental Statement clarified the need for adherence to the proposed design and landscaping principles that can be secured by planning condition.
- 7.187 A qualitative assessment of the submitted masterplan (FMD 2022) is required in order for officers to provide a recommendation on its applied-for approval alongside the submission's proposed development.
- 7.188 As explained in paragraph 7.2 of this report, the FMD is the result of an iterative design process that involved independent Design Review. The submitted FMD is the latest 2022 iteration that follows on from the SPD consultation version from 2021. As a starting point for officers' assessment, the 2021 FMD has formed the basis for the DHGV Design Guidance SPD that was adopted by Brentwood Borough Council. As such, the 2021 FMD is taken to be acceptable in principle, although updates to it may be justified.



- 7.189 Paragraph 7.2 lists the FMD's updates since 2021 that have resulted in the submitted 2022 version. These updates are split into initial revisions for the application scheme and subsequent updates that have been incorporated in response to further engagement with consultees following their responses to the application's formal consultation on the application, in addition to previous engagement that has been described in the submitted Statement of Community Involvement.
- 7.190 The initial revisions are generally considered to be iterations that appear to be sensible updates that benefit the functional quality of the FMD development, and the benefits are mostly self-apparent. These include:
- a) A new service road to the employment area has been introduced.
  - b) Potential bus routes have now been shown running up into the employment hub
  - c) The primary route between Dunton Woods and Dunton Waters has been realigned in accordance with the Draft SPD and now forms a direct route down the ridgeline slope
  - d) The primary school in Dunton Fanns has been reorientated and now fronts onto the school square, as opposed to the Mobility Corridor. The north / south vehicular route has been realigned along the western edge of the square and away from the primary school.
  - e) The Village Centre allows for five stories, as per the original FMD, to allow for flexibility and the framing of the Market Square.
  - f) The green space to the south of the employment area has been retained. It is considered that this should be a transition space between the residential and employment areas and that it can be used / overlooked throughout the day and weekends when employees are not present.
  - g) The densities remain broadly as per the original FMD. There have been density adjustments to accommodate housing capacity due to lost development around Dunton Hills Farm and the increased employment provision.

- h) The secondary school remains in the same location as shown in the original FMD which works in terms of the levels. Furthermore, pushing it to the west starts to break down some of the key Mandatory Principles e.g. School Square.
- i) The bus corridor in Dunton Waters has been amended to serve the south eastern extremities of the neighbourhood.

7.192 However, there are a few matters that officers would expand on.

- a) Regarding the shortened distance between the Ancient Woodland and the proposed development plots, the intent behind the SPD's "buffer zone" between these elements has been to provide ample separation at strategic scale, whilst later proposals could lead to an adjustment of the distance subject to deeper analysis, which is what appears to have been behind the adjustment that has been put forward. The merits of this adjustment have not raised concern with respective experts and consultees that have assessed the proposed development.
- b) The relocation of the Mobility Hub on the Mobility Corridor is considered to be an enhancement to improve the potential catchment of users to enable optimal uptake of its services.
- c) Regarding the re-location of town centre uses away from the Mobility Corridor to the Village Centre; in light of the limited quantum of non-residential floorspace within the FMD development, its concentration in the most central location would help to ensure the Village Centre and the community hubs' vitality and critical mass as a local destination that relates well to the other planned land uses.
- d) The A128 frontage at "4 stories" is justified by the need for a strong frontage and the negligible effect on visual connection between the A128 and the farmstead. There remains a considerable distance between the A128 and the fronting development plot. The eventual detailed proposals of Reserved Matters submissions will seek to confirm the building heights at this location on the basis that the outline application proposals provide a maximum envelope that would need to be subject to further assessment (e.g. regarding any potential visual connection(s) between the farmstead and the A128, or regarding the protection of the residential amenity of the Old Mill Cottages' occupants).

- e) Officers agree that there are considerable place-making benefits in relation to the indicated additional development around the farmstead.
  - f) Relative to the width range indicated in the SPD, a (minimum) 60m wide viewing corridor through Dunton Waters would provide ample scale for longitudinal visual connection across the site.
- 7.193 Officers consider that the most recent updates of the FMD 2022 and its associated version of the illustrative masterplan have resulted in a relative enhancement on the basis that these updates are the result of further engagement with key consultees such as the Local Education Authority (ECC) and Sports England, which has resulted in further optimisation of the proposals.
- 7.194 The submitted Illustrative Masterplan and its corresponding suite of parameter plans follow the FMD 2022 so this is a consistent and appropriate basis for the comprehensive assessment through a robust EIA process (see paragraph 7.13).
- 7.195 In light of the above assessment, subject to the maximum extent of development being embedded in a planning condition to secure the findings of the EIA, officers conclude that the FMD 2022 and associated illustrative masterplan and parameter plans, ensure that the proposed development would be compliant with Policy BE15 (Planning for Inclusive Communities) and Local Plan Policy BE14 (Creating Successful Places), and Policy R01(II) (Spatial Design of DHGV).

### **Landscape and Visual Impact**

- 7.196 Policy BE14 (Creating Successful Places) is supportive of development proposals provided they “respond positively and sympathetically to their context and build upon existing strengths and characteristics, and where appropriate, retain or enhance existing features which make a positive contribution to the character, appearance or significance of the local area (including natural and heritage assets)” and they “integrate and enhance the natural environment by the inclusion of features which will endure for the life of the development, such as planting to enhance biodiversity, the provision of green roofs, green walls and nature based sustainable drainage”. Further, Policy R01(II) “Spatial Design of DHGV” point 2h places emphasis on the safeguarding, maintenance, where possible, the enhancement of key views in and across the allocated site. Policy

R01(II)3b explains that development proposals should “ensure that the distinct spatial, landscape and heritage qualities of the site and its surroundings are maintained or enhanced”.

- 7.197 The site is large-scale and it is in a visually prominent location, affording open views of the site and across it. It currently comprises mostly farmland and a golf course, with a farmstead and wind turbine on an elevated position of the higher north-eastern part of the site.
- 7.198 The application proposals have been subject to extensive pre-application advice with Design Review assessment. This has led to relatively minor changes in the overall spatial masterplanning concept of a residential-led development spread evenly across the site (apart from a denser village centre on the lower part of the site) and set within substantial landscaped areas.
- 7.199 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application, as part of the Environmental Statement. This LVIA was undertaken to understand the likely potential effects of the Proposed Development at Dunton Hills during both the construction and operational phases of the development. The LVIA was prepared based on best practice guidance and with the involvement of the Council’s Landscape Officer to establish appropriate methodology.
- 7.200 The submitted Environmental Statement clarified the need for the proposed design and landscaping principles to be adhered to. In the interest of securing the integrity of the assessment, this will be secured by planning condition.
- 7.201 The Council’s Landscape and Arboricultural Advisor has provided the following overview and assessment:

*“The representative viewpoints were agreed by the Council prior to LVIA being undertaken. They were considered appropriate for ensuring that the effects from the main receptors were assessed. The viewpoints included residential locations, public rights of way and green space and transport links.*

*Night-time effects were assessed based on the proposed Lighting Strategy. As stated in D3.44 the methodology and the viewpoint and photomontage locations were agreed as part of the re-scoping consultation. D3.48 confirms that views through the site from private property were not considered. This*

*accords to GLVIA3. The scheme has an anticipated construction timetable of 17 years. The Council therefore required the assessment to consider the potential effects of new residents occupying the first phase of the development. This has been undertaken. The assessment for the later phases takes into account mitigation, including advance planting, that could help lessen the effects on these new residents.*

*The methodology and assessment rationale have been set out clearly within the report.*

*The understanding of landscape character has been informed by national and local policy and guidance, including relevant local landscape character assessments and capacity studies, including those identified as part of the scoping stage.*

*The site is divided by a low ridgeline and is at the transition between the low-lying open fenland to the south and west and the wooded Brentwood Hills to the north and Langdon Hills to the east. The principal existing land uses are arable farming and a golf course. The LVIA found that the study area contained positive and negative characteristics common to the local character areas. Transport corridors, urban fringes and pylons were also significant in this location.*

*The landscape of the site contains important features such as Eastland's Spring, Nightingale Lane and historic hedgerows; however many other character features have been degraded and affected by surrounding transport corridors and therefore the site was assessed as being of Low/Medium value. It is considered that this assessment is appropriate.*

*During construction the assessment considered that there would be significant effects on the local character areas due to the scale and duration of the development. These effects were considered to be localised, restricted to the edges of the local character areas and not extending into the wider character areas.*

*Embedded mitigation including advance planting is proposed to help mitigate the scale and extent of the effects, including for new residents moving into the first phase of development.*

*The assessment of visual context identified that views into the site are limited by topography, existing vegetation and the small number of public*

*viewpoints. Major adverse and Significant visual effects during construction would be experienced by users of the public rights of way within and adjacent to the site. The assessment considered these effects to be temporary and associated with the construction works and areas of open space and mitigation would be provided which would integrate the new neighbourhoods.*

*Major Adverse and Significant effects would be experienced by users of Station Road and the A128.*

*New residents would also experience adverse effects while later construction phases are delivered.*

*During the operational phase the LVIA considered that the effects would be limited to the site and would not extend into the wider character areas within the study area. However it does recognise that there would still be remaining adverse effects on some viewpoints including Thorndon Country Park (South). The setting for retained features such as Dunton Hills Farmhouse and the ancient woodland would also be influenced by the new development in close proximity.*

*The visual effects from the A128 would lessen over time as the landscape buffer matures and softens the new development.*

*The draft Framework Masterplan sets out Mandatory Spatial Principles that must be incorporated into the emerging detailed scheme. This includes measures that form part of the advance planting and wider landscape mitigation. The mandatory principles for the landscape interfaces set out how the edges of the development must integrate into the landscape by incorporating features from local character areas.*

*The LVIA concludes that the scheme would result in Significant Effects of each of the Local Landscape Character Areas which would be expected given the scale of the proposed development. The proposed layout would avoid important landscape features such as the ancient woodland. The effects would be localised due to the surrounding topography, vegetation and existing development and infrastructure. The most significant visual effects will be for those using the rights of way through and close to the site and users of the A128 and Station Road. The assessment recognises that there would be some effects on visitors to Thorndon Country Park South due to the views across the development from the higher ground. The proposed*

*landscape mitigation measures, some of which will be delivered in advance of the later phases of development will help to mitigate the effects. It is agreed that this will reduce the adverse effects over time for most receptors.”*

7.202 The Council’s Landscape and Arboricultural Advisor concluded that:

*“Due to the scale of the proposed development it is inevitable that the scheme will have significant effects on landscape character and from key viewpoints; however it is agreed that the quality of the existing site is currently low/medium and that the proposed layout and landscape mitigation measures will ensure, over time, that the effects will not be significant for most receptors.”*

7.203 Officers note that the Landscape and Arboricultural Advisor’s assessment summarises a few critical variables that are important in reaching conclusions. First, in relation to key viewpoints; the FMD 2022 specifically facilitates a number of key views but the LVIA includes the key viewpoints as summarised by the Advisor. Secondly, regarding the “proposed layout and landscape mitigation”, this requires clarification that this relates to the “embedded mitigation” of substantial landscaped areas of the proposed development, and the fact that the proposed development would be developed in phases, starting with Phase 1 in the western part of the site (it includes the western site frontage) and moving generally (north)eastwards over time. The substantial landscaped areas envelope the three proposed neighbourhoods including the edges of the application site. A Phasing and Implementation Plan will be the subject of a planning condition.

7.204 Officers concur with the Landscape and Arboricultural Advisor’s conclusions but in addition to considering assessment involving EIA and expert opinion, officers are also required to assess the proposed development against relevant planning policies.

7.205 On Policy BE14’s requirements in respect of landscape character; to respond positively and sympathetically to their context and build upon existing strengths and characteristics, officers consider that, in light of the implicit nature of a large scale development that would inevitably add substantial massing to a predominantly open landscape, the FMD 2022 concept (mirrored by the illustrative masterplan and the parameter plans) of three neighbourhoods with distinct landscaping and built form that relate to themes taken from their landscape context (i.e. Fanns, Water, Woods) while retaining and emphasising

the prominence of heritage assets on-site and within the vicinity is as much as could be expected, and this is a positive response in officers' views.

- 7.206 Policy R01(II) "Spatial Design of DHGV" point 2h requires a masterplan to show how development will safeguard, maintain, and where possible enhance key views in and across the allocated site. The FMD 2022 (mirrored by the illustrative masterplan) show the strategic viewing corridors, which include the sightlines from the Farmstead on the hilltop to All Saints Church and to St Mary's Church, and the west-east corridor across the open space of Dunton Fanns towards St Mary's Church.
- 7.207 Officers therefore consider that in terms of Landscape and Visual impact, subject to a planning condition to secure a Phasing and Implementation Plan as well as adherence to approved design and landscaping principles, the Proposed Development would comply with Local Plan Policy BE14 (Creating Successful Places) and R01(II)(Spatial Design of DHGV).

### **Historic Environment**

- 7.208 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets duties for decision makers in relation to assessing the impacts of proposals on listed buildings and conservation areas. Section 66(1) states that in considering whether to grant planning permission which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The effect of this duty is that any harm to a listed building or its setting through a development proposal should be given substantial weight and importance in the planning balance.
- 7.209 Section 72(1) states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. However, Section 72(1) does not apply to setting. Similarly to the statutory requirements as they apply to listed buildings, harm to the character and appearance of a conservation area should be given substantial weight and importance on the planning balance.
- 7.210 Paragraphs 195 to 203 of the NPPF relate to the consideration of development proposals in the context of conserving and enhancing the historic environment. Local Planning Authorities are required to identify and assess the particular



significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset taking account of available evidence and any necessary expertise (paragraph 195 NPPF). They should take this into account when considering the impact of a proposal on a heritage asset, in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Thus, the NPPF requires that "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)" (paragraph 199, NPPF). This requirement to give great weight to the asset's conservation applies irrespective of the degree of harm whether it is substantial, total or less than substantial harm.

- 7.211 Key principles of the NPPF relevant to the outline application include the requirement to assess the significance of any heritage assets affected (including through development in their setting), any harm to the significance of those assets, and whether those harms are substantial or less than substantial. Any harm to the significance of heritage assets from alteration or destruction or development within its setting requires clear and convincing justification (paragraph 200). Where development leads to harm to the significance of a heritage asset that is less than substantial, this harm should be weighed against the public benefits of the proposals (paragraph 202, NPPF). Harm that is substantial or leads to total loss must be outweighed by public benefits and the harm must be necessary to achieve the public benefits in order to justify the grant of planning permission (paragraph 201, NPPF). As is identified in this report, none of the heritage assessments which have been undertaken by the applicants, Place Services, Historic England and HTA on behalf of the Council have identified any substantial harm being caused by either DHGV or the Proposed Development to designated heritage assets or their settings.
- 7.212 In respect of the assessment of non-designated heritage assets, NPPF paragraph 203 states that: *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*
- 7.213 Policy BE16 (Conservation and Enhancement of Historic Environment) explains that development proposals such as the application scheme, that affect a

designated asset will be required to sustain and wherever possible enhance the significant of the assets and its settings, need to be supported by a Heritage Statement, and provide clear justification for any works that would lead to any harm to the asset.

- 7.214 Policy BE16(4) goes on to state that development proposals that would be likely to cause either less than substantial or substantial harm to, or loss or partial loss of, a designated asset or its setting will be assessed in accordance with the statutory framework and national planning policy.
- 7.215 Policy R01(II)2c places emphasis on the need to demonstrate how heritage assets and their settings will be sympathetically and appropriately integrated into the development. Policy R01(II) 3j and 3k require development proposals to take into account the findings of the Council's Heritage Impact Assessment for DHGV and the applicant's own heritage impact assessment, as well as the results of a programme of archaeological evaluation based upon a geophysical survey of the development area.

### ***Built Heritage***

- 7.216 By way of background to the emergence of the application scheme prior to its submission; the Dunton Hills Garden Village development was the subject of heritage assessment during the policy-making stage, when Brentwood Borough Council commissioned a heritage assessment as part of the emerging Local Plan allocation and Design Guidance SPD. The Local Plan process resulted in a Statement of Common Ground with Historic England, which accepted the assessment conclusion that residual "less than substantial" harm would remain, which in accordance with NPPF par. 202 should be left to be assessed in balance with the resulting public benefit of the proposed development, which is a matter of general planning judgment (i.e. rather than being an expert built heritage matter). The public benefit of the Local Plan allocation as a whole development was considered to outweigh the harm to heritage assets.
- 7.217 Because the application site does not encompass the full allocation and extent of the FMD, a specific Heritage Assessment has been required to be undertaken. To inform assessment the potential effects on, primarily, the setting of the Listed Buildings as designated heritage assets has been undertaken using a combination of the FMD, the parameters plans, the DAS, the DAS Amendment (which included cross sections/views requested by Heritage England and Place Services) and the Illustrative Master Plan, This is

considered by Officers to sufficient and appropriate information at this outline stage to make an assessment on the impact of the Proposed Development on these designated heritage assets.

7.218 A Heritage Statement has been submitted in support of this application, both as a stand-alone document and as part of the Environmental Statement. This explains that there have been specific heritage-related considerations to the specification and design of the proposed development, including:

*“ ... the masterplan design has reduced or removed harm to heritage receptors through the detailed design process. Embedded mitigation measures include: Retention of the historic drive to the listed Dunton Hills farmhouse, to the east of Eastland Spring. Orientation of the access road from Tilbury Road to take advantage of views of the listed Dunton Hills farmhouse. Creation of a green open space to the west of the listed Dunton Hills farmhouse to provide a formal setting for the farmhouse, evocative of a village green, and create a considerable separating distance to the new built form. Reinstate potential original access to Dunton Hills farmhouse to Nightingale Lane to the north. Creation of a green open space in the south-east of the Application Site to preserve the setting of the Church of St Mary. Retention of key views of listed buildings, including:*

- View of Dunton Hill farmhouse from historic drive, where crosses Eastland Springs, and Tilbury Road;*
- View of All Saints Church from Dunton Hills farmhouse forecourt;*
- View of All Saints Church and Church of St Mary from east of Dunton Hills farmhouse;*
- View of Church of St Mary from south-west of the Application Site; and*
- View of the Church of St Mary from the south-east of the Application Site. Structural landscaping within the Application Site has been designed to preserve views of the Church of All Saints from Thorndon Park and from the churchyard towards to the Application Site.*

*Retention and relaying of historic hedgerows where survive to north of the Site, to define development parcels. Retention of ancient woodland with 15m buffer. Retention of historic movement routes, such as Nightingale Lane, and historic footpaths.”*

7.219 As a result of the recommendations of HTA in their Heritage Impact Assessment, associated with the preparation of the DHGV SPD some further modifications were made to the design, to provide further embedded mitigation:

a) *“The proposed parcel of built form to the north-west of the Dunton Hills farmhouse was removed, to provide a larger landscape buffer and to preserve views of the Church of All Saints from the farmstead (View C, Heritage Features Plan, Appx. H2, Fig.6.1).*

b) *The scale and density of the development parcel to the north of Dunton Hill farmhouse has been reduced to a maximum height of 12.5m and maximum density of 28dph. The DAS indicates that development in this parcel to the north of the farmhouse would follow a farmstead typology with buildings ranging between 1, 1.5 and occasional 2 storey buildings arranged around loose courtyards. This could be secured at Reserved Matters stage.*

c) *A 60m wide viewing corridor is proposed through Dunton Waters to St Mary’s Church (Revised and Annotated Illustrative Masterplan Framework July 2019, Appx. H2, Fig.6.17).”*

7.220 The submitted heritage assessment describes the heritage assets that are potentially affected by the Proposed Development as well as their significance (including the contribution to it by the Site itself). The assets are listed in the summary of effects from the submitted heritage assessment below, at paragraph 7.223.

7.221 The submitted heritage assessment concludes construction and operation phase effects as follows.

7.222 In respect of the construction phase, the following effects have been identified in the submitted heritage assessment:

*“Minor adverse (not significant) effects are identified for the Church of All Saints and East Horndon Hall ... and for the South Barn, North Barn and Old Mill Cottages and historic landscape features during the construction. ... These minor effects are identified because the Proposed Development would have a slight negative effect on the value of the receptor. This is because noise, vibration, dust and traffic –including the presence of tall structures such as cranes, scaffolding and building cores– during the construction*

*phase would detract from an appreciation of the heritage value of these receptors.*

*Significant impacts are identified for the Dunton Hills Farmhouse, which would experience moderate adverse effects during the construction and operational phases of the Proposed Development. The moderate adverse effect is identified because the Proposed Development would cause a noticeable deterioration in the value of the receptor; construction activity would detract from an appreciation of the heritage value of the receptor.”*

7.223 In respect of the operational phase, the following effects have been identified in the submitted heritage assessment.

- a) No effects on All Saints Church (Grade II\*)
- b) Moderate adverse effect, less than substantial harm to the Dunton Hills Farmhouse (Grade II)
- c) No effects on St Mary’s Church (Grade II)
- d) No effects on Dunton Hall (Grade II)
- e) No effects on East Horndon Hall (Grade II)
- f) No effects on Lower Dunton Hall (Grade II)
- g) Minor beneficial effects on Garlesters (Grade II)
- h) No effects on Thorndon Park Conservation Area and Thorndon Hall Registered Park and Garden (Grade II\*)
- i) No effects on Old Plough House (Grade II\*)
- j) Minor adverse (not significant) effect on South Barn and North Barn at Dunton Hills Farm (non-designated)
- k) Minor adverse (not significant) effect on Old Mill Cottages (non-designated)
- l) No effect on The Old Rectory (non-designated)
- m) No effect on Friern Manor (non-designated)
- n) Minor adverse (not significant) effect on Historic Landscape Features
  - i. Ancient woodland present to the north of the Site, along Eastlands Spring.
  - ii. Dry woodland in the location of the Nightingale Hall archaeological remains;
  - iii. Vegetation along the length of Eastlands Spring;
  - iv. Certain historic hedgerows; and
  - v. Veteran trees.

- 7.224 The submitted Environmental Statement Built Heritage assessment noted that whilst no additional mitigation is possible for the outline planning application, further mitigation through detailed design can be incorporated at the Reserved Matters application stage(s). The adherence to proposed design and landscaping principles would be required via a planning condition.
- 7.225 Aside from assistance from EIA consultants SLR in respect of the review of the Environmental Statement that also covers Built Heritage, the Council procured Historic Buildings and Conservation advice from Place Services to assist with the built heritage assessment of the application. This advice does not agree fully with the submitted Heritage Assessment and identifies resultant harm.
- 7.226 Place Services have generally agreed with the assessment of significance of all heritage assets that have been assessed, apart from the South Barn and North Barn, Dunton Hills, on which Place Services took the view that: *“Historic England have identified these buildings as curtilage listed buildings and therefore, should be assessed as designated heritage assets and not non-designated heritage assets. The Barns should be assessed as part of a group with the Grade II listed Dunton Hills Farmhouse.”* Place Services also did not agree with the contribution to significance made by the application site for:
- a) Church of All Saints
  - b) Church of St Mary.
  - c) East Horndon Hall
  - d) Thorndon Park Registered Park and Garden and Thorndon Hall (Conservation Area)
  - e) South Barn and North Barn
- 7.227 Place Services’ commentary of the submitted heritage assessment and their own assessment of impact (addressing requirements of NPPF paragraph 195 and paragraph 199) is provided at Appendix A.
- 7.228 A summary of Place Services’ conclusion is copied below.
- a) Low levels of less than substantial harm to the Church of All Saints (Grade II\*)
  - b) Medium to high levels of less than substantial harm to the Dunton Hills Farmhouse (Grade II)
  - c) Medium to high levels of less than substantial harm to the curtilage listed South Barn and North Barn, Dunton Hills

- d) Low levels of less than substantial harm to the Church of St Mary (Grade II)
- e) Low levels of less than substantial harm to the Dunton Hall (Grade II)
- f) Low levels of less than substantial harm to the East Horndon Hall (Grade II)
- g) Low levels of less than substantial harm to Thorndon Park (Grade II\* RPG), Thorndon Hall and Thorndon Hall Conservation Area
- h) Low to medium levels of harm to the Old Mill Cottages (Non-designated heritage asset)
- i) Medium to high levels of harm to Historic Landscape Features (Non-designated heritage asset)
- j) Likely to be no harm to negligible levels of harm to The Old rectory (Non-designated heritage asset)
- k) Likely to be no harm to negligible levels of harm to the Friern Manor (Non-designated heritage asset)
- l) No harm to Lower Dunton Hall (Grade II)
- m) No harm to Garlesters (Grade II)
- n) No harm to Old Plough House (Grade II\*)

7.229 Place Services identified more harm than the submitted Heritage Statement concluded. However, it is important to note that in each case in terms of designated (built) heritage assets, “less than substantial harm” (at different levels of scale) has been assessed as being caused to the significance of these asset (i.e. their settings).

7.230 By implication, compared to the site allocation focused heritage assessment, additional harm has also been established by Place Services. This is mainly due to the fact that the proposed application scheme is not the same as the FMD scheme.

7.231 Officers agree that the Place Services assessment fulfils the NPPF requirements to identify and assess the particular significance of any heritage asset that may be affected by a proposal (NPPF par 195), and an assessment of impact on that significance (NPPF paragraph 199), and therefore, it is confirmed that officers adopt it as their own. It has informed officers’ further considerations below.

7.232 The assessed harm means that the proposed development does not comply with Policy BE16A1a (Conservation and Enhancement of Historic Environment) of the Brentwood Local Plan in that the significance of heritage assets and their

setting would not be sustained. However, the magnitude of this harm overall is still considered to be within the range of “less than substantial” harm. Therefore, such level of harm does not trigger Par. 201 of the National Planning Policy Framework and it does trigger Par. 202 and Policy BE16A2.4. This is reflected upon at the end of this Historic Environment assessment section.

### **Archaeology**

- 7.233 The Archaeology EIA explained that an archaeological desk based assessment has been produced that considers all recorded archaeological remains within and in the vicinity of the Site. The Site has also been subject to a geophysical survey. To summarise:

*“The desk based assessment and geophysical survey has established that based on the available evidence, the Site is considered to have low potential for remains of all archaeological periods. However, the presence of archaeological remains cannot be ruled out entirely. Based on the results of archaeological investigations previously undertaken on sites in similar topographic locations within the wider area have indicated that the higher land of the Site has potential to contain archaeological remains of prehistoric and/or Roman date. The former Nightingale Hall is located immediately to the north of the Site and it is considered possible that associated archaeological remains may survive toward the north eastern area of the Site. However, the geophysical survey has not recorded an features in these areas that can clearly be identified as being archaeological origin.*

*It is anticipated that ECC is a likely to require archaeological evaluation of the Site. Discussions regarding the scope and timing of such works are on-going at the time of writing. Should the evaluation works reveal archaeological remains in areas where development impacts are unavoidable, further mitigation excavation and recording and/or watching brief may be required as a condition of planning permission.*

*Construction of the Proposed Development will impact upon archaeological remains that may be present within the Site. A programme of phased archaeological evaluation trenching will be undertaken as a condition of planning permission. This will be followed by further archaeological investigation should the evaluation reveal archaeological remains that will be impacted by the construction of the Proposed Development. This impact is*



*considered to be a moderate adverse effect should archaeological remains be present.*

*Following the implementation of the proposed archaeological evaluation and any follow on investigations, there will be a minor beneficial effect on non-designated archaeological heritage assets due to the research undertaken on the archaeology of the Site and the contribution to the understanding of the heritage of the area.”*

- 7.234 The submitted Environmental Statement clarified the need for further archaeological evaluation trenching, with a programme of mitigation excavation and recording if required. This can be secured by planning condition.
- 7.235 The Place Services’ Specialist Archaeological Advisor has informed that the Application Site’s potential heritage interest may comprise areas with high potential for survival of previously unrecorded archaeological assets.
- 7.236 Apart from referencing the listed built heritage assets within and close to the application site, which could relate to the buried heritage potential of the site, advice is provided regarding the application site’s further archaeological potential, including that:

*“The 1st Edition OS mapping of the 1880’s shows that the modern landscape has changed very little since the medieval period with the farms, field systems and tracks still in existence. The 1st Edition OS mapping shows the location of Nightingale Hall in the north east of the allocation area, which while no longer surviving above ground, will survive as below ground features.*

*Currently limited information on the heritage of the site has been supplied by the applicant which has been discussed at a number of meetings. A desk based assessment has identified that the historic road and field system survives in places with the remainder surviving below ground and this has been updated since the previous discussions. An archaeological geophysical survey of part of the proposed development area has been completed, however, the results were inconclusive, and few features were recorded. The geophysical survey failed to identify some former field boundaries which are visible on the 1st edition OS mapping provided within the desk based assessment which brings into question the effectiveness of this method of survey. As previously discussed with historic England and the applicants*

*consultant additional work needs to be completed by the applicant, to gain an understanding of the implications of the development on the historic environment. It has been recommended and originally discussed with the archaeological consultant of the applicants that a targeted programme of trial trenches should be undertaken on those areas with high potential for survival of previously unrecorded archaeological assets in advance of a planning decision. This largely comprised the upper slopes of the development area with agreement that the remainder of the trenching would be completed post determination.*

*Nightingale Hall (former manor site lies just outside the north eastern corner of the application area, however, it lies within the masterplan area with potential for elements of the manor complex to be located within the application area and as such impacted by this proposal. For the masterplan this area is highly sensitive, and the level of preservation and extent of the manor complex needs to be identified so that it can be appropriately considered as part of the development.”*

- 7.237 Place Services’ advice concludes with recommended planning conditions to ensure that mitigation including “*a programme of archaeological investigation including trial trenching and open area excavation has been secured in accordance with a written scheme of investigation*” would be secured in case the application were to be granted planning permission.

### ***Balancing Assessment and Conclusion (Historic Environment)***

- 7.238 Paragraph 200 of the National Planning Policy Framework states that “*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*” In this context, paragraph 202 of the NPPF provides that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The requirement of the NPPF to carry out this balance is also incorporated in PolicyBE16(4). In addition to delivering a key element of the Local Plan, the submitted Planning Statement offers specific explanation of what the public benefits of the proposal would be for the purpose of a planning judgment pursuant to the NPPF and Policy BE16A2.4 regarding this matter. These comprise:

- a) Delivering up to 3,700 homes which will include homes suitable for the elderly;
- b) The contribution towards affordable housing (up to 35%);
- c) Significant improvements to local sustainable transport connections within the surrounding area and an integrated approach to development layout and connectivity;
- d) Enhancing the sustainability of the area through provision of complementary retail, employment and community uses to meet residents' needs more locally;
- e) Contributions towards local education provision at primary and secondary ages;
- f) Provision of significant public open space which makes use of the landscape features of the site, and incorporation of well-design walking and cycling routes;
- g) Provision of a scheme of ecological enhancement measures; and
- h) Other economic benefits from the proposal arising from capital investment, local employment creation and economic contributions of future residents.

7.239 Although list is taken from the Planning Statement, officers conclude that these are the key public benefits of the scheme which should be part of the balancing exercise.

7.240 It is considered that the following matters must be controlled by condition:

- a) Adherence to the proposed design and landscaping principles
- b) Submission of a proposed scheme of archaeological investigation and subsequent implementation as approved. The archaeological investigation is to include trial trenching and open area excavation.

7.241 Nevertheless, it is still considered that there would be less than substantial harm caused to the setting of the identified designated heritage assets as set out in this report. However, officers have carried out the requisite balancing

exercise as part of their overall planning judgment and consider that there is an overwhelming case that the collectively assessed less than substantial harm to heritage assets is significantly outweighed by the cumulative public benefits that would result from the Proposed Development. For this reason, officers consider that, subject to the above planning conditions, the Proposed Development complies with paragraph 202 of the NPPF and Policy BE16 of the Local Plan, and the assessed harm to heritage assets is not a valid planning reason for refusal in this case.

- 7.242 As is clear from the heritage assessments undertaken by the applicants and Place Services there are non-designated heritage assets which would be affected by the proposed development in a minor adverse way, more particularly the setting of Old Mill Cottages. Although a “flat balance” applies to the consideration of any harm to their setting, the public benefits which have already been highlighted weigh heavily in favour of the Proposed Development as part of the overall planning balance. The same balancing approach applies to the landscape features associated with the site but the majority of these would be retained, including the ancient woodland, veteran trees and the historic hedgerows.
- 7.243 Although the required assessment using the FMD, DAS, DAS Addendum Illustrative Masterplan and Parameters Plans can be undertaken in terms of the effects of the proposed development on the designated heritage assets to accord with statute, Policy BE16 and the NPPF, it would be prudent for include planning condition(s) in order to require further assessment information, alongside relevant reserved matters submissions, to ensure that the effects on the designated heritage assets assessed at this stage remain the same when detailed proposals are submitted. This approach can also take into account the consultation response submitted by Historic England, which recommended design adjustments as follows:

*“A reconfiguration of the four and five storey residential blocks to reduce their height to a maximum of three storeys. This would reduce their visual impact in long views towards the site. ... revise the layout of a number of the streets within the overall 265ha application site to soften their regimented appearance.”*

## **Sustainability, Carbon Reduction and Renewable Energy**

- 7.244 Local Plan Policy BE01 (Carbon Reduction and Renewable Energy) part 1 provides clarity on the required carbon reduction and construction standards for new developments. This includes a minimum carbon dioxide emissions reduction requirement of 10% above the requirements of Part L Building Regulations. Non-residential needs to achieve a certified “excellent” rating under the BREEAM New Construction (Non-domestic buildings) 2018 scheme, or other equivalent standards. Part 2 of Policy BE01 requires the provision of a minimum 10% renewable energy of a development’s predicted energy needs (wherever possible). It also provides requirements for alternative solutions. Part 3 of Policy BE01 requires an accompanying Sustainability Statement with details of proposals’ approaches to: adaptation to climate change, carbon reduction, water management, and use of materials. Part 4 of Policy BE01 explains that, if relevant, applicants must demonstrate compelling reasons supported by evidence as to why achieving the sustainability standards would not be technically feasible or economically viable.
- 7.245 A Sustainability Statement and an Energy Statement have been submitted as part of the Environmental Statement, which aim to clarify the overall sustainability credentials of the proposals and the extent to which renewable energy technology can be incorporated into the development.
- 7.246 The Sustainability Statement provides detailed explanations of the proposed development’s sustainability credentials across a comprehensive range of related issues. With specific reference to BE01(3), the Sustainability Statement explains the proposed development’s approaches to:

***Adaptation to climate change (climate change resilience and adaptation)***

- 7.247 For details, see the description of the Energy Strategy below , but in relation to Policy BE1(1) it is explained that: *“Through these approaches and not methane gas boilers there is an expectation that there will be a reduction in CO2 emissions compared to current Building Regulation standards of about 27.5% rather than the 10% target identified in the Local Plan policies.”*

***Water management (water environment)***

- *“Specification of highly efficient water fixtures and fittings (e.g. low-flow aerated showers, low water use appliances and equipment that prioritise water conservation). External taps for irrigation and washing vehicles will be discouraged.*

- *The installation of smart water meters or sub-metering will be adopted to allow centralised consumption monitoring and reporting. Potable water losses will be minimised by installing leak detection as an integral part of the water network.*
- *There will be an aim to achieve a water use target of 105l/p/d using the Building Regulation's Part G water calculator. Alongside water efficiency measures in homes, to minimise use water collection facilities will be provided externally for irrigation.*
- *Landscape design will minimise the need for water for irrigation or cleaning (e.g. through use of drought resistant native plants). Efficient irrigation systems will be considered, which use rainwater or greywater only*
- *A Sustainable Drainage System (SuDS), also implementing measures to improve water quality by controls at source except for bridges, no built development is proposed to be located within the modelled 1 in 100 year + 70% climate change flood extents. Where structures are constructed, they will be clear of the highest predicted flood levels to ensure dry access is available.*
- *Foul water is proposed to be discharged to the existing sewer system via a connection point to the west of the site."*

***site waste management (waste and materials)***

7.248 A Construction Waste Management Plan and off-site pre-fabrication are proposed as the main waste management features, in addition to: *"The phasing of the earthworks activities associated with the construction of Dunton Hills will facilitate appropriate management of excavated material from the site and avoid any removal to off-site facilities"*

*"Operationally, there will be the provision of recycling facilities that are easily accessible to encourage recycling and allow multiple streams to be sorted at source*

*Each of the residential properties will be provided with a segregated waste bin, which will be fixed into an appropriate kitchen unit (or in the utility area) and enable the separation of recycling from refuse*

*Each house will be provided with a suitable hard surface within the curtilage of the property of sufficient size to fit the required external storage containers for two wheeled bins (one each for refuse and garden waste), a recycling box and an external food waste caddy. Where practicable, space will be provided in private gardens for the installation of home composting units by occupiers.*

*Waste storage for blocks of flats will comprise high quality communal bin stores for the separate collection of refuse, recycling, and food waste. Similar space for segregated waste containers for employment and community uses will be provided.*

*In addition to initiative for houses, there opportunity to provide a community composting scheme. The organic waste generated from Green Infrastructure maintenance activities across Dunton Hills could form the basis of a community composting initiative, thereby re-using the organic waste. Segregated bin facilities for refuse and recycling will be provided across the public areas. Similarity dog bins will be provided through the accessible areas of Green Infrastructure.”*

7.249 A range of community based initiatives to minimise waste are also proposed.

#### ***Use of materials (waste and materials)***

7.250 Sustainable Procurement Policy and Plan and the above-mentioned earthworks activity planning are proposed as the main features to manage the use of materials.

7.251 Officers have noted the Sustainability Statement’s proposed approaches to the topics within Policy BE01(3). The application is considered to comply with Policy BE01(3). Accordance with the approaches and specific measures must be secured by a planning condition(s). This excludes the approaches and measures of the Energy Strategy because of the requirement for this to be updated, as explained below.

7.252 The Energy Strategy (July 2021) explains that:

- *“Electric heat pumps and photovoltaic modules for dwellings (whether houses or apartments), will be used for low carbon heating. These*

*proposed methods of low carbon heating will be introduced alongside enhancements to the insulation of homes;*

- *PV is thought to be the most appropriate technology for the site with systems located on appropriate roof spaces on dwellings, including houses and flats as is proposed to be deployed on most homes;*
- *Heat pumps are considered a viable technology for the site and are expected to be deployed in later phases;*
- *Harnessing the kinetic energy of wind ... not viable on this project, and;*
- *The unsuitability of a heat network is due to the low average density of the residential development.”*

*“The residential element of the Proposed Development is to be constructed to meet the Future Homes Standard and this is where gas combination boiler is replaced by air source heat pump (with radiators and controls) for both space and water heating together with PV panels. ... As technologies evolve, there is a commitment of the developer to follow the FHS and best practice for the relevant time. The development will be designed to be all electric and will take benefit of the grid decarbonisation. Based on government projections of the carbon content of the grid it is expected that the development will be close to net zero carbon by 2035.”*

7.253 The Energy Strategy does not provide specific proposals for the non-residential land uses of the proposed development.

7.254 Brentwood Borough Council does not have technical specialist capacity in the field of renewable energy. However, Essex County Council have taken on a leading role in matters of climate resilience and they have established the Essex Climate Action Commission and a Climate Action Unit (with funding support from Homes England) to engage with, and advise, local councils and developers on climate change and resilience matters. ECC have provided commentary on the application’s energy strategy that includes the following.

*“Encourage this scheme to strive to achieve net zero carbon from the outset rather than as proposed in 2035, through the setting of targets for all buildings at outline planning stage. Proactive steps are encouraged to reduce energy demand and achieve zero carbon, as opposed to relying on improvements to previous versions of building regulations and the decarbonisation of the national grid.*



*Given that this is a garden community with 3,700 homes to be built out after 2025, it is expected that the energy statement, as a minimum, would strongly reference the Future Homes Standard (FHS). Calculations appear to be carried out in SAP 2012 software and reference an incredibly low % CO2 reduction for a single home (27.54%). This unambitious at outline planning stage, does not adequately cover all building use classes planned on the site, is at risk of failing both SAP 2021 and FHS regulation, and does not address the climate emergency.*

*Strongly encourage the use of a net zero operational carbon narrative and the setting of targets to reflect this. Energy efficiency targets should cover all building use classes. Suggest the outline planning application should include a target based energy strategy and then for this to be carried through to the detailed applications.” ...*

*“It is recommended that the objective for Dunton Hills is revised to incorporate the following:*

- A commitment to design and deliver net zero carbon development from the outset, and to base this on the LETI approach to net zero.*
- This means that the development needs to target Passivhaus levels of energy efficiency, is fossil fuel free, uses low carbon heat sources, and is powered by renewable energy.*
- A commitment to meeting the operational energy demands of the development through on-site renewable energy generation or, if not all demand can be met on-site, then seek to meet the residual energy demands of the development through provision of additional renewable energy installations nearby or off-site.*

*Including these principles will provide assurance that Dunton Hills will aim to be a truly net zero development, contribute to the wider objectives of the energy system, and help enable the UK as a whole to still have the opportunity to meet its legally binding net zero targets.”*

7.255 Officers (as well as the applicant) recognise that, notwithstanding the stated compliance with the policy target of Policy BE01(1), since the planning application was submitted in the Summer of 2021, the application’s renewable energy strategy has become in need of updating to reflect current standards and best practice. The application scheme’s policy compliance in respect of carbon reduction and renewable energy will be secured through the imposition

of a planning condition requiring the applicant to provide an updated energy statement as well as appropriate assessment information, for the LPA's approval, and for subsequent implementation.

- 7.256 Therefore, officers are satisfied that, subject to the two above mentioned planning conditions, the Proposed Development would be compliant with the relevant standards of Local Plan Policy BE01 (Carbon Reduction and Renewable Energy).

### **Health Impact**

- 7.257 Local Plan Policy MG04 (Health Impact Assessments) stipulates that: *“To ensure new development is designed to promote good health, a Health Impact Assessment, will be required for residential proposals of 50 or more units (or less than 50 units at the discretion of the planning authority where the number of units could propose a significant impact on the community and infrastructure) and non-residential developments of 1,000m<sup>2</sup>, or more, and hot food takeaways that are not within a designated town, district or local centre and are within 400 metres of a school entrance. The Health Impact Assessment will be prepared in accordance with the advice and best practice as published by Public Health England and locally through the EPOA HIA Guidance Note, using the most up to date guidance. The purpose of the Health Impact Assessment is to identify opportunities of positive health impacts and potential negative impacts and how they might be mitigated. “*, and that: *“Where significant impacts are identified, planning permission will be refused unless reasonable mitigation or planning controls can be secured.”*
- 7.258 One of the Development Principles for DHGV, as explained in paragraph 9.23 (i) in the Local Plan, is “Design and Build with Nature”, and the issue of Health is a cross-cutting theme that affects many other areas of assessment, such as Housing, Employment, Design, Air Quality, Noise, residential Amenity, Community Infrastructure, etc
- 7.259 The application contains a Health Impact Assessment, which was prepared with reference to the Health Determinants in accordance with England Public Health guidance on Health Impact Assessments (HIAs) (2021):
1. Access to education;
  2. Access to work and training;
  3. Access to health and social care services and other social infrastructure;

4. Access to open space and nature;
5. Accessibility and active travel;
6. Housing and Homes Design;
7. Access to healthy food;
8. Social cohesion and inclusive design;
9. Crime reduction and community safety; and
10. Environmental Sustainability.

7.260 The submitted HIA concludes that: *“The Proposed Development is expected to have an overall neutral effect during the construction and an overall slight to moderate positive effect during the operation.”*

7.261 Going into more detail, it explains that:

*“The positive operational health outcome is linked to the provision of the commercial and community floorspace, a new health centre, high-quality local amenities, public realm improvements, the provision of natural and semi natural open space and play areas, access to healthy food, the design of the new homes and neighbourhoods and the emphasis on active travel and an overall active lifestyle for the residents.*

*The Proposed Development aligns with a number of Sport England and Public Health England’s Active Design principles which are linked to optimising new developments to deliver positive, active lifestyle outcomes. The Proposed Development does this by providing a number of playing pitches, a gym, sports hall, community centre, play spaces and a wellness trail. In addition, the Proposed Development has been designed to prioritise the pedestrians and cyclists through the access routes between the Village Centre and the Neighbourhood Hubs; the connection to West Horndon; and the co-location of retail, community and commercial uses. As a result, the Proposed Development will help to deliver walkable communities, encourage active lifestyles and improve existing and future residents’ health and wellbeing.*

*The Proposed Development will comprise the majority of the Dunton Hill Garden Village. Although the remaining schemes will be subject to their own HIAs, given the fact that the infrastructure, community and commercial facilities that will be delivered by the Proposed Development will accommodate the demand arising from the rest of the remaining schemes that would deliver 300 additional homes, it is not considered that the health*

*impacts of the Garden Village, as a whole, will differ significantly from those assessed within this this HIA.*

*Overall, the findings suggest that the Dunton Hills and Dunton Hill Garden Village proposals are aligned with the Garden Communities Principles, Essex Design Code Principles and local policies in relation to health and wellbeing supporting healthier and more active lifestyles and creating the appropriate environment to host a coherent, safe, secure, active and sustainable community.”*

7.262 Whilst a number of health outcomes are assessed to be neutral, the key elements of the proposals which can be seen to improve local health outcomes can be summarised as follows:

- a) Moderate benefit to Access to work and training
- b) Moderate benefit to Access to education
- c) Moderate positive impact on Access to work and training
- d) Slight positive effect on Access to healthcare services and other social infrastructure
- e) Moderate positive effect on Access to open space and nature
- f) Moderate positive effect on Accessibility and active travel
- g) Slight positive effect on Housing and homes design
- h) Slight positive effect on Access to healthy food
- i) Moderate positive effect on Social cohesion and inclusive design

7.263 A Slight Adverse impact on Environmental Sustainability was reported (due to construction activity).

7.264 The Brentwood Health and Wellbeing Board has reviewed the submitted HIA after having had an opportunity to comment on a pre-publication draft version, and the Board’s summarised response is as follows:

*“The HIA has addressed previous concerns and comments made from the earlier draft in May 2021, and with the understanding that the document is currently at a strategic level, meaning some of the detail is not yet complete – there are parts that will be need further clarification and future HIAs will be required at future planning stages as the DHGV develops.*

*It is unclear how subsequent developers will ensure that building sites have minor impact (or a neutral impact) on the new residents. This needs to be*

*looked at further, as major building work would create significant noise, dust, dirt, with large vehicles and machinery moving around.*

*CEG's HIA is for approximately 85% of the total land of DHGV, subsequent HIAs will need to follow the Essex Design Guide, Livewell Accreditation and Sport England Active Design Principals. The remaining 15%, needs to follow the same format, following PHE (Public Health England) guidance for preparing a Health Impact assessment.*

*From a local Health and Well-being perspective, this HIA does follow Essex's and Brentwood's priorities of: Start Well, Ageing Well and Obesity/Physical Activity; therefore, as an overall document, the H&W Board partners agree with the principals within the document."*

- 7.265 Further consideration of relevant proposal details will carry over the issues highlighted by the Health and Wellbeing Board at the next planning stages of Reserved Matters, and discharge of planning conditions/planning obligations that have been recommended elsewhere in this assessment (such as the impacts on residents' amenity and highway safety during construction).
- 7.266 Officers concur with the Health and Wellbeing Board's conclusions, and the Applicant has accepted that should planning permission be granted, the proposed development will necessitate related planning conditions and planning obligations, which have been identified under other related topic assessment headings. This would be in line with Local Plan Policy MG05 (Developer Contributions) and Local Plan Policy MG04 (Health Impact Assessments).

## **Environment**

### ***Ecology and Biodiversity***

- 7.267 Local Plan Policy NE01 (Protecting and Enhancing the Natural Environment) requires development proposals to use natural resources prudently and protect and enhance the quality of the natural environment. All proposals should, wherever possible, incorporate measures to secure a net gain in biodiversity, protect and enhance the network of habitats, species and sites (both statutory and non-statutory) and avoid negative impacts on biodiversity and geodiversity. Compensatory measures will only be considered if it is not possible fully to mitigate any impacts.

- 7.268 Local Plan Policy NE04 (Thames Chase Community Forest) requires that development proposals which fall within the Thames Chase Community Forest Area should not prejudice the implementation, aims and objectives of the Thames Chase Plan, of which those relevant to the application's ecology are as follows. The TCCF Area lies adjacent to the west of the Application Site, sharing the A128 as a border.
- 7.269 Specific to DHGV, Policy R01(II)3(9) requires that development proposals should: *“provide or contribute to a highly connected and biodiverse ecological network that incorporates existing habitats of value and natural features and, wherever possible and appropriate, the enhancement of existing, or the creation of new habitats”*.
- 7.270 The National Planning Policy Framework (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Paragraph 174 NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
- 7.271 Local Planning Authorities have a duty to have regard to conserving biodiversity as part of their decision making. Biodiversity Net gain is additional to statutory requirements relating to designated nature conservation sites and protected species.
- 7.272 Biodiversity Net gain outcomes can be achieved on site, off site or through a combination of both. On site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain , opportunities should be sought to link delivery to relevant plans or strategies, e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies. Opportunities for wider environmental gains should also be considered.
- 7.273 Since the submission of the planning application, a national mandatory requirement for a minimum of 10% Biodiversity Net Gain has been announced to come into force through the 2021 Environment Act, affecting applications from January 2024. The application was submitted before this date. The requirement means that, before any development begins, applicants need to measure the existing and proposed biodiversity values of their sites with a

biodiversity gain plan covering how adverse impacts on habitats have been minimised ;the pre-development and post development biodiversity value of the onsite habitat; the biodiversity value of any offsite habitat provided in relation to the development; any statutory biodiversity credits purchased; plus any further requirements as set out in secondary legislation.

- 7.274 Biodiversity Gain Plans (subject to guidance made available) should set out the key ecological considerations relevant to the development proposals, the biodiversity management principles for new habitat creation areas and the enhancements that are likely to be achieved through such management. They should aim to verify the ecological baseline features of interest; identify ecological mitigation requirements; and identify management and enhancement requirements relevant to the application area; to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under Natural Environment and Rural Communities Act 2006 section 40.
- 7.275 As confirmed in paragraph 6.55, the application site is considered to fall outside the Habitat Regulation Assessment requirements.
- 7.276 The effects of the Proposed Development on ecology features including protected sites, habitats and species were assessed in the submitted Environmental Statement as summarised below:

*“A series of surveys were undertaken to map the habitats and count all the protected and notable species present within the Site including badger, bats, birds, great crested newt, hazel dormouse, invertebrates, reptiles, and brown hare. Surveys were initially carried out in 2016 and updated in 2019 to provide a comprehensive baseline of information.*

*The Defra biodiversity net gain 2.0 and 3.0 metric was used to ensure sufficient habitats were retained and created during the design of the Site and so deliver a net gain of more than 20%. The habitats were also planned to improve connectivity with adjacent woodland and grassland protected sites at Thorndon Park and Langdon Ridge Site of Special Scientific Interest. The presence of a range of protected species was confirmed from the surveys including numbers of bats, breeding birds, great crested newt, hazel dormouse as well as reptiles and brown hare. There were no otter or water vole on Eastlands Spring.*

*Embedded and other mitigation measures will ensure all of these species are protected during construction and subsequent management will ensure that habitats are maintained and enhanced over time.*

*During the construction phase minor adverse effects were identified on farmland birds and brown hare, however effects on all other receptors were found to be negligible. During the operational phase minor adverse effects were found on farmland birds as a result of the effects of disturbance and loss of the farmland habitat. Overall, however, the proposals lead to significant enhancement of the Ancient Woodlands, stream, wetlands and grasslands and the associated species that are characteristic of this area of South Essex. This gives rise to beneficial effects ranging from minor to major”.*

7.277 The submitted Environmental Statement clarified the need for the following mitigation that can be secured by planning condition / planning obligation.

- a) Implementation of the Ecological Mitigation, Management and Monitoring Strategy Part 1 (EMMMS1)
- b) The Ecology assessment identified that an EMMMS2 is required to provide further detail to the Part 1 strategy that is appended to the ES as Appendix I5. This will include measures to be implemented during the construction stage relating to greenspace habitat enhancement and establishment, management and monitoring; target species conservation measures; and nectar-rich and native species amenity planting.
- c) The Ecology assessment requires the EMMMS2 to be implemented.

7.278 The Council’s Landscape and Arboricultural Advisor has commented that:

*“Most of the existing site comprises arable farmland and a golf course. The intensive management of these areas results in most of the ecological interest being confined to the arable margins, hedgerows, woods and tree groups and wetland features. A narrow strip of woodland, much of which is ancient runs through the northern part of the site. Two areas of semi-improved grassland are present. 46 distinct sections of hedgerow including 6 which are classified as ‘important’ using the Hedgerow Regulations 1997 criteria have been recorded.*



*The results of the ecological surveys highlight the importance of features such as the woodland, Eastland Spring and the hedges for protected species. The extent of retained and enhanced habitat provided as part of the GBI masterplan and BNG should enable most effects to be mitigated.*

*The mitigation and habitat creation measures will not mitigate the effects on species associated with more open farmland such as hares and some farmland birds.*

*The Biodiversity Net Gain calculations indicate that the proposed scheme could result in a 30% gain based on the area calculations. However the calculation does not make any assessment of the effects on linear features, most notably the hedges and stream. These means that it is not possible to calculate the overall BNG for the scheme.*

### Hedgerows

*A table on pages 69 and 70 of the Baseline Ecology and Impact Assessment Report lists which hedges will be retained, removed or partially removed. These record a total of 46 hedges of which 13 are proposed to be removed and a further 9 having some sections removed. Neither the table nor the text provide details of the actual length of hedges to be removed and what percentage of the overall length this would represent. This means that it is not possible to properly assess the extent of these losses.*

*The BNG calculator spreadsheets (Appendix 14) have provided the calculations for areas of habitat but has not assessed linear features such as hedges and streams despite their ecological importance for the site. It has not been possible to find an explanation for this.*

*The EMMMS and GBI plans do not provide any information about how much new hedge planting will be provided and what proportion would be native species rich hedging to mitigate for the losses. Similarly there is no information on what opportunities to restore/enhance existing retained hedges are being pursued.*

*I would request that this additional information regarding hedgerows is provided prior to the determination of the application to enable a more accurate assessment of the impact of the scheme on these important habitat features and to allow the BNG calculation to be completed.*

[...]

### Framework Masterplan

*The proposed masterplan has sought to incorporate the findings of the landscape character analysis and ecological assessment to inform the overall design of the GBI elements including SUDS provision. It is noted that the proposed landscape buffer fronting the A128 will seek to retain the 'open' fenland character not dominated by dense tree cover; it will be important however to ensure that the area is not just set out to short amenity grass with scattered trees as shown in the case study image on page 78. Similarly it is unclear whether it is proposed (or necessary) to increase the width of the Eastlands Spring channel to allow it to take more surface water.*

*This includes some areas identified for ecological mitigation that will not have public access (principally in the southeast corner of the site). One of the requirements in working up the designs for the other core corridor areas will be achieving a balance between providing good public access for formal and informal recreation and the need to protect habitat features that support protected species. As noted in the Ecology chapter these effects will extend to predation by domestic pets. It will be important to ensure that more detailed design work seeks to minimise adverse effects on key ecological mitigation areas." ...*

*"Detailed ecological surveys have been undertaken and suite of documents include the outline EMMMS and Biodiversity Net Gain calculator have been provided. These show that most effects on biodiversity can be mitigated. There is concern however that no detail measurements have been provided regarding the length of hedges that will be lost and what mitigation is proposed (both in terms of replacement planting and enhancement of existing hedges). This means that effects on some bat commuting routes and nesting birds is not clear. The BNG calculation has not included effects on hedges and linear features and therefore is considered to be incomplete."*

- 7.279 The Council's Landscape and Arboricultural Advisor provided a follow-up response after reviewing updated BNG calculations provided by the applicant, as follows.

*“A BNG calculation was produced in October 2022 using the Defra Version 3.1 which was the current version at that time. In addition there was a stage report prepared by SES setting out the methodology and assumptions. These now include details of hedgerows and watercourses which were not part of earlier iterations.*

*The calculation shows that the scheme would achieve net gains for habitat units of 23.67%, hedgerows units of 16.99% and river units of 10.66%. The Environment Act 2021 set a target of 10% for mandatory BNG; however this will not become a legal requirement until January 2024, and only then on new applications.*

*The report confirms that the calculation is an initial assessment based on predicted levels of habitat creation, open space provision, urban tree planting and vegetated garden space as the scheme is currently at outline.*

*The calculation shows that based on the current assumptions the scheme would exceed the mandatory BNG requirement, with the habitat units likely to have a significant uplift. If this proposal is permitted it will be necessary for each phase to provide an up to date assessment based on the detailed landscape and biodiversity creation measures for that part of the scheme to enable the final figures to be determined.”*

- 7.280 It should be noted that the BNG requirements of the Environment Act have not yet come into effect and are not, therefore, are not yet mandatory at the current time. The more than 20% BNG included as part of the Proposed Development would, in any event, exceed the 10% target contained in the Act.
- 7.281 The required enhancement and mitigation measures will be secured via planning conditions and/or planning obligations.
- 7.282 In terms of external consultation, Natural England initially objected on grounds of recreational impact on the nearest SSSIs at Thorndon Country Park and at Langdon Hills Country Park. Subsequent negotiations have led to an updated final consultation response, which concluded that: *“Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved. We therefore consider that there will be no residual significant adverse impacts on designated sites and **we have no objection subject to delivery of the relevant mitigation measures being***

***secured through a suitable planning mechanism such as a Section 106 agreement.”***

7.283 The agreed measures concerning visitor management at the Country Parks, which may be secured by a planning obligation are as follows.

7.284 For Thorndon Country Park:

- a) Erection of up to 5 specific interpretation boards along the main path leading up-to and on the edge of the southern woodland and the northern woodland from the south to explain the importance of the SSSI, how to behave by respecting/conserving its biodiversity. The content of these boards would be a matter for those managing the SSSI.
- b) Field and kissing gates at the eastern end of the southern woodland's main path to make visitors aware they are entering the SSSI.
- c) Fencing to the north of the proposed gate and along the main footway to deter use of an informal footpath. This would be about 170 metres in length.
- d) Supplementary hedgerow planting along the south side of the main path through the southern woodland to deter public access (up to 20 metres).
- e) An allowance for a link from a footpath close to the lake to a surfaced path (circa 80 metres) following the route of a well trampled pathway.
- f) Interpretation at Thorndon Country Park Visitor Centre (North).

7.285 For Langdon Hills Country Park: Five interpretation boards (or other suitable visitor access management measures) at locations that could potentially be used by residents of DHGV to access the Country Park.

7.286 Essex Wildlife Trust have submitted an objection on the basis of the omission of onsite linear habitats in the BNG assessment, insufficient farmland bird mitigation detail, and insufficient consideration of in-combination impacts from nearby development. Their main concern was highlighted to be the incompleteness of the Biodiversity Net Gain assessment, but the assessment has been updated, including on-site linear habitats. Officers rely on the council's Landscape and Arboricultural Advisor's considerations as well as the

council's EIA advisors, which have included these issues, including in combination impacts as part of the EIA itself.

7.287 Whilst the Essex Badger Protection Group have raised some concerns, they have confirmed that they have no formal objection. Further, the Forestry Commission have raised no objection and the Thames Chase Community Forrest did not respond to its consultation notification.

7.288 The Ecology EIA Review conducted on behalf of the Council by SLR, concluded following the Regulation 25 process (to request further related EIA information from the applicant for further consideration), that:

*“Comments and requests for clarifications have been made as some previous comments have not been sufficiently addressed.*

*Whilst these points remain valid, the determined significance to the construction and operational ecological effects or the overall conclusions to the Ecology Chapter are unlikely to be significantly affected.*

*The assessment, characterisation and mitigation for impacts on the Eastlands Spring LWS remains a material consideration. It is reasonable that operational effects (and those from construction) to remain and for these to have a significance derived from the value of the resource. These could be significant in the absence of mitigation.*

*As such should the planning authority be minded to approve the application then they should seek to secure clear and specific mitigation for construction and operation effects on the LWS. Clearly drafted planning conditions will be essential to secure appropriate mitigation”*

7.289 SLR further added that *“Given the ecological value of Eastland Spring, we recommend that the CEMP condition specifically requires a commitment to regular water quality monitoring of Eastland Spring during construction. This would both check for pollution and allow for additional control measures to be implemented if appropriate. The details of this monitoring should be set out and specified within the CEMP.”*

7.290 In conclusion to this assessment on Ecology and Biodiversity, planning conditions would be required in respect of:

- a) Mitigation for construction and operation effect on the Eastlands Spring LWS
  - b) CEMP including Eastland Spring Water Quality monitoring
  - c) Implementation of the Ecological Mitigation, Management and Monitoring Strategy Part 1 (EMMMS1)
  - d) An EMMMS2 is required to provide further detail to the proposed Part 1 strategy.
- 7.291 Planning obligations would be required to secure Biodiversity Diversity Net Gain Target, and Visitor Management at Thorndon Country Park and Interpretation at Langdon Hills County Park.
- 7.292 Officers consider that subject to these planning conditions and this planning obligation, in respect of ecology and biodiversity, the Proposed Development would comply with Local Plan Policy NE01 (Protecting and Enhancing the Natural Environment) and Policy NE04 (Thames Chase Community Forest) and NPPF paragraph 174.

### **Arboriculture**

- 7.293 Local Plan Policy NE03 (Trees, Woodland, hedgerows) requires that: *“proposals should, so far as possible and practicable, seek to retain existing trees, woodlands and hedgerows where they make a positive contribution to the local landscape and/or biodiversity or which have significant amenity value. Wherever possible and appropriate, landscaping schemes should take account of and incorporate these existing features in the scheme and where any loss is unavoidable, incorporate measures to compensate for their loss.”*
- 7.294 The submitted arboricultural survey drawings and schedule recorded a total of 763 entries for individual trees, hedges, tree groups and woodland area on-site or immediately adjacent to the site boundary.
- 7.295 The Council’s Landscape and Arboricultural Advisor has commented that: *“It would appear from reviewing the plans that most of the trees of high amenity and ecological value can be retained however it would be helpful to have the Arboricultural Impact Assessment to detail the extent and quality of trees that are likely to require removal to properly quantify the impacts.” ...*
- 7.296 Therefore, officers consider that subject to a condition regarding the requirement for an Arboricultural Impact Assessment (including any

compensation strategy), the Proposed Development would comply with Local Plan Policy NE03 (Trees, Woodland, hedgerows).

### **Land Contamination**

- 7.297 Local Plan Policy NE10 (Contaminated Land and Hazardous Substances) aims to manage any risks, including to human health and the environment including the quality of local groundwater or quality of surface water.
- 7.298 The submitted Environmental Statement contains a chapter dedicated to Ground Conditions, which includes a Geo Environmental Phase 1 Desk Study.
- 7.299 Its findings regarding historical site uses, reported that, *“having reviewed the historical site mapping there are no potentially significant contaminative land uses identified within the Site boundary, with the exception of the Golf Centre, Access Roads, Old Tanks and Works of the former Sewage Treatment Works (including the clinker and pumping station building)”*. And the desk study concluded that: *“After reviewing the historical mapping, geological data, hydrological data, sensitive land uses, industrial land uses, waste and hazardous substances, there are no significant uses identified on or within close proximity of the Site that are potentially contaminative or likely to be prohibitive to the planned development. The overall contaminative risk at the Site is therefore considered to be Low. Further assessment of the Site’s soils may be required at the detailed design stage to confirm baseline ground conditions.”*
- 7.300 The Environmental Statement concluded on any residual effects post mitigation, that both during construction and during operation: *“The assessments ... do not identify any likely significant adverse effects. No adverse residual effects are anticipated either.”*
- 7.301 The submitted Environmental Statement clarified the need for the following mitigation that can be secured by planning condition.
- a) Implementation of a Soil Management Strategy
  - b) The Ground Conditions assessment identified that further intrusive investigations are required to ensure that the correct building material specifications are used and to identify where clean cover is required. Additional mitigation and verification may be required, depending on the results of the intrusive investigations.

7.302 The Council's Environmental consultants SLR have also reviewed the relevant submitted information, and had particularly highlighted a requirement to: *“to carry out intrusive ground investigations to inform future land quality / water pollution risk assessments, and has suggested that remedial measures will need to be implemented in advance of operational commencement at the associated part of the site, to ensure that the site is suitable for its intended use and there is no significant (ongoing) pollution of the wider environment.”*

7.303 Further, the Ground Conditions and Agricultural Land EIA Review conducted on behalf of the Council by SLR, concluded following the Regulation 25 process (to request further related EIA information from the applicant for further consideration), that:

- *“Appropriately worded conditions will be required to secure the proper management of land contamination and ensure the land is made fit by the developer for its intended uses. Commencement of construction should only be allowed to proceed following approval of the assessments and a scheme of remedial works.*
- *Remedial works should be complete and approved prior to occupation of the development (or relevant phase of development if it is phased).*
- *SLR recommended that planning conditions broaden the usual wording in recognition that in this case management of land contamination will require typical “contamination” documents (e.g. land quality risk assessments (presenting the findings of intrusive investigations and environmental monitoring), remedial design & method statement documents, verification documents) as well as any approved Soil Management Strategy and Construction Environmental Management Plan to establish accurate baseline conditions and ensure that land contamination is properly managed.*
- *SLR recommend that one of the pre-commencement contamination conditions (or sub-conditions), requires the developer to set out a site-wide intrusive investigation design for approval in advance of implementation of field/laboratory work with the design to clearly establish the areas for investigation and the investigation/monitoring rationale. It may also be wise for the conditions to allow for a degree of phasing as some parts of the development may be brought forward*



*before others (but it would be advisable to agree the minimum investigation requirements on a site-wide basis).*

- *The detailed intrusive survey should also confirm the geological profile and that the London Clay is likely to provide a sufficient barrier to pollution to protect the underlying Chalk aquifer. We would recommend that the results of the intrusive investigation be compared to the foundation design to confirm that no pathways to deeper groundwater are created.”*

7.304 Brentwood Council’s Environmental Health Officer has commented that: *“The CEG Geo Environmental Phase I Desk Study has concluded (Summary 10.11 & 10.12) that the overall contaminative risk at the site is considered as low, however this report has indicated that further assessment is required to confirm baseline ground conditions and to assess the Unexploded Ordnance (UXO) hazard level. The Environmental Statement states (J6.2, 6.3 and 6.4) that in order to ascertain the level of cover required intrusive investigations will be needed to determine which areas on-site will require cover systems. These investigations shall be carried out to provide a remediation strategy which will identify whether there are any potential areas where remediation will need to be undertaken.”*

7.305 In light of the above information, officers consider that a requirement for a Soil Management Strategy, and a requirement for a Contamination Mitigation Strategy (possibly undertaken on a by-phase basis if appropriate) that would relate to all the above mentioned issues should be the subject of planning conditions. Subject to such conditions, the Proposed Development would comply with Local Plan Policy NE10 (Contaminated Land and Hazardous Substances).

### **Flood and Water Management**

7.306 In accordance with the National Planning Policy Framework (paragraph 162) development in Flood Risk areas should not be permitted if there are reasonably available alternative sites appropriate for the proposed development in areas of lower risk of flooding. The sequential test establishes if this is the case. Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and the Council’s strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater. However, as part of the DHGV allocation, the site has

already been the subject of an assessment about sequentially preferable sites as part of the Local Plan process and this matter did not preclude its allocation for a residential led scheme provided the vulnerable forms of development were kept outside the floodplain. This is the approach which has been adopted in the FMD.

- 7.307 Local Plan Policies NE09 (Flood Risk) and BE05 (Sustainable Drainage) aim to avoid unacceptable risk of flooding and to incorporate appropriate Sustainable Drainage Systems (SuDS) for the disposal of surface water, in order to avoid any increase in surface water flood risk or adverse impact on water quality. The Sustainable Drainage Systems Design Guide for Essex provides complementary guidance on the planning, design and delivery of attractive and high-quality SuDS schemes which should offer multiple benefits to the environment and community alike.
- 7.308 The submitted Environmental Statement contains a chapter dedicated to Water Resources and Flood Risk, which includes a Flood Risk Assessment and a drainage strategy. The Environment Agency's Flood Map for Planning shows the majority of the site to lie within Zone 1. This part of the site is not at significant risk of flooding from any source. The extent of land directly adjacent to the tributary lies within Flood Zone 2 (land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding) and Flood Zone 3, Land having a 1 in 100 or greater annual probability of river flooding).
- 7.309 The FRA provides the following relevant summary information.
- a) Flood Risk Summary: *“Following suitable mitigation, the site should be at a low or negligible risk from flooding from all sources. The residual risk of flooding from culvert blockages will be addressed within the SuDS maintenance plan and during detailed design identification of alternative flow paths without undue hazard.”*
  - b) Surface Water Drainage: *“The site is to drain via a variety of SuDS devices to provide an element of treatment and source control prior to discharge into one of 14 basins strategically located throughout the site. These basins will then discharge to the existing watercourse running through the Site, the Eastlands Spring, at the 1 in 1 year greenfield runoff rate or lower.”*

- c) Foul Water Drainage: *“The strategy consists of directing all foul flows via a mixture of traditional gravity pipe networks and pumping towards a pumping station located in the west of the site. This pumping station will then pump via a rising main to manhole TQ62882301 located just off Horndon Industrial Park approximately 1.25km west of the site at a maximum of 17.0l/s.”*
- 7.310 Regarding the SuDS strategy in particular, the Drainage Strategy explains that: *“it is anticipated that discharging surface water via infiltration will not be viable due to the abundant presence of London Clay Formation (Clay, Silt and Sand). It is proposed that surface water will discharge at the 1 in 1- year greenfield runoff rate (as per ECC LLFA requirements) to the Eastlands Spring that flows through the centre of the site. Surface water intercepted on site will be captured, attenuated and receive a suitable level of treatment prior to discharge.”*
- 7.311 The Environmental Statement confirms that: *“All residual effects have been assessed as being neutral following the implementation of suitable mitigation measures, with the exception of the critical drainage area during operation which is considered to result in slight beneficial effect”.*
- 7.312 The submitted Environmental Statement clarified the need for the following mitigation will can be secured by planning condition / planning obligation:
- a) Implementation of the Surface Water Drainage Strategy and Drainage Principles
  - b) The Water Resources and Flood Risk assessment requires that a Method Statement regarding the management of surface water during construction is implemented
  - c) The Water Resources and Flood Risk assessment requires further detailed design to be provided at the Reserved Matters planning application stage(s). It also requires that a SuDS Maintenance and Management Plan is implemented.
- 7.313 It has not been confirmed at this stage, whether the on-site drainage systems will be privately owned and maintained (e.g. by the Community Trust), or adopted by the flood authority.

7.314 As the Lead Local Flood Authority (LLFA) ECC has assessed the application proposals and confirmed in their consultation response that the proposal is acceptable subject to conditions regarding:

- a) Requirement for detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development.
- b) Requirement for a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution
- c) Maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies
- d) Requirement for yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

7.315 The above demonstrates that, subject to conditions, the application scheme meets the requirement of Local Plan Policies NE09 (Flood Risk), BE05 (Sustainable Drainage) and the Sustainable Drainage Systems Design Guide for Essex.

### **Noise and Vibration**

7.316 Local Plan Policy BE14 (Creating Successful Places) aims to safeguard the living conditions of future occupants of the development and adjacent residents.

7.317 A dedicated “Noise and Vibration” chapter has been provided in the submitted Environmental Statement. This information has been summarised as follows.

*“During the construction stage, earthworks, installation of necessary services and building construction would create the main noise impacts upon existing residential properties in the vicinity of the Site. It is considered that the impact of construction traffic would be negligible following the implementation of standard best practice construction methods that will be set out in a CEMP and CTMP. The temporary increase in traffic due to construction is likely to be indiscernible from daily variations in traffic flow.*”

*During the operational phase, traffic levels are likely to increase on the roads adjacent to the Site and the noise environment in the vicinity of the Site would change accordingly. This has the potential to alter the noise levels that existing receptors currently experience and effect the noise levels across the Site that the future residents will experience. Vibration caused by the railway line to the south of the Proposed Development is expected to be negligible. Significant increases in noise levels has the potential to have an adverse effects on health and quality of life. However, an increase in noise levels does not necessarily result in a significant impact. The increase in noise may be noticeable but not intrusive and may result in only a slight change to the acoustic character of the area. With embedded mitigation the Site is suitable for the Proposed Development form a noise environment perspective with the impacts being negligible. The embedded mitigation comprises the creation of a 7.5 metre high noise barrier in the north west corner of the Site adjacent to the A127/A128. It is currently unknown what form the barrier will take; it may be a bund with acoustic fencing or appropriately designed buildings could also provide the same role.”*

7.318 The submitted Environmental Statement clarified the need for the following mitigation that can be secured by planning conditions:

- a) A Construction Environmental Management Plan
- b) Creation of a noise barrier in the north western corner of the Site
- c) The Noise assessment has found that alternative means of ventilation may be required for properties with habitable rooms facing the A127/A128

7.319 Officers commissioned a thorough review from SLR so officers concur with this requirement that arises from the Noise and Vibration EIA; therefore, the conditions are recommended.

7.320 Brentwood Council’s Environmental Health Officer has particularly focused on potential noise impacts from road traffic and responded with the following considerations:

*“It is unclear from G5.2 of the Environmental Statement how the precise height and position of the 4.5m bund and 3m acoustic fencing has been calculated. The applicant should provide detail on the calculations for the*

*barrier to demonstrate likely improvements from the barrier and advise whether alternative dimensions or locations for the barrier have been considered.*

*The methods used to assess the road traffic noise are using a one-hour  $L_{Aeq}$  which would provide an 'average' noise impact; the use of  $L_{A10}$  measurements over a daytime one hour and night-time 5-minute periods would be more appropriate to indicate the noise impacts from road traffic sources.*

*I would recommend that further assessment of the road traffic noise impact from the A127 is made, in accordance with the Calculation of Road Traffic Noise (CRTN) methods to compare with the assessments made and that this is also used to confirm the proposed bund/fencing location and dimensions, together with predicted levels at first floor height (and above where three or more storey dwellings are proposed.)*

*I would recommend that a condition is attached to require details of the location, construction and dimensions of the proposed acoustic bund and fencing to be provided to be approved by the LPA before commencement of development, together with an assessment of the likely noise impact at first floor level and above for areas of the proposed development likely to be affected by road traffic noise that will have benefit from the acoustic barrier.*

*Subject to further assessment of the road traffic impacts from the A127 from suitable locations closer to the road (subject to prior agreement with Environmental Health of the measurement locations and methods), we will need to condition the specification of insulation and attenuation methods for dwellings in order to achieve the internal standards as set out in Table G2.2 in the Environmental Statement.*

*I do not accept the statement at para G5.36, which appears to indicate that as the human ear cannot discern between noise levels varying by 3dB that a level of 58dB is acceptable in external areas where 55dB cannot be achieved. I think that further work to identify these specific areas should be undertaken, and additional measures to attempt to address these issues considered, such as building orientation, positioning or further, more localised screening to try to limit the impact on external amenity areas."*

7.321 These comments from the Environmental Health Officer give rise to a planning condition to require the submission of further information regarding the specification of the noise barrier (and other mitigation as appropriate) and an assessment of residual noise effects including consideration of traffic noise from the A127. A further planning condition should also be imposed to require noise assessment into potential alternative means of ventilation may be required for properties with habitable rooms facing the A127/A128.

7.322 The potential noise effects not only pertain to the current noise sources and traffic noise, but it also concerns noise effects from the proposed land uses, including noise from commercial activities, deliveries, etc. In order to control the planned activities for noise, consideration of a planning condition(s) to restrict operational hours may be required. This could be imposed if necessary, at Reserved Matters stage.

7.323 The Noise and Vibration EIA Review conducted on behalf of the Council by SLR, concluded following the Regulation 25 process (to request further related EIA information from the applicant for further consideration), that:

*“Comments and requests for clarifications have been made as previous comments have not been sufficiently addressed.*

*Whilst these points remain valid, there is now sufficient evidence for SLR to be confident that a reasonable assessment on the determined significance to construction and operational phase noise effects has been made. The overall conclusions to the Noise and Vibration Chapter are unlikely to be significantly affected by the missing/incomplete information”*

7.324 SLR have concluded that clarifications are still required to ensure subsequent reports and assessments are undertaken with complete and accurate information. These include:

- a) Agent of Change Assessment provided is limited and would benefit from more information about the existing noise sources at each of the identified existing Commercial Uses, and times of operation.
- b) Additional plan to supplement Plan G4.1 to be provided (or clearly signposted in the documents).
- c) Update baseline data to include LA90 data.

- d) LAeq data presented should be checked.
- e) Clover Acoustics Report assessment should be updated for construction noise as inaccuracies identified.
- f) Figure 6-1 (revised) still missing three monitoring locations for reference...
- g) Clarification on how the measured 2019 baseline levels have been converted to future 2041 levels

7.325 Consequently, in lieu of these circumstances, SLR recommended that a planning condition should require the submission of supplementary assessment information to address the above matters. A further condition was also recommended by SLR to enforce that playing field/s would have an appropriate noise climate (55dB(A) or less), and that the noise level at the façade of the school would be at or below 60dB(A).

7.326 In summary, the assessment has identified a need for planning conditions regarding the following:

- a) CEMP
- b) Submission of Supplementary Noise Report(s) regarding:
  - i. Specification of insulation and attenuation methods for dwellings
  - ii. Specification information of the noise barrier (and other mitigation as appropriate) along with an assessment of residual noise effects including consideration of traffic noise from the A127.
  - iii. Noise assessment into potential alternative means of ventilation may be required for properties with habitable rooms facing the A127/A128.
  - iv. Supplementary noise assessment information to address SLR information request.
  - v. Further noise assessment to assess whether the requirement is met for playing field/s to have an appropriate noise climate (55dB(A) or less), and that the noise level at the façade of the school would be at or below 60dB(A).
- c) Requirement to provide noise barrier

7.327 Therefore, officers consider that, subject to the planning conditions referred to above, with respect to Noise and Vibration, the Proposed Development is



considered to comply with Local Plan Policy BE14 (Creating Successful Places).

### **Air Quality**

- 7.328 Local Plan Policy BE14 (Creating Successful Places) aims to safeguard the living conditions of future occupants of the development and adjacent residents.
- 7.329 The purpose of Local Plan Policy NE08 (Air Quality) is for development to meet national air quality standards and identify opportunities to improve air quality or mitigate local exceedances and impacts to acceptable legal and safe levels.
- 7.330 A dedicated “Air Quality” chapter has been provided in the submitted Environmental Statement. This information has been summarised as follows.

*“An assessment of the potential impacts during the construction phase has been carried out. This has shown that during this phase of the Proposed Development releases of dust and PM10 are likely to occur during construction activities on-site. Through good site practice and the implementation of suitable embedded mitigation measures contained within a CEMP, the impact of dust and PM10 releases may be effectively mitigated, and the resultant impacts are considered to be negligible.”*

*During the operational phase, the ADMS-Roads dispersion model has been used to predict the impact of the Proposed Development on local NO2, PM10 and PM2.5 concentrations and assess the suitability of the Site for the Proposed Development. The assessment found that concentrations of these pollutants would be below the relevant objective levels at all locations, including within the Air Quality Management Area (‘AQMA’), and traffic generated by the Proposed Development proposals would result in a negligible impact on local air quality.”*

- 7.331 The submitted Environmental Statement clarified the need for a Construction Environmental Management Plan that can be secured by planning condition.
- 7.332 Brentwood Council’s Environmental Health Officer has particularly focused on potential air quality impacts from road traffic and concluded that: *“The impact of existing road sources and from traffic generated by the proposed development on air quality is not considered to be likely to result in poor local air quality for the future occupants and surrounding areas.”*

7.333 The Air Quality EIA Review conducted on behalf of the Council by SLR, concluded following the Regulation 25 process (to request further related EIA information from the applicant for further consideration), that:

*“Comments and requests for clarifications have been made as several points have not been sufficiently addressed. Whilst these points remain valid, the determined significance to operational phase air quality effects or the overall conclusions to the Air Quality Chapter are unlikely to be affected. Should the planning authority be minded to approve the application SLR recommend that a planning condition to require applied methodologies / assessment inputs to be updated at a future juncture as part of assessment updates on a by-phase basis linked to each reserved matters application. A further condition is recommended to require details of commensurate operational phase mitigation on a by-phase basis linked to each reserved matters application. To ensure relevant and appropriate mitigation is provided, this needs to be linked to knowledge of the developer / occupier of a given phase: developer in relation to housebuilder, and occupier in relation to non-residential uses”...*

7.334 SLR have concluded that clarifications are still required to ensure subsequent reports and assessments are undertaken with complete and accurate information. These include:

- a) Provision of an overarching /wide scale drawing to collectively indicate the location of all receptors relative to all monitoring locations.
- b) Source sector removal and verification assessment updates.
- c) Confirmation on whether 2044 completed development baseline traffic flows are greater than 2033 baseline traffic flows.
- d) Analysis of the difference of modelled:monitored annual mean NO<sub>2</sub> concentration should be provided on an individual basis by location to establish model performance by location.

7.335 Consequently, in addition to the CEMP planning condition advised by the EHO, a further planning condition would require an Updated Air Quality Assessment (of potential impacts associated with operational phase road traffic emissions) to be submitted alongside any reserved matters application. The overall approach and methodology / inputs to the operational phase road traffic emissions assessment would need to be agreed in with the local planning

authority prior to assessment. The Updated Air Quality Assessments should also be cumulative in nature, up to the point of the reserved matters application.

- 7.336 A final condition would require a scheme of appropriate Air Quality Mitigation to be submitted alongside any reserved matters application.
- 7.337 Officers consider that the Proposed Development would, subject to the above conditions, comply with Local Plan Policy NE08 (Air Quality).

### **Neighbours' Amenity**

- 7.338 Policy BE14 (Creating Successful Places) of the Local Plan is generally supportive of development proposals provided they safeguard the living conditions of future occupants of adjacent residents, and, as noted above, a number of related issues of specific concern have been raised in representations.
- 7.339 The Old Mill Cottages comprise 4 residential properties that, together with the residential accommodation at the Farmstead, are located relatively close to the Application Site. These properties may have the greatest potential to be affected by the Proposed Development in terms of any impact on their amenity. It should be noted that the residents of these cottages have met with representatives of the Council during the evolution of the Garden Village proposal and the Application has reported in the Statement of Community Involvement at least one meeting with the residents prior to the submission of the application.
- 7.340 One specific matter is the potential impact on the Old Mill Cottages' residential properties' outlook, which was raised as a reason for objection in one neighbour response. The FMD, Land Use Parameter Plan and the DAS include a green buffer around the cottages. Officers have no concern in principle in terms of the proposed parameters resulting in an unacceptable harmful impact in this respect, and would note that this will be a matter for future assessment of details of related reserved matters proposals. A planning condition regarding accordance with parameter plans will be secured.
- 7.341 There would be two key stages of the Proposed Development to be considered specifically in relation to residential amenity and these are the construction and the operational stages. These matters are assessed elsewhere in this report under assessments relating to: Highways and Transportation, Noise and

Vibration, and Air Quality (. The outline planning application mitigation requirements will be provided pursuant to planning conditions in relation to: Construction Management (CEMP and CTMP), additional Operational Noise and Air Quality Assessment and associated mitigation including the provision of a noise barrier.

- 7.342 There would be specific requirements enshrined in planning conditions advised under other assessment topics, which would govern the mitigation arrangements for neighbouring residential amenity (as well as other users of the area) during the construction stage. An example of this would be a Construction Environmental Management Plan. Such a document is included in the ES but an updated version would be secured by planning condition.
- 7.343 Therefore, subject to such condition(s) to safeguard residents' amenity, officers consider that in terms of any potential harmful impact for amenity reasons, the Proposed Development complies with Policy BE14 (Creating Successful Places) of the Local Plan.

### **Refuse and Recycling**

- 7.344 Local Plan Policy BE01 (Carbon Reduction and Renewable Energy) part 3 requires major development scheme applications to include a site waste management approach. The submitted Sustainability Statement includes this information, which has already been summarised in paragraphs 7.248 and 7.249 (Sustainability, Carbon Reduction and Renewable energy).
- 7.345 Officers consider that in order to secure the submitted site waste management details, the Proposed Development necessitates the following matters to be secured via planning conditions and/or obligations.
- a) Submission of and adherence to a Construction Waste Management Plan, and;
  - b) The application is submitted in Outline so details of specific design and management arrangements regarding refuse and recycling should be submitted at Reserved Matters stage, to demonstrate compliance with the bespoke design requirements for the provision of refuse and recycling facilities that are described in the submitted Sustainability Statement.

7.346 Therefore, officers conclude that subject to these conditions, the Proposed Development is considered to be compliant with Local Plan Policy BE01 (Carbon Reduction and Renewable Energy) part 3, in respect of Refuse and Recycling.

### **Digital Infrastructure**

7.347 Policy BE07 (Connecting New Developments to Digital Infrastructure) requires that all development proposals should provide up to date communications infrastructure as an integral part of development proposals. Policy BE07 also explains how this should be achieved.

7.348 The application includes a Service Supply Statement that aims to: *“demonstrate that the development proposals may adequately be provided with service supplies and to identify the outline requirement for any necessary reinforcements to existing networks”*. It *“presents the findings of the study and specifically addresses the following issues:*

- *Existing network apparatus*
- *Supply requirements for the Proposed Development*
- *Consultations with the incumbent supply network operators*
- *Development of outline proposals to supply the Proposed Development”*

7.349 The report involved consultation of BT Openreach (Telecommunications) and Sam Knows Website (Broadband Availability), with respect to digital infrastructure. Regarding network requirements, the report explains the following:

- a) The proposed development is covered by the Laindon exchange. In addition to BT Openreach, ADSL, Virgin Media, an initial review has identified the following LLU operators are present in the Laindon exchange: Sky, Talk Talk (CPW), Vodafone (enabled since 08/05/2006) and Zen Internet.
- b) The Laindon exchange (approximately 3.0km east of the proposed development) can offer FTTC and FTTP in some areas. As outlined within the supply requirements section, FTTC can provide download speeds of up to 80Mbps, with FTTP offering download speeds of between 300Mbps and 1Gbps.

- c) With 5G being rolled out with more efficiency across the country, it is anticipated that the latest technology will be implemented for the Dunton Hills residents. This will ensure that innovations such as potential free public Wi-Fi for residents in dedicated areas (i.e. within the Village Square) is available for the development.
- d) BT Openreach operate an underground cable shown to cross the west of the proposed development, which is potentially supplying Dunton Hills Farm. Once at the detailed design stage, BT Openreach may be contacted to confirm whether any necessary diversions/protection measures of their existing assets are required.
- e) BT Openreach operate overhead and underground networks where both the northern and southern Site accesses are anticipated. Once at the detailed design stage, BT Openreach may be contacted to confirm whether any necessary diversions of their existing assets are required.
- f) Virgin Media and GTC offer rival options to BT Openreach, to supply telecoms to residential developments, although the choice of alternative ISPs is more restricted than via the BT Openreach network.

7.350 Officers note that there is existing digital infrastructure capacity present in the local area, which the proposed development can connect into, and that there may be certain reinforcement requirements as a consequence of the proposed development. It appears that the applicant has taken first steps to identify and plan for the telecommunications network demand and infrastructure needs from first occupation as per Policy BE07,2a. However, this matter requires a comprehensive approach that should be set out in a Digital Infrastructure Strategy, which includes a site-wide and stage by stage programme of delivery, which may be secured via a planning condition.

7.351 Officers consider that, subject to a condition to secure a Digital Infrastructure Strategy and its delivery, the Proposed Development would be compliant with Local Plan Policy BE01 (Carbon Reduction and Renewable Energy) part 3, in respect of Refuse and Recycling.

### **Crime and Safety**

7.352 Policy BE14 (Creating Successful Places) of the Local Plan is generally supportive of development proposals provided they safeguard the living

conditions of future occupants of adjacent residents, and that proposals should provide a comprehensive design approach that delivers a high quality, safe, attractive, inclusive, durable and healthy places in which to live and work.

- 7.353 Policy R01(II)3e requires that development proposals should provide, or relate appropriately to well-located multi-functional green spaces to promote safe environments.
- 7.354 Beyond the masterplan principles that relate to the submitted Design and Access Statement highlights that the application scheme has a number of deliberate multi-faceted community safety considerations for DHGV, including:
- a) A well integrated development (safe and convenient links with Station Road and West Horndon to the west of the site);
  - b) Play Strategy (well overlooked and lit al play destinations, and safe residential streets);
  - c) Cycling (safe routes and bicycle parking security);
  - d) Active Travel (safe environment for pedestrians and cyclists);
  - e) Parking (Safe and secure cycle and scooter parking);
  - f) Promoting Health and Relaxation (safe, pedestrian and cycle friendly routes designed for all residents including children);
  - g) Sustainable communities/Good health and Well-being (Fostering a safe, fair and diversified culture and team);
  - h) Sustainability Strategy (Create a sustainable place from the outset, where the needs of everyone in the community can be met and where people feel safe, healthy and ultimately happy);
  - i) Management, maintenance and evaluation (a site management organisation would be responsible for the day to day management and maintenance of the site facilities and open spaces to make neighbourhoods safe, attractive and secure places to live and encourage active participation);

- j) High quality streets and spaces (Dunton Hills will comprise permeable, inclusive neighbourhoods which prioritise sustainable transport and are connected through safe walking, cycling and bus routes), and;
  - k) Healthy streets (Help people feel safe and are relaxed / Ensure that streets are overlooked and there is activity).
- 7.355 In terms of service provision to the local community, it may also be possible for Essex Police to take up an opportunity to establish a formal presence within DHGV, for instance, by occupying a local touch-down space within the multi-use community building in the village centre.
- 7.356 The Essex police service responded with a strong desire to be consulted on future detailed proposals. Also, Essex Police have advised requirement to achieve the relevant Secured by Design accreditation for the proposed development across the various components. This is recommended to be secured via a planning condition.
- 7.357 Further, the Police service also provided advisory commentary regarding:
- a) Adherence to ‘crime prevention through environment designers’ (CPTED) principles;
  - b) Partnership working with Essex Police departments;
  - c) Specific design-related aspects for the proposed development: Lighting, and; Public Realm and open Space; Car Parking Provision, and; Road Layout, Cycle Paths and Footpaths.
- 7.358 As mentioned above, the Outline application format does not include full design details for the Proposed Development and therefore, at Reserved Matters stage, such details will be assessed with reference to Policy BE14 and with reference to Secure by Design Guidance. In addition, relevant design requirements for detailed proposals are also contained within the adopted Design Guidance SPD for DHGV.
- 7.359 Therefore, officers consider that in terms of Crime and Safety, at this outline application stage, the Proposed Development complies with Policy BE14 (Creating Successful Places) of the Local Plan.



## **Planning Conditions and Obligations**

- 7.360 The above assessment as well as the EIA have clarified that the proposed development necessitates the imposition of planning conditions in order to secure certain specifications of the scheme to make it acceptable in planning terms (in accordance with NPPF par. 57). At this stage, it has also been recognised that there will need to be further consideration e.g. through further engagement with consultees/stakeholders, circulation of additional information and expert review, in order to specify the detail of required enhancements and mitigation, which would inform the detailed drafting of planning conditions. Therefore, it would not be appropriate to incorporate full planning conditions with the recommended resolution for the Planning Committee.
- 7.361 For this reason, the general topic areas of relevant planning conditions that have so far been established are set out below whilst the detailed drafting will be presented to members before the grant of planning permission. The general planning condition topics include the following.
- 7.362 A Phased approach to submission of reserved matters and the discharging of conditions across the site is expected.

### ***General***

- 1) Permission expiry
- 2) Required reserved matters applications
- 3) Accordance with approved drawings and documents
- 4) Accordance with EIA
- 5) Accordance with FMD and adherence to the proposed design and landscaping principles
- 6) General accordance with illustrative materials
- 7) Phasing and Implementation Plan
- 8) CEMP

### ***Housing***

- 1) Affordable Housing Strategy

### ***Local Economy***

- 1) Floorspace quantum per non-residential use class

- 2) Employment Strategy
- 3) Employment and Skills Plan

### ***Stewardship Arrangements***

#### ***Highways and Transportation:***

- 1) Updated site access plans
- 2) Site Wide Parking Strategy
- 3) CTMP
- 4) Physical works associated with West Horndon Byway 67 and West Horndon Footpath 60
- 5) EV charging
- 6) A127 Bridge and Link to Thorndon Country Park
- 7) Station Road Improvements
- 8) A127 / B148 Junction
- 9) A127 / A128 junction
- 10) Secure cycle/footway links to A127 and A127/A128 junction
- 11) Upgraded crossing of A128 at Nightingale Lane
- 12) The reserved matters submissions shall include details of (a) mobility route" along the western edge of the site including a cycleway from the railway bridge in the south to the A127 in the north and (b) the internal mobility routes (cycle and pedestrian routes)
- 13) Occupation restriction in relation to the completion of the relevant highway works specified

#### ***Design Matters:***

- 1) adherence to the proposed design and landscaping principles
- 2) maximum extent of development (EIA assessment)
- 3) Types of landscaping details to be submitted at reserved matters stage

#### ***Landscape and Visual Impact:***

- 1) adherence to the proposed design and landscaping principles
- 2) Phasing and Implementation Plan

#### ***Historic Environment:***

- 1) adherence to the proposed design and landscaping principles

- 2) require further Built Heritage assessment information alongside reserved matters application submissions where relevant
- 3) further archaeological evaluation trenching, with a programme of mitigation excavation and recording if required
- 4) scheme / programme of archaeological investigation, including trial trenching and open area excavation

### ***Sustainability, Carbon Reduction and Renewable Energy***

- 1) Updated Sustainability Statement including Renewable Energy Strategy

### ***Ecology and Biodiversity***

- 1) Mitigation for construction and operation effect on the Eastlands Spring LWS
- 2) CEMP including Eastland Spring Water Quality monitoring
- 3) Implementation of the Ecological Mitigation, Management and Monitoring Strategy Part 1 (EMMMS1)
- 4) An EMMMS2 is required to provide further detail to the proposed Part 1 strategy.

### ***Arboriculture***

- 1) Arboricultural Impact Assessment (including any compensation strategy)
- 2) Securing tree and hedge protection measures during construction
- 3) Avoidance of works to trees and hedges in bird nesting season

### ***Land Contamination***

- 1) Soil Management Strategy
- 2) Contamination Mitigation Strategy

### ***Flood and Water Management***

- 1) Detailed surface water drainage scheme
- 2) Scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works, and prevent pollution
- 3) Surface Water Drainage Maintenance Plan and management arrangements
- 4) Yearly logs of Surface Water Drainage maintenance

### ***Noise and Vibration***

- 1) CEMP
- 2) Supplementary Noise Report(s)
- 3) Requirement to provide the noise barrier

### ***Air Quality***

- 1) CEMP
- 2) Updated Air Quality Assessment
- 3) Scheme of Air Quality Mitigation

### ***External Lighting***

- 1) External lighting scheme which includes consideration of bat sensitive locations

### ***Refuse and Recycling***

- 1) Construction Waste Management Plan
- 2) Compliance with the refuse and recycling design requirements (as per Sustainability Statement)

### ***Digital Infrastructure***

- 1) Digital Infrastructure Strategy

7.363 Any conditions would be the subject of the tests of necessity set out in the NPPF and the NPPG.

7.364 The applicant has also accepted that any planning permission granted would necessitate certain obligations in respect of the proposed application to be dealt with by way of a legal agreement under Section 106 of the Town & Country Planning Act 1990. As a matter of principle this would be in line with National and Local Planning Policy MG05 (Developer Contributions) and, as a material consideration not a policy, the Essex Developers' Guide to Infrastructure Contributions.

7.365 Notwithstanding the Applicant's initially submitted Section 106 Heads of Terms, the following list of Heads of Terms that has resulted from further consideration and the above officer assessment, covers the following general topics, to which the applicant has confirmed in principle agreement.

***General***

- 1) Temporary and "meanwhile" development
- 2) S106 Monitoring and Management charges

***Housing***

- 1) Mix of unit size, type and tenures
- 2) Delivery in accordance with the Affordable Housing Strategy
- 3) Affordable Housing (Type, amount, location, mix of unit size, delivery)
- 4) Affordable Housing Financial Viability Assessment Review (if required)
- 5) Self-Build (Type, amount, mix of unit size, delivery)

***Local Economy***

- 1) Financial contributions and/or other means to secure delivery of the Employment Strategy and Employment and Skills Plan

***Education***

Generally securing the delivery of (including any temporary provision):

- 1) 3x Primary School sites with co-located EYCC and SEND provision
- 2) 1 stand-alone EYCC site
- 3) One Secondary School site
- 4) School Transport
- 5) Community use of school facilities
- 6) Co-located Sixth form
- 7) Library Facility and/or Post-16 and Adult Community Learning

***Health***

- 1) On-site Healthcare including GP capacity
- 2) Contribution towards off-site hospital improvements

### ***Open Spaces, Sports and Recreation Facilities***

- 1) Community Sports Hub (dual use with education); Football Hub; formal parks and gardens; allotments and edible landscapes; multifunctional open space; and equipped play areas
- 2) Management of Green Infrastructure
- 3) Community Hall

### ***Community Assets and Stewardship***

- 1) Stewardship Arrangements

### ***Highways and Transportation***

- 1) Mobility hub together with the required equipment and supporting facilities
- 2) Reservations and safeguarding for the Eastern connecting points
- 3) Contributions to upgrades at West Horndon Station
- 4) Public Transport Services and Infrastructure
- 5) Other improvements required to the off-site active travel routes covered by the CLoS assessment
- 6) Updated Framework Travel Plan/Mobility Strategy (including: Community concierge/Travel Plan Co-ordinator, Monitor and Management details, Transport Review Group)
- 7) Car Club/Car Sharing arrangements
- 8) Commuted Sums
- 9) Financial contributions to any relevant orders including for changes to the status and alignment of PROW
- 10) Implementation of monitor and review
- 11) Additional Measures funding

### ***Ecology and Biodiversity***

- 1) Biodiversity Diversity Net Gain Target
- 2) Visitor Management at Thorndon Country Park and Interpretation at Langdon Hills County Park

7.366 The detail of these planning obligations is still to be negotiated and will be secured in the drafted section 106 agreement. This final agreement will be

presented to members for consideration and approval prior to the grant of planning permission.

- 7.367 Based on the above assessment and with the appropriate drafting and securing of planning conditions and the S106 legal agreement, it is considered that the Proposed Development would comply with Local Planning Policy MG05 (Developer Contributions) and the guidance contained in the Essex Developers' Guide to Infrastructure Contributions.
- 7.368 Officers have spoken with the applicants to assess the amount of time that it may take to return to Planning Committee with fully written planning conditions and a draft S106 legal agreement. The matters to be covered appear to be a mix of simple to highly complex, so it will be difficult to predict with accuracy at this stage. For this reason, officers would recommend that a time limit is set for a maximum one year period within which the application is triggered to be heard by Planning Committee for its second decision (by confirmation of the final pre-engrossment S106 legal agreement from the applicant). This timescale would be reviewable by officers, in discussion with the Committee Chair. Any extension to this period should also be subject to regular quarterly interim updates from officers, as informed by a written update from the applicants. This has been included as part of the officer recommendation.

### **Cumulative Assessment**

- 7.369 As part of the EIA process a list of committed or potential developments where there might be potential cumulative impacts was agreed with the Officers and SLR. Officers' review of potential cumulative effects as part of the EIA process, considers both existing development and qualifying "committed developments". In addition, in assessing the current application, officers have had regard to potential material interactions with other current planning application proposals that have not yet been determined.
- 7.370 As the Borough's largest economic development project, Brentwood Enterprise Park (LP Allocation Site E11) is a strategic development that has specifically been considered in the context of this application, because of current live planning application Ref. 22/00402/FUL, which proposes:

*“demolition of existing buildings and structures; ground works to enable creation of development plots; highways works including construction of new A127 overbridge, access to B186, site roads and construction of M25 J29 to*

*B186 link road (phase 1), erection of buildings for Class B8 (Storage and Distribution) and/or Class B2 (General Industrial) use within ancillary office space (within Class E); landscaping, infrastructure and enabling works including diversion of public rights of way.”*

7.371 In considering current application Ref. 21/01525/OUT, the potential implications of combined development have been considered throughout the officer assessment. In particular, it is considered that aside from the potential for net negative impact on the highway network, there may be synergies to be achieved from combining both schemes' mitigation strategies as per the adopted Local Plan's Infrastructure Development Plan (IDP), with resulting improvements to local public transport and active travel infrastructure. Other synergies could arise from the combination of new employment and new housing in relatively close proximity to help reduce travel by car and to create an attractive environment for local workers and residents.

## **8. CONCLUSION**

8.1 As is appropriate for the assessment of a planning application of this scale, officers have conducted a proportionate assessment that has reached a number of conclusions that need to be balanced against each other in order to advise a final recommendation.

8.2 Having considered the proposed development's impact on Green Belt, the proposed development's assessment as a holistic village development as intended by key Policy R01, and having considered the proposed main land uses individually, officers consider that, subject to benefits and mitigation being secured through planning conditions and/or planning obligations, the principle of the proposed development would be acceptable.

8.3 After assessment of the proposed development against further relevant thematic Development Management policies, officers confirmed policy compliance in all other topics, subject to planning conditions and/or planning obligations. The exception has been the topic of the Historic Environment, where material harm to the significance of Built Heritage assets was established, although in this case, this was assessed to be outweighed by a considerable range of public benefits.

8.4 In overall balance, therefore, officers have assessed that, subject to planning conditions and/or planning obligations, the proposed development would be



compliant with relevant planning policy contained in the NPPF (2023) and in the Brentwood Local Plan (2022).

## **9. RECOMMENDATION**

### **Decision 1**

That the council's Planning and Licensing Committee resolve to grant planning permission, subject to;

1. Planning conditions, in general accordance with the general topics and remits set out in paragraph 7.362 of this report including those which are necessary to secure the mitigation identified by the EIA process and subject to: (i) officers being delegated authority to negotiate the draft conditions with the applicants; and (ii) the final draft conditions being subject a further report to this Committee for approval;
2. A S106 legal agreement first being entered into, in general accordance with the general heads set out in paragraph 7.365 of this report, including the "bookends" and subject to: (i) officers being delegated authority to negotiate the draft Section 106 Agreement with the applicants; and (ii) the final draft Section 106 Agreement being subject a further report to this Committee for approval within one year of this decision (or such longer period as is agreed between officers and the applicants). Officers will have discretion to extend the application in three-month increments, in discussion with the Committee Chair. Any extension to the initial one-year period would be subject to regular quarterly interim updates from officers, as informed by the submitted update from the applicants.

### **Decision 2**

By default, a refusal of the application would be triggered in case this Committee does not approve a final draft Section 106 Legal Agreement within one year of this first decision (or such longer period as is agreed between officers and the applicants) in accordance with the above. Officers will have discretion to extend the application in three-month increments, in discussion with the Committee Chair. Any extension to the initial one-year period would be subject to regular quarterly interim updates from officers, as informed by the submitted update from the applicants.

**DECIDED:**

<b>Glossary of Key Planning Terms</b>	
ADSL	ADSL (Asymmetric Digital Subscriber Line) is a technology that facilitates fast data transmission
"Class"	Use Class Order. The Town and Country Planning (Use Classes) Order 1987 puts uses of land and buildings into various categories.
Affordable Housing	Social rented, affordable rented and intermediate housing which is provided to specific eligible households whose housing needs are not met by the market housing on offer (including housing that provides a subsidised route to home ownership and/or is for essential local workers). Eligibility is determined with regard to local incomes and local house prices
Biodiversity Net Gain (BNG)	Biodiversity net gain is development that leaves biodiversity in a measurably better state than before.
Building Regulations	Relates to how development is constructed, if a new building is to be erected or an existing one altered, building regulation consent will normally be needed.
Class B2 (use class)	General industrial
Class B8 (use class)	Storage or distribution - Use for storage or as a distribution centre. This class includes open air storage.
Class C2 (use class)	Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
Class C3 (use class)	Dwellinghouses
Class E (use class)	Commercial, business and service
Class F (use class)	Class F.1 – Learning and non-residential institutions. Class F.2 – Local community.
CEMP	Construction Environmental Management Plan
Community Management Statement	This document aims to identify how the long term future governance and stewardship of Dunton Hills Garden Village would be achieved.
Conditions (on a Planning Permission)	Requirements attached to a planning permission that limit or direct the manner in which development

	is carried out. Should these be breached then the local planning authority can take enforcement action.
CPTED	Crime Prevention Through Environment Design
CTMP	Construction Traffic Management Plan
Design and Access Statement (DAS)	A report accompanying and supporting a planning application. They provide a framework for applicants to explain how a proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users. They can be used to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way.
Development Management (DM)	The process of determining applications for planning permission. It is carried out by the Council in order to ensure appropriate use of land and buildings in the context of legislation, Government guidance and the Development Plan.
DfT	Department for Transport
DHGV Design Guidance Supplementary Planning Document	The Dunton Hills Garden Village SPD sets out broad principles to show how the Garden Village should be designed, translating the policy requirements in the Local Plan into a well-designed and successful place.
DHGV Framework Masterplan Document (FMD, 2021 consultation version)	The March 2021 consultation version DHGV Framework Masterplan Document provides a blueprint for development covering the entire DHGV site.
DHGV Framework Masterplan Document (FMD, 2022)	The application masterplan FMD 2022 is an iteration beyond the FMD 2021 that is based on the same enduring principles and spatial organisation concepts of FMD 2021, although there are deviations.

Direct, indirect, and induced employment	Investments into an industry or project can produce temporary and long-term employment. The resulting jobs are typically categorized as being one of three types. A direct job is employment created to fulfill the demand for a product or service.[1] An indirect job is a job that exists to produce the goods and services needed by the workers with direct jobs.[1][2] Indirect employment includes the things need direct on the job as well as jobs produced because of the worker's needs (e.g., uniforms). Employment created by the additional personal spending (e.g., eating at a restaurant) by both direct and indirect workers is classified as an induced job
Draft SPD	Reflects the status of the DHGV Design Guidance Supplementary Planning Document at the time of submission of the application.
ECC	Essex County Council
EEC	European Economic Community
EHO	Environmental Health Officer
EMMMS	Ecological Mitigation, Management and Monitoring Strategy
Environment Impact Assessment (EIA) and Environmental Statement	Applicants for certain types of development, usually more significant schemes, are required to submit an "environmental statement" accompanying a planning application. This evaluates the likely environmental impacts of the development, together with an assessment of how the severity of the impacts could be reduced.
Equality Impact Assessment (EqIA)	This is a process designed to ensure that a policy, project or scheme does not discriminate against any disadvantaged or vulnerable people within society.
Essex Design Guide	The Essex Design Guide was established in 1973 by Essex County Council. It is used as a reference guide to help create high quality places with an identity specific to its Essex context. The preceding publication was released in 2005. The 2018 edition seeks to address the evolution of socio-economic impacts on place-making.

Essex Developers' Guide to Infrastructure Contributions (ECC's Developers Guide)	This document details the scope and range of contributions towards infrastructure which Essex County Council may seek from developers and land owners in order to mitigate the impact and make development acceptable in planning terms.
EYCC	Early Years Child Care
FHS	Future Homes Standard
FTE	Full Time Equivalent (employment)
FTTC	Fibre To The Cabinet
FTTP	Fibre To The Premises
Garden Communities and School Place Planning Guide	This document sets out Essex County Council's approach to delivering new schools and ensuring there are sufficient pupil places to serve large new settlements that are planned for the county.
Garden Communities programme	The Government programme provides support to progress long-term housing projects from their earliest stages. It enables local authorities to recruit specialist staff, undertake the required planning and receive advice and support from the housing delivery body, Homes England.
GIA	Gross Internal Area
Governance and Transport Review Group (TRG)	Group made up out of stakeholders that regularly review the performance of a Travel Plan / Mobility Plan, in order to put into place any necessary corrective action
Green and blue infrastructure	Green and Blue Infrastructure (GBI) can be summarised as a network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities.
Green Belt	A national planning policy designation given to land. Green Belts were designated to stop the uncontrolled growth of large cities and towns. The Green Belt can include both greenfield and brownfield (previously developed) sites in areas with both good and poor landscape value.
GVA	Gross Value Added

Habitats Regulations Assessment (HRA)	The Habitat Regulation Assessment forms part of the Local Plan evidence base. The Habitat Regulation Assessment is a statutory requirement under the Conservation (Natural Habitats) (Amendment) (England and Wales) Habitat Regulations Assessment Regulations 2006. An HRA is required for a plan or project which, either alone or in combination with other plans or projects is likely to have a significant effect on the integrity of a European site (one that forms part of the Natura 2000 (N2K) network), plus Ramsar sites (collectively 'international sites').
Health Impact Assessment (HIA)	A process that identifies the health and wellbeing impacts (benefits and harms) of any plan or development project. A HIA recommends measures to maximise positive impacts; minimise negative impacts; and reduce health inequalities.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).
Heritage Impact Assessment (HIA) and Heritage Statement	A Heritage Statement describes the architectural and historic significance of a listed building or heritage asset.
HTA	HTA Design LLP: design consultants to Brentwood Borough Council for the DHGV Design Guidance SPD
Indirect and induced jobs	A direct job is employment created to fulfil the demand for a product or service. An indirect job is a job that exists to produce the goods and services needed by the workers with direct jobs. Employment created by the additional personal spending (e.g., eating at a restaurant) by both direct and indirect workers is classified as an induced job.

Infrastructure	Infrastructure means any structure, building, system facility and/or provision required by an area for its social and/or economic function and/or well-being. Any structure, building, system facility and/or provision required by an area for its social and/or economic function and/or wellbeing including (but not exclusively): footways, cycleways and highways; public transport; drainage, SuDs and flood protection; waste recycling facilities; education and childcare; healthcare; sports, leisure and recreation facilities; community and social facilities; cultural facilities, including public art; emergency services; green infrastructure; open space; affordable housing; live/work units and lifetime homes; broadband and facilities for specific sections of the community such as youth or the elderly.
LAP	Local Area Play
LEA	Local Education Authority
LEAP	Locally Equipped Area for Play
LETI	LETI is a network of over 1,000 built environment professionals, working together to put the UK on the path to a zero carbon future
LLFA	Lead Local Flood Agency
Local Plan (Brentwood Local Plan)	Brentwood Local Plan 2022 ('the Local Plan'), the adopted development plan for Brentwood Borough. Planning legislation states that applications must be determined in accordance with the relevant development plan policies unless material considerations indicate otherwise.
LWS	Local Wildlife Site
m2	area size unit square metre
Masterplan	A masterplan is a framework for development, a masterplan describes how an area will be developed. Its scope can range from strategic planning at a regional scale to small scale.
Mobility Strategy	Sets out the approach to sustainable movement to, from and around DHGV.
MUGA	Multi Use Games Area



National Planning Policy Framework (NPPF)	A document that sets out the Government’s planning policies for England and how these are expected to be applied.
National Planning Practice Guidance (NPPG)	Guidance on best practice for implementing the Government’s planning policies set out in the National Planning Policy Framework.
NO2	Nitrogen dioxide, or NO2, is a gaseous air pollutant composed of nitrogen and oxygen
Original FMD	Refers to the DHGV Framework Masterplan Document (FMD, 2021 consultation version)
Outline Planning Application	An application for planning permission which does not include full details of the proposal, and usually only includes sufficient detail to identify the principles of the proposal. Details not submitted at this stage are called 'reserved matters'. If the application is granted, details of the reserved matters are submitted to the local planning authority at a later stage. Essentially an outline consent approves the principle of development; not the detail.
Parameter Plan(s)	The submitted masterplan has informed the parameter plans that have been submitted “for approval”.
Phasing Plan	A phasing plan describes the timings of when each stage of a development will be completed.
Planning Obligations	A legally enforceable agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal that cannot be controlled through the imposition of planning conditions.
RAMSAR	Wetland site designated to be of international importance under the Ramsar Convention
Reserved Matters	A planning permission usually outline, may specifically reserve for later consideration some matters not relating to the principles of the proposed development. Matters reserved at outline stage can include access, appearance, layout, scale and landscaping. This can also refer to conditions placed on a full planning permission that require the approval of additional matters such as materials.

Scoping	Determining the extent of issues to be considered in the assessment and reported in the Environmental Statement. The applicant can ask the local planning authority for its opinion on what information needs to be included (which is called a 'scoping opinion')
Section 106 (S106)	A legal agreement that commits an applicant(s), the Local Planning Authority and third parties that may have a relevant interest (such as landowners and service providers), to specific obligations that are necessary to make the development acceptable (see NPPF par 55).
Self-build and Custom Build	Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.
SEND	Special educational needs and disability
SLR	Environmental Consultants
SPA	Special Protection Area (Nature Conservation)
SSSI	Site of Special Scientific Interest (Nature Conservation)
Statement of Community Involvement (SCI)	A statement of community involvement explains how the community will be involved in the preparation of the planning application, and the steps that will be taken to encourage this involvement.
Sui Generis	When no use classes order category fits, the use of the land or buildings is described as sui generis, which means 'of its own kind'. Examples of sui generis uses include: scrap yards, petrol stations, taxi businesses, (these examples are not exhaustive)
Supplementary Planning Document (SPD)	Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainable Drainage Systems (SuDS)	This is a natural approach to managing drainage by slowing down and reducing the quantity of surface water run-off from a developed area to manage downstream flood risk and reducing the risk of the runoff causing pollution.
TCCF	Thames Chase Community Forrest
Transport Assessment (TA)	Sets out transport issues relating to a proposed development which will result in significant amounts of movement. It identifies what measures are being proposed to deal with the anticipated transport impacts of the scheme and how the proposal will improve accessibility and safety for all modes of travel.
Travel Plan (TP) / Framework Travel Plan	A travel plan is a package of actions designed by a workplace, school or other organisation to encourage safe, healthy and sustainable travel options
Travel Plan Co-ordinator / Concierge service (TPC)	The Travel Plan Coordinator (TPC) plays an important role in the success of any Travel Plan. They are the individual responsible for the day to day running, promotion and implementation of the Travel Plan, as well as being the person that helps others with transport questions.
Viability Report	Looks at whether a site is financially viable. The appraisal looks at whether the value generated by a development is more than the cost of developing it.