

Officer's Meadow, Shenfield

Planning Applications: 23/01164/FUL and 23/01159/OUT

Note on the Reasons for Refusal cited at Planning Committee 9 July 2024

## 1. Affordable Housing Mix and Tenure Split

- 1.1 On large sites, adopted Policy HP05 requires the provision of 35% of dwellings to be affordable. Criterion 2 states,

*"In considering the suitability of affordable housing, the Council will require that:*

*a. the tenure split be made up of 86% Affordable/Social Rent and 14% as other forms of affordable housing (this includes starter homes, intermediate homes and shared ownership and all other forms of affordable housing as described by national guidance or legislation) **or regard to the most up to date housing evidence;***

*b. the affordable housing be designed in such a way as to be seamlessly integrated to that of market housing elements of a scheme (in terms of appearance, build quality and materials) and distributed throughout the development so as to avoid the over concentration in one area; and*

*c. the type, mix, size and cost of affordable homes will meet the identified housing need **as reported by the Council's most up-to-date housing evidence.**" \*Authors emphasis*

- 1.2 Figure 6.2 of the Local Plan, on page 115, shows an indicative size guide for affordable housing:

Size & Tenure of all affordable housing required up to 2033						
Tenure	% Split	Indicative Size				
		One bedroom	Two bedrooms	Three bedrooms	Four/+ bedrooms	Total Size
Affordable rent / Social rent	86%	31%	24%	19%	26%	100%
Other forms of affordable housing	14%	28%	36%	24%	12%	100%
<b>Total Tenure</b>	<b>100%</b>					

Figure 6.2: Indicative Size Guide for Affordable Housing

- 1.3 In terms of evidence, the Local Plan was drafted on the basis, amongst other things, of the South Essex Housing Needs Assessment (June 2022) and the SHMA Part 1 (October 2018) and SHMA

Part 2, Objectively Assessed Need for Affordable Housing (June 2016). Therefore the needs for Policy R03 and the other allocated strategic sites come from this evidence.

- 1.4 Paragraph 6.24 of the adopted Local Plan that “*The Council’s SHMA Part 2 provides a detailed assessment of the housing required to meet existing and future needs across the borough.*” This has informed not just Policy HP05 on Affordable Housing but Policy HP04 Specialist Accommodation and other policies.
- 1.5 As set out above, adopted Policy HP05 2c states, “*In considering the suitability of affordable housing, the Council will require that the type, mix, size and cost of affordable homes will meet the identified housing need **as reported by the Council’s most up-to-date housing evidence.***” Supporting text at paragraph 6.31 states,
 

“The provision of affordable housing to meet identified need is an important objective of the Local Plan. **To assess this need, the Council, commissioned consultants to produce a Strategic Housing Market Assessment (SHMA) Part 2**, which was published in June 2016, and uses the national planning practice guidance to calculate the level of affordable housing need.” It is the SHMA that evidenced the need for 35% affordable housing and the tenure split set out in the local plan.
- 1.6 The local plan viability assessment was also based on this evidence.
- 1.7 Kew Planning forwarded the updated 2022 SHMA from BBC Policy in May 2023, so Croudace could prepare the detailed application, in an attempt to minimise the delay of delivering houses on their site to help the Council meet its published local plan housing delivery trajectory.

#### Size of Affordable Housing Needed in South Essex (2021-40) (p131)

	1 bed	2 beds	3 beds	4+ beds	Total
<b>2022 SHMA</b>	<b>49%</b>	<b>36%</b>	<b>14%</b>	<b>1%</b>	100%
2016 SHMA	31%/28%	24%/36%	19%/24%	26%/12%	

- 1.8 The Masterplan Development Principles document, approved in August 2023, was also based on the 2022 SHMA mix.
- 1.9 Further, the Planning Obligation SPD adopted as recently as December 2023 also relies on the SHMA, stating in the justification of the provision of on-site affordable housing, “*To address the need for affordable housing in the Borough **in accordance to Policy HP05 and evidenced in the Council’s SHMA***”.
- 1.10 Given this obvious reliance on the SHMA throughout the local plan process and subsequent documents, and the fact Croudace was issued the update in May 2023, it is more than reasonable for Croudace to take the most up-to-date, consistent, substantiated, and tested evidence at the point of submission.
- 1.11 As you know, given the concern about a positive local decision, Croudace has taken a view to be as policy compliant as possible, even though the original numbers of dwellings on the site can no longer be achieved, in case the application has to be appealed. The Local Plan, the viability assessment, the approved Masterplan Principles document and the recently adopted Planning

Obligation SPD ALL specify the SHMA as the credible evidence base. The application is currently in accordance with ALL of these policy documents, and therefore in accordance with Policy HP05.

1.12 The table below shows the difference between the 2016 SHMA and the 2022 SHMA

	<b>Fig 6.2 Local Plan</b>		<b>SHMA 2022</b>		
	<b>Rent</b>	<b>Shared Ownership</b>	<b>Total</b>	<b>Rent (applied policy: 86%)</b>	<b>Shared Ownership (applied policy:14%)</b>
1 bed	31%	28%	<b>49%</b>	42%	7%
2 bed	24%	36%	<b>36%</b>	31%	5%
3 bed	19%	24%	<b>14%</b>	12%	2%
4+ bed	26%	12%	<b>1%</b>	1%	0%

1.13 Despite this 2022 SHMA representing the need in Brentwood Borough, BBC Housing Officers wanted a stronger emphasis on family housing rather than one bed units. Croudace market tested the requirements with three Registered Providers (Housing Associations) as the delivery agents. On that basis, Croudace amended the housing mix, so the total 1B apartments is 27% and the combined no of flats is 39% to align with the comments received from Registered Providers.

1.14 As Croudace was willing to reduce the number of one bed units, the Policy Team suggested the tenure split could be adjusted from 86% rent:14% shared ownership to 50:50.

1.15 As such, the housing mix – **agreed by BBC Housing Team and Planning Officers** – is as follows:

	<b>Croudace Application</b>		
	<b>Total</b>	<b>Rent</b>	<b>Shared Ownership</b>
1 bed	27%	14%	13%
2 bed	60%	27%	33%
3 bed	11%	5%	6%
4+ bed	2%	1%	1%

1.16 It is noted there is significant need for affordable housing in Brentwood. This is primarily due to there not being a local plan for many years in an authority that is 86% Green Belt which has significantly affected market housing being delivered, which in turn provides affordable homes. Refusing an application that is providing 121 affordable homes would simply make this position worse.

1.17 In summary, the housing mix and tenure complies with Policy HP05 in terms of providing the full 35% affordable homes. The housing mix relates to more up-to-date evidence and officer opinion, which has resulted in no objections on this matter.

## 2. Policy BE14 Creating Successful Places

2.1 Planning Committee Members cited that the application was contrary to BE14 1e, which states,

*“Proposals will be required to meet high design standards and deliver safe, inclusive, attractive and accessible places. Proposals should:*

*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);”*

2.2 As part of the extensive 18 months of work to draft the Masterplan Development Principles, FINC Architects undertook a Contextual Analysis of Shenfield. This is Appendix 2 of the approved Masterplan document. The contextual analysis was undertaken in accordance with the National Design Guide, and therefore in accordance with the NPPF which references using the Guide.

2.3 Informed by the analysis of the Site, its context and the contextual analysis of Shenfield, the existing townscape, the identification of important arrival points proposed character areas and landscape sensitivity the Masterplan Development Principles document created a spatial framework and height envelope to guide the overall massing and layout of the Site.

2.4 During discussions with BBC Planning Officers, and the Councils Urban Design consultants ECC Place Services, the importance of the arrival points - the Gateways - to this new part of Shenfield became more significant. As such, Croudace was asked by officers to increase the building heights at the entrances to create the Gateways.

2.5 The Western Gateway (Chelmsford Road) is identified as Mews Streets character (page 55 of the Masterplan Development Principles document) which forms the majority of the internal streets throughout the Croudace scheme. In terms of building heights/density, this character area is,

*“Predominantly 2 to 3 storeys with occasional 4 storey buildings in key locations. Medium density, which becomes higher in key locations.”*

2.6 This is illustrated by the following architectural examples:



- 2.7 The Southern Gateway (Alexander Lane) is part of the character area The Lanes (page 57 of the Masterplan Development Principles document). In terms of building heights/density, this character area is,

*“Between 2 to 3 storeys with occasional 4 storey buildings in key locations. Medium density..”*

- 2.8 This is illustrated by the following architectural examples:



- 2.9 The Built Form section of the Masterplan Development Principles document goes on to explain the design philosophy for the whole allocation site.

- 2.10 During the pre-application and post-submission discussions with BBC Planning Officers and ECC Place Services, a number of changes were made to address issues raised. In response to the architectural changes FINC Architects had made to the apartments on Chelmsford Road to reflect Brentwood School brick detailing, Place Services in their response to the set of amendments submitted in March 2024, wrote on 12 April 2024,

*“ The architecture of the most prominent character areas is positive, and where house types have been adapted by the architects to be contemporary, these have become exemplary”.*

- 2.11 These comments were also repeated in the Place Services response on 22 May 2024, and set out on page 55 of the Committee Report. As paragraph 9.43 of the Committee Report sets out, Place Services supports the Croudace proposal.

- 2.12 Paragraph 9.44 of the Committee Report states,

*“Overall, it is considered that the proposed layout is of very high quality, and that it will provide high living standards for future residents.”*



2.13 Paragraph 9.46 of the Committee Report concludes on design,

*“To conclude, the proposed development is in full compliance with LP Policies BE14 (Creating Successful Places), BE15 (Planning for Inclusive Communities) and R03 (Land North of Shenfield), subject to conditions about materials and details of the school plaza’s landscape.”*

#### **Policy BE14 2a – Effective Engagement**

2.14 Planning Committee Members cited that the application was contrary to BE14 2a, which states,

*“Proposals for major development should be supported by an area specific masterplan. Where appropriate, the Council will consider the use of a complementary design guide/code, to help guide the necessary design coherence across the entire development site. Design proposals will be expected to:*

*a. demonstrate early, proactive, inclusive and effective engagement with the community and other relevant partners;”*

2.15 Croudace, along with the other three developers of R03, worked on the Masterplan Development Principles document for over 18 months with BBC officers and ECC Place Services as well as other statutory consultees.

2.16 An All Members Briefing on the Masterplan Development Principles document was also held on 3 August 2022.

2.17 Following many iterations and extensive discussions the Masterplan document was presented along with individual draft applications to the Essex Quality Review Panel on 7 June 2023. Subject to final amendments, the Masterplan Development Principles Framework document was approved on 3 August 2023.

2.18 As set out in Section 1 of the Planning Statement, the application has been subject to extensive pre-application consultation both as part of the drafting of the Masterplan Development Principles document and as part of an individual Planning Performance Agreement (PPA) between BBC and Croudace Homes Ltd. The principles set out in the PPA were established to mutually commit to the progression of the proposals in a timely manner.

2.19 Formal pre-application meetings were held on MS Teams on 7th March 2023 and 6th July 2023 where attendees included the Applicant and their Consultant Team, Kew Planning Consultants (on behalf of BBC), BBC Landscape Officers, BBC Housing Officers, BBC Environmental Health Officers, ECC Place Services and the ECC Education Team.

2.20 Key topics of discussion included:

- The evolution of the proposed site layout
- The design of gateway buildings off the A1023 Chelmsford Road access
- Housing mix, typologies, and density
- Street hierarchy
- Parking provision
- Landscape strategy and tree retention
- The location, principle and delivery of the land safeguarded for education provision
- S106/ CIL contributions

#### **Public Consultation and Community Engagement**

- 2.21 Community engagement was undertaken in general conformity with the overarching objectives of the Localism Act 2011, NPPF 2021, and the BBC 'Statement of Community Involvement' (SCI) adopted in December 2018. The BBC SCI sets out the Council's standards for Community Engagement as well as advice for planning consultations.
- 2.22 A multi-faceted approach to community engagement has been adopted to offer multiple genuine opportunities for all members of the community and a wide range of other stakeholders to comment on and input into the proposed development, including:
- Newsletters and enclosed feedback forms sent to over 1,800 local addresses
  - An online webinar with the Applicant and Consultant Team including a live Q&A session
  - Invites sent to over 180 of the nearest neighbours for a 'near-neighbour event' which offered pre-booked appointments with the Applicant and Consultant Team
  - A dedicated project website with an online feedback form
  - Meetings and ongoing engagement with political and community representatives
  - A dedicated email address, freephone telephone number and freepost address, and
  - Engagement with the local media.
- 2.23 An SCI, prepared by Meeting Place, was submitted with the planning application detailing how the community engagement had been undertaken, setting out the findings in both quantitative and qualitative data sets and visuals and explaining how the comments received have been considered within the proposals.
- 2.24 Therefore, the Applicant has committed to multiple strands of consultation with BBC, ECC and the community and interested parties in advance of submitting the proposed application and demonstrated early, proactive, inclusive, and effective engagement with the community and other relevant partners in accordance with Policy BE14 2a.